



Kriss Worthington  
Councilmember District 7

## REVISED AGENDA MATERIAL

**Meeting Date:** December 17, 201

**Item Number:** 47

**Item Description:** [Support UFW Efforts to Improve Worker Health and Safety Practices at Darigold Inc. Dairy Company](#)

**Submitted by:** Kriss Worthington

Revision incorporates a number of edits based on Councilmember Maio's suggestion.



## Kriss Worthington

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### CONSENT CALENDAR

November 19, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Kriss Worthington

Subject: Support UFW efforts to improve Worker Health and Safety Practices at Darigold Inc. Dairy Company

#### RECOMMENDATION

That the Council send a letter to Darigold, Inc. dairy company requesting a change in [that they investigate](#) worker health and safety practices [as reported](#), at their dairy factories, and respond to the United Farm Workers (UFW) request for dialogue.

#### BACKGROUND

Multiple employees have reported serious problems with worker health and safety practices at one of the Darigold cooperative's member dairies, DeRuyter Bros. Dairy in Sunnyside, Washington. Below are some of the reported violations:

- After one worker injured his back and arm when a cow pressed him against a metal surface, his supervisor required him to continue working and not receive medical treatment.
- Another worker reported inadequate portable restroom facilities that results in piles of human excrement where there were no place else to relieve themselves.
- Another reported the refusal of lunch breaks on 9-10 hour shifts, requiring workers to eat while working, touching food with gloves covered in iodide and cow excrement.
- A worker that had mixed up cows from two different corrals was given the option by a supervisor to provide a twelve pack of beer or risk getting fired.

If the reported incidents occurred, they are violations of Occupational Safety and Health Administration (OSHA) standards for sanitation, and prevention and reporting of workplace injuries.

The UFW has repeatedly attempted since August 2011 to obtain a response from Darigold, Inc. regarding serious worker health and safety violations at the DeRuyter Bros. Dairy.

DeRuyter workers, UFW representatives, and other supporters from a broad coalition of faith, student, labor and community leaders have marched to Darigold plants, sent a delegation to the Darigold headquarters in Seattle, and delivered a 20,000-signature petition.

Darigold, Inc. is one of the largest dairy processors in the U.S. It has annual sales of over \$2 billion and operates 10 plants that serve over 500 independent dairy farms. It has the purchasing power to demand just labor practices from its suppliers. Darigold proclaims its own accomplishments in corporate social responsibility in a lengthy 2010 self-published report. It is time for them to put action behind their values.

The City of Berkeley should stand up for worker rights and send a letter to Darigold demanding an end to the alleged violations.

FINANCIAL IMPLICATIONS

None.

CONTACT PERSON

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Attachment:

1. Letter to Jim Wegner, President and CEO of Darigold, Inc.

Jim Wegner, President and CEO  
Darigold, Inc.  
1130 Rainier Avenue South  
Seattle, WA 98144

Dear President Wegner,

The Berkeley City Council requests that Darigold, Inc. respond to the recent multiple requests by employees of DeRuyter Bros. (one of your suppliersmembers), the United Farm Workers (UFW), and their supporters to address workplace health and safety issues at dairy factories.

The Berkeley City Council regrets to hearhas heard that Darigold Senior Vice President and General Counsel Steve Rowe has been quoted as telling the Capital Press that “all DeRuyter dairies are high-quality farms” and that the UFW has never contacted him. ActuallyWe have learned, since August 2011, that broad coalitions of DeRuyter workers, UFW members, and other faith, labor, student and community leaders have marched to Darigold plants; sent several delegations to visit the Darigold headquarters in Seattle; and sent over 1,000 community members and workers to deliver a petition with over 20,000 consumer signatures. Yet there has been no response from Darigold.

DeRuyter Bros. alleged violations are too dangerous to ignore. One worker reported that, after injuring his back and arm when a cow pressed him against a metal surface, his supervisor ordered the foreman not to take him to the hospital and required him to continue working until the next person came at the end of his shift. Another worker reported inadequate portable restroom facilities that frequently fill up, resulting in piles of human excrement immediately outside the restrooms from workers who had no place else to relieve themselves. Another reported the refusal of lunch breaks on 9-10 hour shifts, requiring workers to eat while working, touching food with gloves covered in iodide and cow excrement.

These alleged abusive workplace practices are would be direct violations of Occupational Safety and Health Administration (OSHA) standards for all industrial employers—which require provision and maintenance of adequate toilet facilities for employees; removal of waste and refuse “in such a manner as to avoid creating a menace to health...and maintain the place of employment in a sanitary condition;” and recording and reporting of injuries on the job to OSHA. All employers are required by OSHA to have a written, effective Injury and Illness Prevention Program.

Thus, the Berkeley City Council requests Darigold, Inc. to ~~respond immediately to~~ investigate these allegations and to ~~the call for~~ engage in a dialogue from with the United Farm Workers ~~and to address DeRuyter Bros.~~ over the presence of workplace safety violations.

Sincerely,  
Berkeley City Council