

Attachment

The following are excerpts from emails that Food & Water Watch's Senior Policy Analyst, Felicia Nestor, received from federal meat and poultry inspectors between March 30th and April 16, 2007 concerning the impact of staff shortages on inspection.

I have one plant that has not received daily visits at times because of slaughter duties. I also know that there are at 2 others with plants that are in the same position. If it helps we are from Minnesota. I know of a slaughter/processing plant that has a couple vacancies (been that way for awhile) and when someone is needed for the slaughter floor the processing side is forgotten about. No time to do both even though they are the same plant.

Est. [Number redacted] should have two [processing inspectors] on first shift as they do on third. But the first shift processing inspector has to cover a Hog Plant [location redacted]. The processing inspector at [the Establishment] has to give breaks to each of 9 line inspectors during the day plus perform all the HACCP inspection tasks. I'm sorry to say that I don't get all the tasks done during some of the days. The IIC doesn't help with the task unless he's by himself and then he only does half of the [critical food safety checks]. Well in a nut shell, at times it's HELL at [the Establishment].

I am assigned to nightshift (10pm-6:30am) at [location redacted]. My supervisor wants to put down that some procedures have not been performed because we have been short for over four weeks now, however a couple of years ago when they were short-staffed she and the [processing inspectors] at that time did so. My supervisor got a nasty email from the [location redacted] District office that told her they were not to do that. The District Office made it clear to her they didn't care if it wasn't done, it still had better be marked as performed. We've had several nights when my supervisor is the only person on the floor. I use part of my breaks off of the line to complete procedures to assist her in getting things completed on our procedure sheet.

At this time me and the other processing inspector on nightshift are having to alternate filling in on the line because one of the line inspectors was moved to dayshift. . . In the meantime, no one has been detailed to cover his position on the line so the processing inspectors are having to swap out to cover his line position. In the meantime, we can't perform all of our tasks.

Regarding inspector shortages, I can start with the 3 plants to the north of me just last week. There has been a vacancy in [location redacted] for over a year and they pull the inspector from the [location redacted] circuit when they run short. Just last week he had all 3 of his plants go without inspection for 3 days and in my 3 years here there are at least 100 days they have used him there and his plants have gone without inspection.

On my plants, I usually have an all day kill on Wednesday and I have 1 or two plants that only get covered when my supervisor is around (he does make an effort) and the first year and a half they were not covered at all before he got here. I have been on vacations and asked to

change my kills. A relief person shows up to do kills only if there are any and the other plants get no inspection for the week. In Nebraska if they were short I did the kill and the processing went unstaffed many times.

On the days I worked over 11 hours it was because I was filling a vacancy on the day shift. That inspector had retired and I was interested in moving to days after 6 years on the night shift. The problem was that there was no one to do the night shift patrol, so I worked the day shift (with one plant going overtime that means 10 hours plus the 1/2 hour pre-operational sanitation) and then I had to cover one of the night shift plants on a call back. So after a 10 1/2 hour day I still had an 80 mile round trip and 2 hours of the second shift to cover at the night shift plant. Twice I was too bushed to do it, so I went home and slept a few hours then worked from 2100 to 2300 hours. It sounds bad, but it actually worked better for me.

I have been fighting for several years to get a full time [processing inspector] assigned to the [name redacted] slaughter plant. There is one that is supposed to stop daily but is unable to because of his other assignments. The agency is going to say that it doesn't go uninspected because there is a vet there that is performing these duties. This vet is EIAO [Enforcement, Investigation and Analysis Officer] trained but the [slaughterline inspectors] over there have told me that he doesn't even perform the fecal checks that he is scheduled to perform. I also know that this same "patrol" when the inspector is performing slaughter duties in [location redacted] or [location redacted], not only does the [name redacted] plant not get visited but the processing facility in [location redacted] goes without inspection. I don't have specific dates but I know it happens weekly.

I'm a Consumer Safety Inspector in [location redacted]. I am currently on second shift on a patrol assignment, and with the 4 establishments on my assignment, I drive 170 miles every night. In early [month redacted], one of the second shift inspectors was on annual leave, and I was assigned 2 additional plants to cover. Due to the amount of driving I do nightly on my own assignment, I was not able to cover all 6 plants in one night. On Monday night, I had to skip my headquarter plant, and on Tuesday, I skipped a different plant that was on my assignment in order to cover the 2 additional plants that had been added to my assignment for those 2 nights. It would have been impossible for me to make it to all 6 plants in one night. We currently have 2 vacancies in our circuit, which I realize is very common, but my concern is that as of [date redacted], we will also have 2 inspectors on annual leave each week until the end of the year. This creates a hardship on all of us who are doubled up and now expected to cover each plant on our assignment, or if we don't, we will be breaking the law.

It appears that most plants are getting at least visited but as you can tell from the replies that's ALL that's getting done. We are having to battle disciplinary actions out here in the field for our bargaining unit employees because they have little to no time and are either making mistakes due to lack of time or getting nothing worth while done within the plants other than meeting the mandate that they show up. This should [allow you] to question Dr. Raymond's claim that

inspectors will be allowed to spend more time in problem plants. There is NO such mandate in the regulations right now that stipulates that an inspector spend a predetermined amount of time in a plant other than the PBIS schedule which is just a guide that can be deviated from by the inspector when they feel the need be. How can they stand in front of Congress and claim they will put inspectors in problem plants for more time when they can't or won't even put them into numerous plants now to tell if there are problems or not?

[From a slaughter inspector]. Our inspection personnel are not sent to other plants. We don't have enough as it is. We have three vacant spots waiting to be filled.

In the [location redacted] circuit we have a vacant 2nd Shift. That assignment has been handled by the 1st Shift [processing inspector] doing call-backs and work 12 hours a day. He does what he can and the F[ront] L[ine] S[upervisor] is okay with that. This assignment is approximately 60 miles north of [location redacted]. With that being said there are plant/shifts that are not covered. They are 3rd shift at [location redacted] and 2nd & 3rd shift at [location redacted].

Up until about 2 years ago, in plants that worked less than 5 days a week, the inspector was given a PBIS schedule for the estimated days the plant worked. Then if for some reason the establishment worked more than the PBIS scheduled days the inspector would perform those days as unscheduled PBIS procedures. District Manager [name redacted] decided to eliminate scheduled PBIS in these plants because he didn't like any "not performed" procedures showing on PBIS when the plant was not operating (whether this came from higher than [name redacted] I don't know). This way they don't show up as not performed. This also masks when inspection shortages cause the inspector to not go to these plants because of the inspection shortages- it doesn't show up as "not performed" because inspectors are not to mark unscheduled procedures as not performed procedures on PBIS. Also inspectors are increasingly being told to double or triple cover because of inspection shortages and if necessary to just look at company records, then get to the next plant.

Also, if you notice the "New and Improved" PBIS that is supposedly showing why procedures are not performed--they still did not put in a place for the inspector to mark not performed "Due to Inspection shortage". The only place an inspector has to fill out is "Other" with no explanation why. So in reality they improved nothing when it comes to showing procedures were not performed due to inspection shortage. So people that read PBIS (like you) will still not be able to tell if they were not performed due to inspection shortage.

You will not see it in writing anywhere, but pressure is put on inspectors to not enter "Not performed" in PBIS. When inspection shortages occur and inspectors are assigned double duty or triple duty, they are told they have plenty of time to perform all the procedures in all of the plants. The inspector feels he (or she) will suffer the consequences if not marking Performed in all the plants on all the procedures. I talked to an inspector from Mississippi 2 weeks ago and he said that in the poultry plant he worked at many violations were corrected but not recorded on Noncompliance Records (NRs) because there is not enough time to fill out NR's. And inspectors nationwide are becoming gun-shy about writing NR's unless they have plenty of time to reread and revise the NR's because supervisors are holding them accountable to writing the NR's the way their supervisor thinks they should be written. The funny thing about that is every supervisor

has a different opinion of how they should be written. I was at FSRE training [time redacted] and discussion came up about NR writing and everyone there was told by their supervisor a different way to properly write a NR. The HACCP instructors said they realize this is a big problem and have tried to tell upper supervision to stop this and have a set standard to write NR's but they realize its still going on in the field. . . .The inspectors I talked to from across the nation at FSRE training are losing any trust they had in upper FSIS management.

They are partially correct that the other shortages are caused by inspectors getting sick—but now they don't have any relief inspectors that are extra to fill in for people getting sick or needing off for an emergency. All relief inspectors are now being assigned in advance to positions to fill because of vacancies or annual leave, and because of that they do not have anybody to put in place when an inspector gets sick, needs a medical appointment, or has an emergency - like they did several years ago. This agency continues to cut back on field inspectors and hire more management positions, and managers don't work inspection duties.

Don't know if this went on last year but sometimes upper management gives each other incentive awards during the year and that is on top of the bonuses given during that year.

I think I had 3-4 days that were impacted because of ice & snow where I couldn't visit all the plants. You know how bad this Agency lies about things! They've been talking for about a year about splitting up this assignment. My boss even got on [me] a little bit because he wants us to document at least one meeting per week with each plant. I just flat out told him it isn't going to happen unless I have the time to do it. Now with this new plant coming up [location redacted], that will add an additional 130-140 miles a day to my assignment. That should put me over the 300 mile/day mark.

Even the EIAO has complained that we cannot be providing much coverage to these plants when you can only visit them 15-30 minutes a day. Even less time when the roads are [blocked] during the winter months.

Its not just the plants Raymond admitted about that are not getting daily inspection. The only reason he admitted to them is he was told in advance that the congress woman already had proof it was happening. But he didn't tell her about the many other plants not getting daily inspection because of not having enough inspectors. And he didn't tell her about inspectors being harassed out of taking sick leave for medical purposes or family leave (doctors appointments, funeral leave, etc.) because the agency had no one to cover for them and instead of admitting the problem and fixing it they rather harass inspectors out of taking leave they are entitled to.

Many plants under full time inspection are not receiving daily inspection. Just last week the plants in [location redacted] didn't receive any inspection on Monday, Wednesday, and Thursday because that inspector was sent to [a slaughterhouse in location redacted] to cover online shortages. The District office was notified that an inspector was needed to cover those plants but sent no one, so no inspection of these plants were performed on those three days. This has been going on for years. Many times other inspectors have been told to cover the [location redacted] plants when that inspector was sent to [slaughterhouse] but the inspector was already doubling assignments and couldn't possibly perform inspection in [location redacted] so was instructed to

“Just go there and look that at the paperwork is good enough.” Even then most of the plants were done for the day by the time the inspector was able to get there.

[From an inspector in a slaughter plant]. We are currently short three people this week and next. We are always short at least two people. We have to rush through our tests. Last night I had the floor all to myself for one period. I had four food safety tests, a PBIS test and a flock change, which consists of ante-mortem and leukosis test. So far we have managed to make all our tests, but I can assure you that we have compromised the quality of our tests.

[It] is simply untrue [that all violations are documented]. We all know that if we write all the NRs that we should we would make life difficult for your fellow inspectors. I am sure that we could write NRs for [sanitation performance standard] violations every day. The agency would frown on this, even though we were taught to write all violations.

As time goes by we have less and less inspection. Let me give you just one example. We used to do 2 [finished product quality standards tests] per day. Now we do only one, and that is when it is scheduled, which is seldom. The agency claims that since it is not food safety it is not as important.

I beg to differ. The reason it was not food safety, is because they will not let it be. When we find fecal in the livers and gizzards, it is not called a food safety issue! Why? Salmonella and E coli testing is not done on the liver and gizzards. Why? Let me tell you why. It is simple -- fecal is there all the time! If you watch how the livers and gizzards are harvested you will see that the gizzards are covered with fecal and the livers are not far behind.

Oh they get sprayed off in the process, but that is inadequate. Let me give you an example. Not too long ago I found a good size piece of fecal 3/4" in the livers. This was in the liver packing area. Had I not found it, that piece of fecal would have gone right out to consumers. We are only able to write these up as a sanitation problem!

Later on that same week two other inspectors found the same thing. The 3rd inspector was told that perhaps she was looking too close at the livers. As I have said before they do not perform microbiological testing on livers and gizzards. I have a theory why -- there is no way that they could pass such a test! Now they do not even have us checking livers on a regular basis, when actually we should be doing more of the tests.

I just wish the congressmen and senators could see what is never reported in these plants. I am sure that they would never eat chicken again. I am afraid that the only way to right this matter is to have a knock down drag out fight in Congress. You need to subpoena some inspectors in. That is the only way you can get them to talk. Most fear they will lose their jobs if they say anything.

I talked to an inspector in the [name redacted] District and they are being disciplined if they mark "not performed" on their PBIS. Again this is another example of covering what's really going on in the field. It doesn't matter if the inspector is doing double or triple duty and not able to finish. Its pressure being put on by upper management to force inspectors to lie on PBIS to make it look like everything is doing fine and everything is being covered. Then down the road if something happens they can blame the inspector because PBIS is showing the inspector did all required procedures. Combine this with inspectors not having time to write NR's and what do you have? On paper a perfect system, in reality major problems. I wonder if congress is starting

to see that upper agency is not being honest with them.

I work in a large swine slaughter/processing plant. We have [several] GS-7 line positions and (2) GS -7 relief positions and (2) [processing inspection] slots. Of course the 7's positions are always vacant and we [processing inspectors] spend 95% of the time covering for the empty and missing 7 slaughter inspectors. Things happen, I know, but why are we always short staffed in the first place? As far as doing the processing side, that is in last place. . . We work a lot of overtime.

At the time there were many reasons as to why these were not being performed . . . BUT one factor that the agency will fail to admit to is that their vacancy rates were so high that inspectors were having to double/triple up so much, that PBIS tasks were impossible to complete as scheduled. Remember Dr. Raymond made the statement that the agency didn't need any more funds but when [consumers] put the vacancy figures out there he was made to appear that he had no clue of what was going on in the field. I guarantee you that Bill Smith [Assistant Administrator of the Office of Program Evaluation, Enforcement, and Review] and Ken Peterson [Assistant Administrator of the Office of Field Operations] knew, because the National Joint Council [union] told them and requested that they implement a means of tracking why scheduled PBIS procedures were not being performed because field inspectors were being blamed for not doing their jobs

After that the agency then incorporated these “management controls” where the supervisors would have to explain why the ‘not performed’ scheduled tasks percentages were higher in the plants they supervised than the average assigned by the Washington Bureaucrats. When these numbers could not be controlled and the supervisor was having to explain why the same assignment, such as mine, were well below the averages I was told to turn the PBIS task generator off. When the ‘not performed’ codes came available I requested that I turn the generator back on and was told to do so. This takes quite awhile for this to happen so my assignment still is NOT generating PBIS tasks and ALL that I perform are unscheduled tasks. It is this way right now today but may change next week, who knows when it will happen. This and any data acquired by the agency for the agency is just like any statistical data, it can be skewed to meet the expectations of the beholder. I'm sure these groups that collected data for the HACCP-based Inspection Models Project as well as this RBI data have been told by the agency up front what they wanted the data to appear like.

Almost all of the processing inspectors anymore travel to other plants unless they are in a large slaughter plant. I for instance may cover 5 plants in 8 hours with 45 minutes travel time between the closest and the farthest.

The problem is that when you have this many plants, one doesn't have time to write up all deficiencies. We bring things up to their attention and follow up that they take care of it but there is no paper trail because of a time factor. Also when we write a NR we need to write a cover letter unless we can put their corrective actions on the NR.

Then with Management controls we need to perform food safety procedures at a minimum of X percent. Otherwise we need to write our Front line Supervisor and tell him why. So there are times when we do not perform a quality procedure but we mark it as performed

because of the extra hassle. They are forcing good inspectors to falsify our records so they can say everything is good.

No wonder NR numbers are down. It will be bad when all of us old timers that still do some traditional inspection retire as I don't think the new inspectors have a clue what we use to look for and some still do.

[Instructions to an inspector who was doubled up].

From: Front Line Supervisor

Sent:, [Date redacted] 2007

To: CSI

Subject: RE: Non reimbursable overtime

Good morning CSI,

When you will be covering Inspector's assignment you are to perform only Food Safety and Food Defense related activities and could drop other consumer protection activities. Your first choice for 01B02 (pre-op sanitation) should be to perform this procedure for your own assignment if the procedure is scheduled for both assignments. I did not rule out the possibility of authorizing non-reimbursable overtime for conducting 01B02 however we need to consider the history of plant compliance, type of product being produced by the establishment and the available resources. Any administrative overtime worked will be justified and authorized if and when necessary by Resource Management Staff in District Office or your supervisor.

Thanks.

Questions and Answers from the November 2006 Labor Management Relations meeting in Denver.

Q. Please provide information on [Establishment redacted]. This position has been vacant for some time and is very isolated. Are there plans to fill this vacancy soon?

A. The agency is looking at adding duties to this position to include inspection of processing plants, Import duties, EIAO duties and OPEER [Office of Program Evaluation, Enforcement and Review] duties. It is not decided at this time if all or just some of these duties would be part of the position.

Q. I would like someone to ask about filling vacancies in the Olympia circuit or at least allowing us to utilize our own relief inspection personnel on these vacant assignments. We have been doubled, even tripled down here. It seems that every week our relief inspectors are either in the Portland circuit or in the Spokane circuit. I would hope that those circuits can fill their own

vacancies/relief positions that evidently exist there so that the Olympia circuit can be covered with our own relief inspectors.

A. The District Office is trying to fill vacancies. However the District Office must follow Washington D.C. direction and not exceed the ceiling for the number of employees Washington D.C. will allow for this District. Therefore the District office must fill positions where the greatest need exists. Further the relief personnel in the Portland / Spokane circuits are not just for those circuits. Relief personnel must be utilized by the agency to fill positions where the greatest need exists. This could be any where in the District or USA to include all states and territories as needs require.

Q. How can CSI's in the field get better computers (newer) and ones that work so we can do our job properly?

A. The agency renews computers & printers every 5 years. If a specific problem arises then FAIM should be contacted.

Q. CSI's are to use computers to do PBIS, eARDS, outlook, AGlearn. If it is difficult to do this because your computer is too old and bogs down and CSI's call FAIM like we are told to and they say it is too old, call your DO and request a newer one, and you do that and it seems like you are brushed off, how are we to do our job properly??

A. Employees should call the next level of supervision if they can not obtain needed information or supplies.

Q. Are all inspectors responsible for all plants that the team covers?

A. The team is responsible for the assignments.

Q. If one inspector within the team is sick one day or there is a vacant assignment and the other inspectors cover additional plant for that time (day / years) is this still considered doubling?

A. The team is responsible for the assignments there is no doubling.

Q. The Union has heard that in team inspection one inspector may train one day while the other inspectors cover the assignments. If there is a vacancy within the assignments covered by a team how would the remaining inspectors get time to train?

A. Vacancies could impact the assignments however the team will have to designate time for each CSI to train.

Q. Inspectors have been doubling and covering each other's assignments for years to cover for sick leave and vacancies. How is team inspection different than what is already being done?

A. Yes, Team Inspection is not a new idea. However the team will determine the best utilization of agency personnel to provide needed coverage of assignments.