Meatpacker Paid Disabled Workers 41 Cents Per Hour

IOWA CITY, Iowa (AP) — A federal report castigated a Texas company for abusing and underpaying several mentally disabled men who were housed in a ramshackle building while working at an Iowa turkey processing plant.

The report from the Equal Employment Opportunity Commission said Henry's Turkey Service underpaid the men at least $1 million over three years, verbally and physically abused them, and committed several major violations of the Americans with Disabilities Act, The Des Moines Register reported Friday.

The EEOC report was given to the original complainant, Sherri Brown of Arkansas, whose brother Keith worked at the turkey plant. Brown provided the report to the newspaper.

"I want these people held criminally responsible," Brown said Friday in an interview with The Associated Press.

The 21 men found working at the plant in February 2009 were all from Texas but had lived in Iowa for 20 years or more while working at West Liberty Foods. The meatpacking company in eastern Iowa contracted with Texas-based Henry's Turkey Service for laborers.

The men lived in a 106-year-old building in Atalissa, with boarded-up windows and relied only on space heaters.

The report found that West Liberty Foods paid Henry's Turkey Service as much as $11,000 per week for the disabled men's labor. Henry's Turkey Service then paid the men a combined total of between $340 and $500 per week, or about 41 cents an hour, The Des Moines Register reported.

Compared to the pay the men would have gotten at minimum wage, the report found that the company underpaid them by more than $1 million during the last three years of the company's operation. But the underpaid amount could climb because other workers doing the same job earned between $9 and $12 per hour.

The report also said the men were "continually subjected to taunts, name-calling, humiliation" and other verbal abuse based on their disability and weren't provided adequate medical care.

The EEOC report is not a public document, and EEOC spokeswoman Justine Lisser would not confirm that a report about Henry's Turkey Service had been published.

The EEOC can't impose fines or file charges, but Lisser said that if such a report determined that "reasonable cause" exists to believe discrimination occurred, the EEOC would try mediation.

If that fails, the EEOC could file a federal lawsuit.

A phone number for Henry's Turkey Service couldn't be found Friday. A number in Goldthwaite, Texas, listed for a Henry's Turkey Service affiliate, Hill Country Farms, was answered Friday by a woman who confirmed it was the company but declined to give her name. She refused to comment on the EEOC report, and would not take a message from the AP. Additional calls went unanswered.

A call to West Liberty Foods was referred to the company's lawyer in Des Moines, Dan Waters, who did not immediately return a call Friday.

Sylvia Piper said the report confirms what she first encountered at Henry's Turkey Service in the early 1980s, when she worked for the ARC of Iowa, an organization representing the mentally disabled. She said she turned her findings over to the Iowa Department of Human Services and assumed that the matter had been resolved.

"Nothing seemed different in (February 2009)," said Piper, now director of Iowa Protection and Advocacy, an agency that advocates for the disabled. "We were looking at people who were being subjected to expectations of working seven days a week and getting up at 3 a.m., living without heat.

"The things that they were enduring most of us could not even imagine or maintain."

Most of the men removed from the decrepit building in February 2009 were in their 50s and 60s.

After the situation in Iowa came to light, the U.S. Social Security Administration tasked the Protection and Advocacy agencies in all U.S. states and territories with reviewing programs that employ mentally disabled workers at sub-minimum wages, Piper said.

Henry's Turkey Service faces a $900,000 state fine in Iowa for alleged labor-law violations, which it has appealed.

Along with the 21 men cited in the EEOC report, a lawsuit from the U.S. Department of Labor alleges that an additional 16 men are owed back wages. Henry's Turkey Service has denied the charges. The case is scheduled to go before a federal judge in Davenport in May 2011.

In October, the Iowa Division of Criminal Investigation completed its investigation of the company and turned over its information to the Muscatine County Attorney's Office, which hasn't filed criminal charges against the company.

Brown, the sister of one of the former workers, said she's not satisfied that all the current litigation surrounds wages and pay

"The money's not important," Brown said. "I want criminal charges."

Associated Press writers Nigel Duara in Iowa City and Diana Heidgerd in Dallas contributed to this report.

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