

Sworn Declaration of [REDACTED]

1. My name is [REDACTED] I live in Honesdale, Pennsylvania. I am over eighteen years old and legally competent to testify.
2. I am a Maintenance Mechanic at Maid-Rite Specialty Foods, where I have worked since 2015.
3. My duties include repairing any machine that breaks down and making repairs to the building itself including the boiler and hot water systems.
4. I generally work with a maintenance crew on one side of the main plant, called the "cooked side" because it's where workers cook meat and pack it. Sometimes I have to perform maintenance on the "raw side," although it has its own maintenance team.
5. Because of my job duties, on a typical day I move throughout the Maid-Rite plant completing tasks in the various rooms of the facility. These include the grinding area, the forming area, a cooking section, a raw section, and freezers, among others. Even when I am not performing maintenance on the "raw side," I would estimate I walk through its main room at least ten times a day to get parts from a storage room called "the cage."
6. There are production lines on both the cooked and raw sides of the plant. Each is configured a different way, but in almost all areas workers are required to work standing close together.
7. For example, in the packing area, meat is coming out of the freezers so fast that people are shoulder-to-shoulder and have to grab the meat before it hits the ground and put it in boxes. It's really tight here, workers are very close together, and the meat is moving very quickly. Then there are workers weighing and putting meat in boxes, who are also really close to one another.
8. As a mechanic, I have to do my work standing close to people all over the plant. When I am fixing a machine, the workers who usually use it are often right there. In other instances supervisors are standing right over my shoulder observing what I'm doing. Because I do work all over the plant, I have to be close to people all over the plant. My supervisors kept directing me to do work this way even after the pandemic began, and became angry at me if I resisted.
9. When everything started with the pandemic Maid-Rite never told us about any illnesses or anything. During the first weeks, someone got sick, then another person, then another person. I found out about it from people I was working with.

10. On or around April 3, 2020 Maid-Rite gathered everyone who was working on the cooked side that day into one room, and told them to go home until April 13, 2020. However, this wasn't true for the maintenance crew. We were expected to keep working even though we had been in close proximity to everyone else and were going to be working the same space as the other workers who had been sent home. In fact, that day they sent me over to work on the raw side, then shortly after that Maid-Rite sent those workers home too.
11. A day later the mechanic team had a conference call with the vice president, maintenance manager and the supervisors. They told us the mechanic team would have to keep coming in. I was not happy. I remember asking "Why weren't we informed what was going on?" about the workers who got sick with the virus. They agreed they should have informed us.
12. On April 4, 2020, I sent a complaint to OSHA. I was concerned because Maid-Rite didn't notify us when people we worked closely with had been diagnosed with COVID-19. I also explained how Maid-Rite sent some workers home in order to do a cleaning in the plant, but not the mechanical team. I gave my name but asked OSHA not to share my name with the company.
13. On April 8, 2020, I received a phone call from someone who identified herself as an OSHA representative. She told me that OSHA would not be inspecting Maid-Rite but would be sending a letter to Maid-Rite instead.
14. When I got that call I thought this was a whitewash. They weren't doing anything. I had complained but it was falling on deaf ears. I felt like I wasn't important enough and they weren't going to do anything about what was happening to me and others at my job.
15. After this, I kept hearing about other workers at Maid-Rite who were getting sick. Maid-Rite still did not tell me about sick workers or notify me of potential exposures. Workers would just disappear, and then sometimes come back a few weeks later and sometimes not come back at all.
16. Some people in production were given face shields, but I never was. I have been given thin single-use masks two times by Maid-Rite. The first time was in mid-April, after the building was sanitized.
17. The second time I was given a mask was a few weeks ago in July 2020, when OSHA came to inspect the plant.
18. About a week before OSHA came, our supervisors warned us that OSHA was coming sometime in the following week. They told us that they didn't know what day exactly, but that we should keep on our toes. A few additional hand sanitizing stations were set

- up. That week, they chose to only run one of the production lines instead of two for reasons that were never explained.
19. On that day, my supervisor came running in to the room where I was working and said “OSHA is here, so do everything right!” The supervisor then came back 15 minutes later and said something like, “Never mind, OSHA just left – they went out the back door.”
 20. As soon as OSHA left, everything went exactly back to the way it was before.
 21. Maid-Rite has not spaced out workers on the lines. I have not seen markings on the floor to show people how far to stand apart. I also have not seen plastic dividers in the production area to help people stand apart.
 22. Things have not changed for me and the mechanic team either. Just yesterday my supervisor sent me to do a repair on a machine that would have required me to stand three feet away from other workers, who my supervisor did not direct to move further away.
 23. All the lines are speed controlled, so they could definitely be slowed down. Maid-Rite keeps them running at such a high speed for production concerns — not because they can’t change it, but because slowing down the lines is considered a Maid-Rite “sin.” The only reason they don’t slow down and spread out the workers a little bit is for the money factor. It would mean that they would get less production out in a single day.
 24. Another example of this is how hot Maid-Rite keeps its ovens. They run it at the maximum temperature, even though this is not recommended. Meat has to come out at a certain temperature, and if they slowed down the belts, the meat would be in the oven too long and would come out too hot. If they lowered the temperature and slowed the belts, people could spread out better when packing. But they are trying to make as much money as possible.
 25. Maid-Rite has a bonus pay structure. If you work all 40 hours a week, plus Saturday and Sunday if necessary, you get \$300 per week. This is true for mechanics, and I think this is also true for production workers. If you work Sunday on top of that, you get another \$150. This policy was supposed to end June 25, but it was extended to August 1 and then again to August 29.
 26. Maid-Rite also has a points system. If you miss a day, you get a point. If you accrue a certain number of points, you will be suspended or fired.
 27. I believe both of these policies make it more likely that people will come to work when they are sick.

- 28. I'm fearful to go to work every day. I feel angry about some of the things they did, and I feel frustrated immensely by what they do. Basically, I really want to leave there, but for now it is my livelihood.

- 29. In the past I worked in construction, and back then I remember thinking OSHA was our friend. Now I see a whole different view of them. I don't see them doing anything to protect workers.

I, [REDACTED], declare under penalty of perjury that the above statement is true and accurate to the best of my knowledge and belief.

DocuSigned by:

[REDACTED]

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Signature

7/30/2020

Date