

## Report on Human Rights Due Diligence 2020 – Tyson Foods

**Whereas:** Corporations have a responsibility to respect human rights within company-owned operations and business relationships under the UN Guiding Principles on Business and Human Rights. To meet this responsibility, companies are expected to conduct human rights due diligence to assess, identify, prevent, mitigate and remedy adverse human rights impacts.

As the largest industrial meat producer, Tyson faces significant human rights risks, impacting the rights of workers and farmers, and the rights to health, water, and a safe environment. Robust human rights due diligence, including a human rights impact assessment informed by meaningful stakeholder consultation, would help prevent harm, reduce fines for violations, and preserve the company's social license to operate and future business opportunities.<sup>1</sup>

As a result of market consolidation, contract growers experience severe financial pressure, dependence, and unfair business relationships. Some farmers report mistreatment, racial discrimination, and retaliation.<sup>2</sup>

Rapid line speeds and demands to increase productivity put poultry workers at risk of serious labor rights violations, including risks of amputations or chemical exposure resulting from inadequate safety gear or training.<sup>3</sup> These conditions may enable poor food safety practices and adverse health impacts.<sup>4</sup> Workers also face sexual harassment and discrimination.

Failures in Tyson's management of water quality risks and inadequate provision of remedy to impacted communities interfere with the right to water. Recently, an Alabama facility leaked untreated wastewater into the Black Warrior River, exposing communities to unsafe bacteria levels and killing 175,000 fish.<sup>5</sup> Communities that rely on this river for fishing, leisure, and economic development report that Tyson did not adequately communicate about the local water quality impacts. The community has filed a lawsuit seeking remedy.<sup>6</sup>

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<sup>1</sup> Tyson paid \$164,236,887 since 2000, <https://violationtracker.goodjobsfirst.org/parent/tyson-foods;http://nototyson.com/>

<sup>2</sup> <https://www.propublica.org/article/chicken-farmers-thought-trump-was-going-to-help-them-then-his-administration-did-the-opposite>; <https://www.propublica.org/article/how-a-top-chicken-company-cut-off-black-farmers-one-by-one>

<sup>3</sup> <https://5newsonline.com/2019/06/18/emergency-responders-answering-hazmat-call-at-tyson-in-springdale/>

<sup>4</sup> <https://www.fsis.usda.gov/wps/portal/fsis/topics/recalls-and-public-health-alerts/recall-case-archive/archive/2019/recall-034-2019-exp-release>; <https://www.nbcnews.com/politics/white-house/tyson-wants-fewer-government-inspectors-one-its-beef-plants-food-n1041966>; <https://www.cbsnews.com/news/tyson-chicken-recall-2019-95-tons-of-chicken-fritters-after-plastic-parts-found/>

<sup>5</sup> <https://blackwarriorriver.org/tyson-fish-kill/>

<sup>6</sup> <http://mountaineagle.com/stories/sipse-heritage-commission-seeking-action-against-tyson-foods-inc,20984>

Tyson recently expanded its international footprint into new geographies that may present unique human rights risks.<sup>7</sup> For example, in the Thai poultry industry there are reports of forced labor, wage and hour violations, and poor worker health and safety, which may impact Tyson's workforce.<sup>8</sup>

While Tyson's Code of Conduct and Supplier Code mention human rights, there is inadequate disclosure demonstrating effective implementation of human rights commitments throughout the value chain to address Tyson's salient human rights risks – especially risks beyond workers' rights. Tyson committed to improve working conditions in 2017 but does not comprehensively report on progress towards effective implementation across plants, worker-led monitoring, or improvements in workers' ability to exercise their rights.<sup>9</sup>

**Resolved:** Shareholders request the Board of Directors prepare a report, at reasonable cost and omitting proprietary information, on Tyson's human rights due diligence process to assess, identify, prevent mitigate, and remedy actual and potential human rights impacts.

**Supporting Statement:** The report should:

- Identify and assess the human rights impacts of Tyson's business activities, including company-owned operations, suppliers, and contractors, and plans to prevent and mitigate harm;
- Explain the types and extent of stakeholder consultation; and
- Discuss how Tyson tracks effectiveness of its human rights due diligence.

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<sup>7</sup> <https://www.tysonfoods.com/news/news-releases/2019/6/tyson-foods-completes-acquisition-thai-and-european-operations-brf-sa>

<sup>8</sup> <http://hrn.or.jp/wpHN/wp-content/uploads/2019/06/Labour-Rights-Violations-in-the-Thai-Poultry-Industry-within-the-Supply-Chains-of-Japanese-Companies-2019-2nd-Ed.pdf>