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## **Producing Risks: Dairy Workers' Experiences and the Need for Worker-Centered Bird Flu Mitigation**

### **SUMMARY**

In response to the developing avian influenza ("bird flu") outbreak, the UC Merced Community and Labor Center led an in-depth interview study with thirty dairy farm workers in California's Central Valley, one of the most productive agricultural regions in the nation. Through neighborhood and convenience sampling methods, the Center interviewed workers employed in nine cities within Kings, Fresno, Tulare, and Merced counties. The research took place from October 2024 to January 2025. The study aim was to understand dairy workers' experiences with workplace health and safety and their implications for bird flu mitigation efforts. This brief offers preliminary findings and recommended policies to mitigate bird flu outbreaks, such as widening the focus of existing efforts from animal safety to the health and safety of workers.

### **KEY FINDINGS**

Interviews with workers underscore the nature of non-compliant sanitary practices, the prioritization of production over worker health, and how the lack of an economic safety net shapes workers' responses to health and safety practices. Two cases in this brief indicate employer interest in advancing workplace health and safety, demonstrating the possibility of employer practices meeting and raising industry labor standards at a time of global concern over the evolving risk of bird flu and its spread.

### **POLICY RECOMMENDATIONS**

1. Require employers to provide supplemental paid sick leave for testing, vaccination, and medical monitoring, and in cases of illness, exclusion pay (including expected overtime) until bird flu symptoms subside.
2. Make bird flu testing available for workers in dairy farms, their families, and other affected industries (e.g. poultry, etc.). Ensure that hospitals and clinics are testing patients experiencing flu symptoms.
3. Require employers to share any known bird flu illness or symptoms with employees, subcontracted employees, any pertinent labor representatives, the California Department of Public Health, and the California Division of Occupational Safety and Health.
4. Increase investment in the enforcement of existing workplace health and safety standards.
5. Leverage existing investment in worker education, with public agency efforts to mitigate bird flu spread that have largely focused on animals.
6. Prioritize employers that meet and exceed compliance standards in the awarding of public subsidies or public procurement contracts.

## WHAT IS BIRD FLU?

Avian influenza, H5N1, or more commonly known as “bird flu,” is a potentially deadly respiratory virus with human symptoms that can include cough, sore throat, body aches, fever and red or watery eyes. In April 2024, the United States Department of Agriculture (USDA) issued a federal order related to cattle moving across state lines, requiring dairy cattle testing, reporting of bird flu, and animal movement tracing, as needed. In August 2024, California recorded its first case of bird flu in dairy cattle and mobilized a comprehensive response in dairy cattle and poultry farms (Office of the Governor 2024, 1). The virus has now been detected in sixteen states, primarily affecting workers with direct exposure to infected cattle.

On December 18, 2024, Governor Newsom proclaimed a state of emergency in California in response to dozens of human cases of bird flu, mostly in the Central Valley Region; of the state’s over 1,100 dairies, 985 were under surveillance and 614 under quarantine (Office of the Governor 2024, 1). As of January 15, 2025, California has had thirty-eight cases of bird flu, nearly all among dairy workers. While milk is thoroughly tested, the testing of workers has been limited and as a result cases are likely undercounted. Moreover, the USDA reports asymptomatic cows have tested positive for bird flu, making mitigation efforts increasingly vital.

## DAIRY WORKERS IN THE CENTRAL VALLEY

Dairy farm labor encompasses around-the-clock, year-round work that lacks modern-day federal labor protections. Agricultural workers are vulnerable to wage theft and experience among the highest risks of on-the-job injury, illness, and death (Brown, Flores, and Padilla 2022). Workplace health and safety industry risks include exposure to contagious diseases and fungi, animal-inflicted injuries, harsh chemicals, ergonomic stress, high temperatures, wet and muddy conditions, and wildfire smoke.

Most dairy farm workers are Latino, immigrant, and undocumented with low wages (United States Department of Agriculture 2025). They have limited access to an economic safety net—resources that help low-income workers to maintain a minimum standard of living amid hardships, helping them to manage risks. When originally implemented in the 1930s, Unemployment Insurance and other federal economic safety net features were accessible to all workers—yet programs began excluding undocumented immigrants in the 1970s. Today, heightened anti-immigrant rhetoric leads to fear and confusion around access healthcare and economic safety nets increasing negative health outcomes (Van Natta 2023). Such fear and confusion also add greater challenges to state outreach and education during major public disasters, as observed in the Central Valley during the COVID-19 pandemic (Van Natta et. al 2023).

California’s dairy farm workers are essential despite their legal status, earning less than a living wage, and having limited workplace health and safety protections. In 2022, California led the nation with 18.2% of its milk production (Office of the Governor 2024, 1). Dairy products are California’s number one ranked crop commodity (California Department of Food and Agriculture 2024, 6). In 2022, the value of the production of dairy products in California was \$10.4 billion (California Department of Food and Agriculture 2024, 98). Among all California counties, Tulare and Merced ranked first and second in the number of milk cows and cattle; the vast majority of California’s milk cows (1.5 million of 1.7 million) were located in the Central Valley (California Department of Food and Agriculture 2024, 98).

Yet, although the dairy industry is booming, the Central Valley has California’s highest rates of workers living below a living wage and its largest households—two key factors associated with elevated rates of illness and death during the COVID-19 pandemic (UC Merced Community and Labor Center 2021; Flores and Padilla 2020). COVID-19 emergency measures in the Central

Valley, including the uptake of the vaccine, lagged behind those in other regions (Van Natta et. al 2023). The Central Valley is also ranked as having among the nation's highest air pollution, along with the prevalence of wildfire smoke and extreme heat, exacerbating the health concerns of outdoor workers (Almeida 2022).

## LEARNING FROM DAIRY WORKERS

The UC Merced Community and Labor Center launched the Central Valley Dairy Worker study in October 2024, when the first human case of bird flu was identified in California. The Center met with the California Department of Public Health to learn about bird flu spread and to discuss challenges in mitigation efforts reaching farmworkers—particularly dairy workers, given their heightened risk. The Center designed an Institutional Review Board-approved, semi-structured (i.e. open-ended) interview study on dairy workers in the Central Valley.

The Center worked with Valley Voices, a non-profit community-based organization located in Kings County, to recruit workers employed in the dairy industry anytime in the past twelve months. The Center also conducted neighborhood-based household sampling near dairy farms in Merced County. A total of thirty dairy workers were sampled from four counties: Kings, Fresno, Tulare, and Merced. All but one interview was conducted in Spanish and translated into English. Researchers asked participants about their employment backgrounds, their familiarity with bird flu, health and safety practices and challenges, as well as experiences reporting any health and safety concerns.

Participants engaged in a wide range of work activities including milking, feeding, calving, vaccinating, moving cattle, cleaning barns, caring for sick cows, disposing of carcasses—exposing them to multiple hazards daily. Respondents had worked for their current employer from just under one year to twenty-five years. Three respondents were supervisors. The following are preliminary findings.

## WORKER KNOWLEDGE OF BIRD FLU

Most, but not all, study participants knew about bird flu as their places of employment had either experienced sick workers or sick cattle. However, their knowledge about transmission, symptoms, and treatment focused primarily on cows, not humans. Workers mostly received their information through family members working on other farms, regional group chats (WhatsApp), social media, and the radio. The information shared by employers regarding bird flu was in most cases limited to procedures concerning cattle. Researchers learned of only one employer who provided robust bird flu safety briefings focused on humans, as reported by a (non-supervisor) respondent. The following are emerging and often overlapping themes, based on interviews with dairy farm workers.

## “THERE ARE MANY BACTERIA THERE”: NON-COMPLIANT SANITARY PRACTICES

While the State of California has established workplace health and safety standards above federal standards, the implementation of these standards is only as effective as their enforcement. The study sample points to the existing lack of health and safety compliance. Dozens of interviewed workers described practices that are in non-compliance with standards established to keep workers safe and prevent viral spread. The following is a list of some forms of labor standards non-compliance identified by our interviewees:

- Lacking breaks and designated eating areas
- Not providing Personal Protective Equipment (PPE) and gear for work (including gloves, boots, masks, raincoat, eye protection, and more)
- Sharing personal gear that are not sanitized
- Taking soiled gear with them after a shift
- Wearing PPE that does not fit properly
- Being discouraged from wearing PPE
- Having no hand soap available at work

Reynaldo and Sergio provide two examples of non-compliant sanitation practices in their workplaces.

Reynaldo had been a dairy farm worker for the same employer for over twenty-five years. He had sustained multiple injuries including a head injury from being hit by metal hanging equipment, two hernias from lifting cows and large rocks, and he had holes in his hands from chemicals that penetrated his skin. He bought his own boots, protective rain gear, and gloves in an attempt to protect himself. He knew wearing PPE was important yet was ridiculed by a supervisor for wearing a face mask during the COVID-19 pandemic. His employer did not provide potable water to drink, and Reynaldo ate lunch amongst cows and foul odors. The following is a quote from Reynaldo,

*You are eating on foot. The cows- when there are flies, they disconnect from the machine. You're eating, you drop your taco to go put the machine back on. Why don't they put another person to be there?... For at least a half an hour to be comfortable. They don't give you protection and there are many bacteria there... They don't give you gloves to put on, those plastic ones to manage all the chemicals or to put the milking device on the cow... look at my [hands].*

The lack of compliance exacerbated Reynaldo's exposure to multiple hazards and has caused long-term scarring of his skin. During his interview, he simply asked for thirty minutes away from cows to eat his lunch.

Sergio's experience offers another example. He worked twelve-hour rotating shifts and milked thirty cows at a time. He had worked for his current employer for nine months and in that time was hit by a platform-elevated cow, breaking his nose and injuring other parts of his face and eye. He missed three or four days of work, returning with fresh stitches. His current job did not offer any training around health and safety, even when he first started work. At his previous job, Sergio mentioned an employer

personnel would routinely lead trainings and provide information explaining aspects of the job. "But here in this job no one has come, not one day," he explained. Sergio's experience highlights variance regarding health and safety trainings among dairy farms.

Sergio's place of employment had not conducted any bird flu-related worker health and safety trainings meant to mitigate viral spread among humans. However, an estimated two hundred sick cows had died, many of whom he continued to milk and toss their production until they died. For the cows, supervisors brought medicine, bags of "minerals" [saline], and began force-hydrating, injecting them with blended garlic, and separating the animals. Workers loaded carcasses onto trucks to remove them from the property. Sergio was tasked with testing the milk of the sick cows, increasing his possible exposure.

Overall, Sergio did not feel protected against bird flu, and said, "I am afraid that it could be dangerous, because someone told me that a man died who worked in a dairy farm in Tulare due to the bird flu."

Regarding PPE, Sergio used boots and gloves. "That's all we use for protection. They don't give us anything else. Just the gloves [and boots]. We apply antiseptic iodine ["yodo"], we clean [with bleach and acid], so the cows [and milk] come out clean... that everything comes out perfect. But no, they don't give us any protection." Sergio explained he typically wore a hoodie and kept the rags for cleaning in his pocket for easy access, highlighting close contact with his clothing. Moreover, despite using varying chemicals, breathing in harsh fumes, and having near proximity to hazardous fluids, Sergio did not wear any facial protection. He focused on the "perfect" production process amid hazardous conditions—emphasizing production over health, as further depicted in the next section.

## **“WHAT MATTERS TO THEM IS THAT YOU WORK:” PLACING WORK OVER HEALTH**

Despite being essential or as one worker put it, a necessary “piece of the puzzle” in their places of employment, respondents often expressed feeling that their health and safety were secondary to production.

Workers mentioned a range of issues, including but not limited to:

- A quick pace of work that deprioritized their basic needs
- Learning about viral symptoms, detection, and treatment of bird flu in cows, not humans
- Receiving no training about protecting themselves from bird flu
- Hostile work environments where supervisors ignored, dismissed, and/or ridiculed workers
- Being ignored when reporting needed repairs to reduce the risk of injury

The experiences of Manuel and Juan provide two instances underscoring the broader theme of the prioritization of production over worker health. Manuel had worked for his employer for over fourteen years and had fallen several times on muddy floors. He bought his own boots to guard himself from urine, manure, and water on the ground when he moved and fed cows. He mentioned workers shared two “capotes” or rain cloaks that were never disinfected.

Manuel heard about bird flu when his supervisors called a short meeting focused on the health of the cows who were getting sick on the farm. The following quote from Manuel explains his perspective. Manuel said,

*With this illness [bird flu] that happens with the cows, the bosses are more interested in the animals than our health... They don't want more cows to get sick, because the cows are the ones that produce milk... So, we must give them*

*medicine so they get better, get ahead and pass the illness so they can eat well and have good production of milk.... The bosses, it's rare that they worry about the worker. They worry more about their cows, their business, but the worker, not so much.*

Manuel noticed that some workers, including inseminators, recently started wearing PPE including disposable clothing coverings and protective glasses. When he asked his supervisor if he could provide some for him, his supervisor reportedly told him he did not need it.

Juan offers another example. He has worked for his current employer for almost a year and has not experienced any injuries despite describing the many risks his job entails. He first heard about bird flu in his home country years ago. When interviewed, he knew only about symptoms in animals, not humans. Juan expressed that employers should provide proper gear like boots, coveralls, and masks to protect against bird flu. He wore double gloves he purchased in hopes of mitigating some risks.

When an interviewer asked Juan about any work training regarding bird flu, Juan replied,

*The owners, the supervisors, to them, they don't really care—what matters to them is that you work, that you do the day-to-day job. Later, you leave and two come in. Nowadays, everything is a competition... there are no courses to use precautions, do this or that... The bosses are never going to say, “You have to take care of yourself.” To them, what matters is the cows that generate money.*

Like other respondents, Juan emphasized the dairy farm industry's focus on production that deprioritizes workers' health and safety. Many dairy farm workers did not advocate for greater compliance with labor standards on the job for fear of employer retaliation and lack of access to an economic safety net, as discussed next.



## **“IF I BECOME INFECTED, HOW DO I PAY RENT?”: LIVING WITHOUT AN ECONOMIC SAFETY NET**

While respondents expressed concern with the growing bird flu outbreak, their greatest worry centered around employment continuity, given their lack of an economic safety net. Workers stated their livelihood depended upon continued employment and often were unwilling to insist on labor standards compliance for fear of employer retaliation and/or the prospect of losing their job. Their experiences included:

- Wide variation in employer responses to a worker’s illness (sometimes denying time off), leading to non-reporting of illness
- Being required to provide a note from a doctor to receive paid sick time
- Having no paid sick time when employers required use of sick time for work injuries rather than workers’ compensation
- Workplace health and safety risks (e.g. working while sick) resulting from workers’ fear of employer retaliation

Similarly, Arturo and Samuel provide two examples that highlight how the lack of an economic safety net shaped their responses to health and safety practices.

Arturo had been working for his employer for two years and his last injury was being kicked by a cow. Having yet to receive any information about bird flu from his employer, Arturo was worried about getting sick. As an undocumented person, it would cost him to seek medical care, which he could not afford given his current expenses: “My worry is that if I get sick, how do I pay rent? How do I survive, to eat, to pay bills? Because here you have to pay for everything. That is my worry,” said Arturo.

Arturo mentioned that as soon as cows started getting sick at his job, his employer began asking everyone who entered and left to dunk their boots in a bucket. He was not sure what was

inside the bucket. He believed his employer made an announcement, but he was in another area working when that announcement took place. He wished more resources about bird flu were made available to him and his co-workers.

Last, is the experience of Samuel. He had been employed for three years at his current place of work and did not mention any injuries. Recently, Samuel’s employer provided a training on bird flu as part of a series of talks (“pláticas”). The employer provided and encouraged the use of face masks, hand sanitizer, gloves, boots, glasses, and overalls which also protect against animal hair and dust, Samuel mentioned. When an interviewer asked Samuel about any concerns regarding bird flu Samuel replied, “If an animal is infected or one of us, [my concern] is that work may stop.” For Samuel and other respondents, financial circumstances primarily worried them over their health.

## **“YOU ARE WHAT IS IMPORTANT”: MAKING WORKERS A PRIORITY**

In this study, two respondents highlighted better employment practices related to health and safety standards and worker-centered bird flu mitigation efforts.

Fernando had worked for his current employer for three years. Although he did have a head injury from a previous job, he had not been injured at his current place of work. Fernando mentioned recently sick cattle, including cattle deaths with no human cases of bird flu at his current workplace. Several weeks prior, his employer hired someone to train all workers on bird flu. The employer told workers this was important for them and their families. Fernando explained that his employer routinely met with workers as a group to communicate important information and to ask for worker input.

In response to bird flu, Fernando’s employer also established new protocols. He required workers to change disposable gloves after handling each

cow. He provided workers with safety glasses and face masks and made wearing them mandatory. The following quote from Fernando shares how he remembered the employer communicating this to him and his co-workers. Fernando said,

*'[These precautions] are not for the animals, it's for you. Cattle, there will always be cattle. You are what is important, and I need you to use PPE. Don't think that this is for my animals. You use it for you, because I want you to return to milk my cows tomorrow.'*

While production is emphasized in this quote, the scope of health and safety practices regarding bird flu mitigation had been widened to also encompass worker well-being.

Fernando said his employer encouraged workers to go to the doctor when they were sick or injured. The employer offered workers a ride and provided his contact information during check-in at the hospital for emergencies. The employer asked workers to circle back after they saw a doctor. "I want you to come back and tell me that everything is fine. I want to read that everything is fine. Because if you are not fine, neither are others here. And don't worry, I will pay you a little of what you were going to work. But I want you to go [to the doctor]," recalled Fernando. Fernando described a sense of "respect" at work, characterized by open and constant communication with his employer, and serving as one example of best practices.

Yet, even in Fernando's case, paid sick leave standards still left workers with less take home pay. While the state mandates five paid sick days for workers, this does not include overtime. As a result, Fernando's employer paid eight hours of paid sick leave, not including any overtime the worker would have usually accrued during their shift, highlighting room for policy improvement.

Last, Esteban is one of three supervisors in our study. He offered an example of the benefits of employer openness toward worker education.

Esteban had worked for his current employer for twenty-four years, with most of his time in the role of a supervisor. Ten years into the job, his employer sponsored Esteban to attend a "People First" training that changed how he approached his work. Esteban said this training started conversations among management and ownership around "putting people first" including conversations along the lines of "if you keep people happy, if you give people all the tools, it will be better in the long run" he said.

Esteban gave the example of buying good quality boots for \$100 or gloves that were lightweight and efficient. Instead of making workers pay their daily wages to buy them, employers should provide them, Esteban explained,

*With us giving them the tools, you prevent them from having worn out boots and slip and falls. You avoid a lot of things. When they have their own gloves, a worker will say, "Oh I got infected with a fungus," I have to go to the doctor. You avoid that they get sick. Then for the company less bills, because gloves are not expensive, in comparison to their usefulness.*

This example highlights how employers can incorporate health and safety standards and still run a profitable business. Esteban has advocated for lighter boots for workers, replacing boots that weighed over two pounds each boot. He encouraged workers to slow down as they were often running in-between tasks. He reminded workers to protect their eyes and use caution given the danger of the machines they operated. Nonetheless, Esteban has seen workers die on the job, get crushed by tractors, and get hurt by cattle. He himself had endured injuries including needing foot surgery after ignoring an injury for years and had been pricked by needles while administering vaccines to cattle. While Esteban perceived risks as inevitable, injuries could be prevented with the proper gear and equipment. Like other respondents, Esteban reported not learning of bird flu in humans from his employer and wanted more information he could share with his workers.

## CONCLUSION

Amid compounding risks and workers' economic uncertainty, the preliminary findings of this study call for immediate policy action that expands the current industry focus on bird flu mitigation efforts from animal safety to worker safety. Current bird flu mitigation efforts could maximize existing workplace health and safety initiatives to accomplish this (e.g. California Workplace Outreach Project 5.0).

Policy makers should also begin the process of emergency rulemaking to mitigate the spread of bird flu. Importantly, law makers should seriously consider creating economic safety net resources for excluded workers. Measures to support California dairy farm workers and employers willing to meet and exceed industry standards will align workplace practices with broader state, national, and international efforts to mitigate bird flu spread. The policy recommendations listed at the start of this brief provide a step toward developing such measures.



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## **Mission Statement**

The UC Merced Community and Labor Center conducts research and education on issues of community, labor and the environment, in the San Joaquin Valley and beyond.