

OSHA Cites Hershey Distribution Plant

Mark Scolforo, Associated Press

HARRISBURG, Pennsylvania (AP) — Federal labor officials announced Tuesday they found nine workplace violations at a candy repackaging and distribution facility owned by The Hershey Co. and operated by Exel Inc., the site of protests last summer by foreign student workers.

The Occupational Safety and Health Administration proposed penalties of \$283,000 against Exel after inspections that were prompted by a complaint by the National Guestworker Alliance on the students' behalf. It also proposed a \$5,000 fine against SHS Staffing Solutions, which helped place the students.

The agency said six of the violations lodged against Exel, of Westerville, Ohio, were willful, for not recording injuries and illnesses over a four-year period and not taking required steps to protect workers' hearing.

The citation of SHS, of Lemoyne, Pennsylvania, was for not training employees regarding safe handling of high-energy equipment.

The Exel citations documented cases of workers being hit by falling boxes, being cut by cardboard and suffering a variety of injuries.

Exel spokeswoman Lynn Anderson said the company planned to fight the findings, adding that they involved only the co-packing area within the Palmyra facility, and that they mostly involved record-keeping.

Hershey spokesman Jeff Beckman said the company was confident Exel would adjust its practices to address the OSHA concerns.

In August, concerns about working conditions led more than 100 foreign students who worked at the facility to protest in adjacent Hershey, saying they took the jobs in the belief they would be participating in a cultural exchange, not to be working at low-paying menial jobs that left them little time or energy to do much else.

Anderson said Exel subsequently decided to end its practice of hiring people who hold J-1 Summer Work Travel visas issued by the U.S. Department of State.

The Department of Labor said its wage and hour division has been investigating possible violations regarding those students by the Council for Educational Travel, USA, which sponsored the students, and that a dispute over the agency's subpoena of the organization remains in federal court.

Last month, the Department of State proposed changes to the J-1 program, in which more than 100,000 foreign college students work in the United States for up to four months. The proposal would ban jobs in factories or warehouses and in the adult

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Published on Industrial Maintenance & Plant Operation (<http://www.impomag.com>)

entertainment industry, including strip clubs and massage parlors.

Source URL (retrieved on 04/01/2015 - 6:01am):

http://www.impomag.com/news/2012/02/osha-cites-hershey-distribution-plant?qt-recent_content=1