

Jury Deliberates In IA Worker Abuse Case

Ryan J. Foley, Associated Press

DAVENPORT, Iowa (AP) — A government attorney asked jurors Tuesday to award damages to 32 mentally disabled workers, saying they were subjected to around-the-clock discrimination by a Texas company that profited from their work at an Iowa turkey plant.

Equal Employment Opportunity Commission attorney Robert Canino said the former workers for Henry's Turkey Services suffered "broken lives" because of the conditions they endured while living at a run-down bunkhouse in rural Iowa and working at West Liberty Foods.

He said the men "were treated like property" by supervisors who physically and verbally abused them at home and at work while the company made millions over the years from their work at the plant's evisceration line.

"This was pervasive, 24/7, in every way," Canino said.

Canino's comment came as he delivered a closing argument in a federal courthouse in Davenport. The EEOC is suing Henry's over allegations that the company, based in Goldthwaite, Texas, violated federal law by subjecting the men to discriminatory terms of employment and a hostile work and living environment.

Jurors deliberated for five hours Tuesday without reaching a verdict. They plan to return Wednesday morning to resume deliberations.

The lawsuit was filed after state officials shut down the bunkhouse in 2009 because of unsafe and unsanitary conditions, and transitioned the men into other living arrangements. The men earned \$65 per month after the company docked their wages to pay for their care. U.S. District Judge Charles Wolle has already ordered Henry's to pay \$1.3 million in lost wages.

Jurors started deliberating Tuesday after a weeklong trial that centered on [allegations of abuse against the men](#). [1] many of whom came to Iowa to work after being released from mental institutions in Texas decades ago. Social workers said the men were physically and verbally abused, subjected to harsh discipline such as being forced to walk with weights and even kicked in the groin.

Company attorney David Scieszinski told jurors that they would be "substantially handicapped" in finding the truth because none of the men testified. He said the run-down condition of the bunkhouse, which featured rodents, filth and fire hazards, was the responsibility of the city of Atalissa, which owned the property and rented it to Henry's.

Scieszinski said many of the men would have been "out on the street" in Texas if

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

the company had not put them to work in the 1960s and 1970s.

"These gentlemen needed supervision, needed care, needed someone to look after them," he said. "Henry's provided this to them for 30 years."

But Canino rejected that argument. He said society's treatment of people with intellectual disabilities had changed dramatically, and that the men had been deprived of the basic ability to enjoy life.

"Living in a time warp, while you are profiting from it, and then using that as an excuse, is not an acceptable defense," he said.

He asked jurors to "fully compensate" each man for the hostile environment, the lack of health care, and the substandard living conditions they suffered. He said the jury should also award punitive damages because the company was aware of the Americans with Disabilities Act but continued to violate it.

Such a verdict, he said, would send a message to the men, who now live in Waterloo, Iowa or Texas.

"You can do your part ... to put the pieces back together, to mend the brokenness," he said.

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