

Employee Asserts Claims of Uncompensated COVID-19 Screening Practice

On October 18, 2021, Plaintiff Ysa Santana Reynoso (Reynoso), a former employee of pork processor Hatfield Quality Meats, Inc. (Hatfield), filed a class action lawsuit before a state court in Pennsylvania against Hatfield seeking unpaid wages under the Pennsylvania Minimum Wage Act (PMWA) for time spent undergoing mandatory COVID-19 screenings. Reynoso's complaint alleges COVID-19 had a "particularly negative impact" on the meatpacking industry. Defendant Hatfield allegedly implemented a company-wide policy requiring its production workers to arrive at work early to undergo a COVID-19 screening process prior to each shift. Reynoso alleges that such time was uncompensated and accordingly, Hatfield failed to pay workers for all hours worked. Specifically, Reynoso alleges that Hatfield violated the PMWA by failing to pay Reynoso and other putative class members overtime premium compensation for time they were required to be at the facility between the commencement of the COVID-19 screening process and the time the workers clocked in to the timekeeping system to be paid. It is likely that Hatfield will dispute these claims and the court has made no rulings in this case. This case is one of many lawsuits asserting claims related to the ever-evolving COVID-19 legal landscape. Businesses and individuals with questions regarding COVID-19 screen practices should contact experienced counsel for guidance on related policies and practices.

Authors



[Katelyn Sullivan](#)

Counsel

KSullivan@perkinscoie.com [310.788.3351](tel:310.788.3351)



[Jill L. Ripke](#)

Senior Counsel

JRipke@perkinscoie.com [310.788.3260](tel:310.788.3260)

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