

Livestock

Protect privacy when hiring help

OVER the past few years, several livestock operations in Ohio have unknowingly hired undercover representatives of animal rights groups. These employees have gone on to capture video of allegedly harmful acts to livestock housed on the farm. The video ultimately ended up being published in multiple media outlets, and the livestock operations investigated for animal cruelty. It is likely that these undercover investigations of livestock farms will continue, and livestock producers should take measures to protect their privacy.

The first protective measure an employer can take is to have the prospective employee sign a waiver allowing the employer to run a background check. The background check will allow the employer to verify the identity, background, employment history and other pertinent information. Any discrepancy between the information supplied by the potential employee and the background check should be investigated thoroughly.

If the discrepancy cannot be resolved, the employee should likely not be hired. Background checks can be obtained from government and private sources for modest fees. Also, search the person's name on the Internet using a search engine such as Google.

The waiver or employment contract should also contain a "truth or consequences" clause that informs the employee that providing any false information will result in the immediate termination of employment. If the employee provides any false information that is later found by the employer, this clause allows the employer to terminate the employee without fear of being involved in an employment discrimination issue.

Keep privacy in mind

The employment contract should expressly state that no videotaping or other recording devices be brought to the farm or operated on the farm. The difficulty is enforcing these terms of employment. Some employers might be tempted to search employees for videotaping equipment but should do so very cautiously. Searching an employee's personal property, body, or even personal workspace can be a violation of privacy that could lead to complaints or lawsuits. Employers should be very careful about conducting searches of an employee or his/her personal property, and should likely avoid searches all together. If the employer does want to pursue possible searches of employees, he/she should consult with an attorney to minimize the risk of violating the employee's privacy rights. People attempting to gain access to a livestock farm under false pretext would likely not hesitate filing a lawsuit for invasion of privacy for an improper search.

Obviously, livestock producers and the livestock industry do not promote animal cruelty. The purpose of screening potential employees is not to cover up animal abuse but to protect the privacy of livestock producers. Everyone in this country has a right to privacy, and un-

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dercover videotaping violates that right.

Livestock producers should also be sure to train new employees on proper techniques for handling and moving livestock. Employers likely have been

around livestock their entire life, and knowing how to handle and move livestock is second nature. However, new employees may not have much, if any, experience around livestock. The training should be well-documented and perhaps include instruction from a veterinarian or some other third-party who has expertise in livestock husbandry. The training and documentation could

help livestock producers defend themselves from animal abuse accusations caused by an employee's action.

New employees should be advised why certain techniques are used on livestock farms. Explaining that pigs have their teeth cut to avoid injury to other pigs may prevent a new employee from making an abuse claim due to their unfamiliarity with animal husbandry.



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