



**VIA EMAIL**

May 29, 2024

Mr. William A. Cash, Jr., Director  
Ms. Faye Williams, Regional Attorney  
U.S. Equal Employment Opportunity Commission  
820 Louisiana Street  
Suite 200  
Little Rock, AR 72201

**Investigation Request: Tyson Foods, Inc.**

Dear Mr. Cash and Ms. Williams:

America First Legal Foundation (“AFL”) is a national, nonprofit organization working to protect the rule of law, due process, and equal protection for all Americans. We write pursuant to 29 C.F.R. § 1601.6(a), providing that “Any person or organization may request the issuance of a Commissioner charge for an inquiry into individual or systemic discrimination,” to request that the Equal Employment Opportunity Commission investigate Tyson Foods, Inc. (“Tyson,” the “Company”) for violating Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2.<sup>1</sup>

**I. Background**

The Biden Administration has opened America’s borders to millions of illegal aliens and “refugees.”<sup>2</sup> This has catalyzed an explosion in rape, human trafficking, prostitution, and child labor.<sup>3</sup> Since 2021, nearly 400,000 children have crossed the southern border by themselves, nearly two-thirds of whom are sponsored in the United States by nonparent relatives or strangers.<sup>4</sup> According to the New York

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<sup>1</sup> Copies of this letter have also been sent to each Member of the Commission, and AFL makes the same request of them pursuant to 29 C.F.R. § 1601.6(a).

<sup>2</sup> *Southwest Land Border Encounters*, U.S. CUSTOMS AND BORDER PROTECTION, <https://bit.ly/3JXbqB7> (last visited May 7, 2024) (see the graph and data under the heading “FY Southwest Land Border Encounters by Month”).

<sup>3</sup> See James Varney & Abigail Degnan, *The Many Ways a Porous Border Means Crime Without Boundaries*, REAL CLEAR INVESTIGATIONS, <https://bit.ly/44CnJfq> (last updated April 2024).

<sup>4</sup> Eli Murray et al., *Where Migrant Children Are Living, and Often Working, in the U.S.*, N.Y. TIMES (Dec. 28, 2023), <https://bit.ly/3wpiGCF>.

Times, “[t]housands” of these children have ended up in punishing jobs across the country, “working overnight in slaughterhouses, replacing roofs, operating machinery in factories — all in violation of child labor laws.”<sup>5</sup>

Biden’s program of open borders and abusively generous refugee admissions threatens our national security, brings crime and chaos to our neighborhoods, and undermines the rule of law. It punishes our blue-collar workers by massively expanding the labor pool and driving down American wages. Yet some ostensibly American corporations have chosen to support Biden’s program to reap the benefits of artificially cheapened labor, with reckless disregard for the law and the human consequences of their conduct.<sup>6</sup> Tyson is one such company.

## II. Tyson violates the Civil Rights Act of 1964

Tyson is a publicly traded corporation incorporated under the laws of Delaware. Its principal executive offices are located at 2200 West Don Tyson Parkway, Springdale, Arkansas.<sup>7</sup>

Tyson has affirmatively represented to its shareholders, investors, and the Securities and Exchange Commission (“SEC”) that sex and national origin are motivating factors in its employment and contracting practices.<sup>8</sup> For example, it claims that “[w]ith approximately 39% women and over 60% representation from minority groups in our workforce, **we actively promote** a culture of DE&I. This commitment extends across the employee lifecycle, encompassing **recruitment, individual development, and team member engagement.**”<sup>9</sup> In addition to tracking and setting goals for the diversity of its board and board nominees, the Company’s Executive Incentive Plan rewards executives for making race, color, religion, sex, or national origin a motivating factor in hiring and other employment practices.<sup>10</sup>

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<sup>5</sup> *Id.* Reportedly, the Biden Administration has “ignored or missed” key warnings about these vulnerable children. Apparently, political leaders in both the U.S. Department of Health and Human Services and the U.S. Department of Labor have actual knowledge that the Biden government is facilitating child abuse.

<sup>6</sup> STAFF REPORT OF H. COMM. ON THE JUDICIARY & SUBCOMM. ON IMMIGR. INTEGRITY, SEC. AND ENFORCEMENT, 118TH CONG., HOW THE BIDEN ADMINISTRATION’S LAX IMMIGRATION ENFORCEMENT ALLOWS DANGEROUS CRIMINAL ALIENS TO RUN FREE IN AMERICAN COMMUNITIES at 8, INTERIM STAFF REPORT (Apr. 16, 2024) (available at <https://bit.ly/3JSEHg7>).

<sup>7</sup> Tyson Foods, Inc., Form 10-K (Nov. 13, 2023), <https://bit.ly/3UQlfqO> [hereinafter *Form 10-K*].

<sup>8</sup> Tyson Foods, Inc., Schedule 14A: Proxy Statement Pursuant to Section 14(a) of the Securities Exchange Act of 1934 at 19, 46 (Dec. 21, 2023), <https://bit.ly/4dP5Iim> [hereinafter *Proxy Statement*].

<sup>9</sup> *Proxy Statement* at v (emphasis added); see also *Form 10-K* at 7.

<sup>10</sup> *Proxy Statement* at 45-46; TYSON, *Growing a More Sustainable Future: Sustainability Report 2022* at 17 (available at <https://bit.ly/4dzLpoO>) [hereinafter *Sustainability Report*].

These representations, claims, and incentives are not illusory. Rather, there is significant evidence that Tyson has for years favored aliens (allegedly including alien minors) over American citizens throughout its labor supply chain.<sup>11</sup> At precisely the same time the Company is closing multiple plants across the United States, including in towns like Perry, Iowa, where Tyson is the largest employer and will leave 1,276 Iowans out of work, Tyson continues to invest substantial resources into hiring and providing benefits to non-European aliens.<sup>12</sup> Among other things:

- The Company reportedly employs 42,000 aliens, more than a third of its workforce, and “would like to employ another 42,000 if [it] could find them.”<sup>13</sup>
- To increase the number of immigrants it employs, Tyson Foods has joined the Tent Partnership for Refugees,<sup>14</sup> a project of the Tent Foundation, Inc.,<sup>15</sup> which “mobilize[s] major businesses to connect refugees to work.”<sup>16</sup> Companies that join the Tent Partnership for Refugees coalition promise to reserve employment positions for refugees – American citizens are accordingly ineligible.<sup>17</sup>
- In 2022, Tyson “**committed to hiring 2,500 refugees** over three years in the United States.”<sup>18</sup>

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<sup>11</sup> See *Tyson Foods Indicted: Company, Workers Charged with Conspiracy to Smuggle Illegal Immigrants into U.S.*, CNN MONEY (Dec. 19, 2001), <https://cnn.it/4bdn7zI>; see also Rebecca Rainey, *Perdue, Tyson Face ‘Unique’ Probe in Child Labor Crackdown*, BLOOMBERG LAW (Oct. 6, 2023), <https://bit.ly/3y6Yndw>.

<sup>12</sup> Connor O’Neal, *‘It All Happened Very Suddenly’: Perry Tyson Foods Employee Shares About Permanent Closure*, WE ARE IOWA (Mar. 13, 2024), <https://bit.ly/3JRUtYP>; Natalie Neysa Alund et al., *Tyson Foods Closing Iowa Pork Plant as Company Moves Forward with Series of 2024 Closures*, USA TODAY (Mar. 12, 2024), <https://bit.ly/3UTCffV>; Simone Foxman & Ella Ceron, *Tyson Is Hiring New York Immigrants for Jobs No One Else Wants* (Mar. 11, 2024), <https://bloom.bg/3UByb2b>; *Iowa WARN Log*, IOWA WORKFORCE DEV. (available at <https://bit.ly/3WyUDeX>).

<sup>13</sup> Foxman & Ceron, *supra* note 12.

<sup>14</sup> TENT PARTNERSHIP FOR REFUGEES (last visited Mar. 29, 2024), <https://bit.ly/4dJ5cm6>.

<sup>15</sup> Tent Foundation Inc., Form 990-PF (Nov. 15, 2023) (available at <https://bit.ly/3wvc05T>); TENT PARTNERSHIP FOR REFUGEES, *Frequently Asked Questions* (last visited Apr. 17, 2024), <https://bit.ly/3yeQHpS> (nested under the question “What is the relationship between the Tent Partnership and the Tent Foundation?”).

<sup>16</sup> TENT PARTNERSHIP FOR REFUGEES, *supra* note 15.

<sup>17</sup> TENT PARTNERSHIP FOR REFUGEES, *U.S. Employers’ Guide to Hiring Refugees* (Jan. 2024) (available at <https://bit.ly/3UrxIzy>). The “Tent Partnership for Refugees” uses the word “refugee” as “a catch-all term for all forcibly displaced migrants in the U.S” and includes the “seven main immigration statuses that employers may see: asylees, asylum seekers, humanitarian parolees, refugees, Special Immigrant Visa (SIV) holders, Temporary Protected Status (TPS) holders, and victims of human trafficking or criminal activity.”

<sup>18</sup> TENT PARTNERSHIP FOR REFUGEES, *Tyson, Partners* (last visited Mar. 29, 2024), <https://bit.ly/3UPvb3E> (emphasis added); see also *Sustainability Report* at 4.

- In 2023, it committed to “**mentoring**” fifty “**refugee women**,” fifty “**Hispanic refugees**,” and fifty “**Afghan refugees**” in Northwest Arkansas and across the United States.<sup>19</sup>
- In its annual Sustainability Report, Tyson President & CEO Donnie King stated that the Company’s diversity goals include its commitment to continue to hire immigrant workers. He said that the Company “recognize[s] the importance of welcoming **diverse** voices to the conversation—and then supporting them when they arrive—we have dedicated over \$2.4 million since 2020 to support U.S. citizenship for **immigrant employees**.”<sup>20</sup> In other words, the special services provided to foreign employees are intended to affect the balance of diversity, including national origin, in the Company’s workforce, to the detriment of United States-born individuals.<sup>21</sup>
- For the years 2023 and 2024, the Company has reportedly committed \$1.5 million per year for legal aid services for foreign workers and providing paid time off for when they attend court hearings.<sup>22</sup> Tyson does not provide similar benefits to workers born in the United States.

### III. The Commission should investigate Tyson

An investigation of Tyson by your office is particularly appropriate here because ample evidence suggests that the Company has knowingly and intentionally violated federal law and will continue to do so in the future.

First, Title VII targets and declares unlawful employment practices that treat a person worse “because of such individual’s race, color, religion, sex, or national origin.” That “worse” treatment must pertain to—must be “with respect to”—employment “terms [or] conditions.” 42 U.S.C. § 2000e–2(a)(1). The “terms or

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<sup>19</sup> TENT PARTNERSHIP FOR REFUGEES, *supra* note 18 (emphasis added). This commitment appears to date back to at least 2021 when Tent Partnership for Refugees announced on X (then “Twitter”): “We’re proud to count Tyson among our members, and thrilled that they’ve joined the Tent Coalition for Afghan Refugees. Through the Coalition, Tyson will explore opportunities to hire, train, & support Afghans in the U.S. We’re proud to count Tyson among our members, and thrilled that they’ve joined the Tent Coalition for Afghan Refugees. Through the Coalition, Tyson will explore opportunities to hire, train, & support Afghans in the U.S,” Tent Partnership for Refugees (@TentOrg), X (Nov. 5, 2021, 3:26 PM), <https://bit.ly/3QEKERA>.

<sup>20</sup> *Sustainability Report* at 4, 19 (emphasis added) (listing “[i]mmigrant and refugee support and resettlement” in the Report’s section describing Tyson Foods’ actions “Supporting *Diverse Communities*” (emphasis added)).

<sup>21</sup> *Sustainability Report* at 17 (emphasis added). Tyson has adopted a cramped definition of “diversity,” using it to mean a person’s immutable characteristics only. For example, it states that “[w]e are dedicated supporters of Minorities in Agriculture, Natural Resources and Related Sciences (MANRRS) an organization created to advance *diverse* representation in the agricultural industry” and that “[t]o attract *diverse* talent, our talent acquisition team partners with many educational and community organizations, such as the National Urban League” (emphasis added).

<sup>22</sup> Foxman & Ceron, *supra* note 12.

conditions phrase is not used in the narrow contractual sense; it covers more than the economic or tangible.”<sup>23</sup>

Tyson repeatedly admits that considerations of race, color, national origin, and sex play a motivating factor in the Company’s employment practices. Yet these considerations, purportedly embedded in the Company’s culture and day-to-day operations, are patently illegal. *See* 42 U.S.C. §§ 2000e-2(a), (d).<sup>24</sup> The law is that an unlawful employment practice is established when the evidence demonstrates that race, color, religion, sex, or national origin was *a* motivating factor for an employer. 42 U.S.C. § 2000e-2(m).

Second, Tyson has been the target of multiple federal investigations and findings regarding its immigration-related employment practices.<sup>25</sup> Most recently, according to published reports, Tyson contracted with Packers Sanitation Services, Inc. (“PSSI”), which paid a \$1.5 million fine in 2023 for child labor violations.<sup>26</sup> The U.S. Department of Labor found that PSSI had employed minors as young as thirteen to use caustic chemicals to clean “razor-sharp saws” and other high-risk equipment at 13 meat processing facilities in 8 states.<sup>27</sup> Seven of the more than one hundred affected children employed by PSSI were found to have worked at Tyson plants.<sup>28</sup> In light of this history, the grave and credible allegations that Tyson is acting as a joint employer with contractors to circumvent immigration and child labor law obligations,<sup>29</sup> strongly militate in favor of action by the Commission.

The Company’s self-described, ongoing employment practices are patently unlawful, deeply harmful, and immoral.<sup>30</sup> Discrimination based on immutable characteristics such as race, color, national origin, or sex “generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to

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<sup>23</sup> *Muldrow v. City of St. Louis*, 144 S.Ct. 967, 974 (2024) (2024) (cleaned up); *Bostock v. Clayton County*, 590 U. S. 644, 658, 681 (2020).

<sup>24</sup> *See, e.g., United Steelworkers of Am. v. Weber*, 443 U.S. 193, 208 (1979); *Johnson v. Transp. Agency*, 480 U.S. 616, 621-641 (1987); *see also Bostock*, 590 U.S. at 644.

<sup>25</sup> David Leonhardt, *Child Labor and the Broken Border*, Newsletter, *The Morning*, N.Y. TIMES (Sept. 19, 2023), <https://nyti.ms/4dvYHmu>; *see also* U.S. DEP’T OF JUST., *INS Investigation of Tyson Foods, Inc. Leads to 36 Count Indictment for Conspiracy to Smuggle Illegal Aliens for Corporate Profit* (Dec. 19, 2001), <https://bit.ly/3QEKM4>.

<sup>26</sup> U.S. DEP’T OF LAB., *More Than 100 Children Illegally Employed in Hazardous Jobs, Federal Investigation Finds; Food Sanitation Contractor Pays \$1.5M in Penalties* (Feb. 17, 2023), <https://bit.ly/3Wyoa3Z>.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> Letter from Sen. Josh Hawley, to Donnie D. King, Chief Executive Officer, Tyson Foods (Sep. 19, 2023), <https://bit.ly/4b7pUKL>.

<sup>30</sup> *Bob Jones Univ. v. United States*, 461 U.S. 574, 593 (1983) (“racial discrimination in education violates a most fundamental national public policy, as well as rights of individuals”).

ever be undone.”<sup>31</sup> Decades of case law hold that — no matter how well-intentioned — policies that seek to impose racial balancing are prohibited.<sup>32</sup> More broadly, the discrimination highlighted in this case necessarily foments contention and resentment; it is “odious and destructive.”<sup>33</sup> It truly “is a sordid business, this divvying us up” by race or sex.<sup>34</sup> A Commissioner’s charge should be issued here.

Thank you in advance for your consideration. Please feel free to contact us if you have any questions.

Sincerely,  
/s/ Will Scolinos  
America First Legal Foundation

Cc: The Honorable Charlotte A. Burrows, Chair  
The Honorable Jocelyn Samuels, Vice Chair  
The Honorable Keith E. Sonderling, Commissioner  
The Honorable Andrea R. Lucas, Commissioner  
The Honorable Kalpana Kotagal, Commissioner

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<sup>31</sup> *Brown v. Bd. of Education*, 347 U.S. 484, 494 (1954).

<sup>32</sup> See, e.g., *United Steelworkers*, 443 U.S. at 208; *Johnson*, 480 U.S. at 621-641; see also *Bostock*, 590 U.S. at 650.

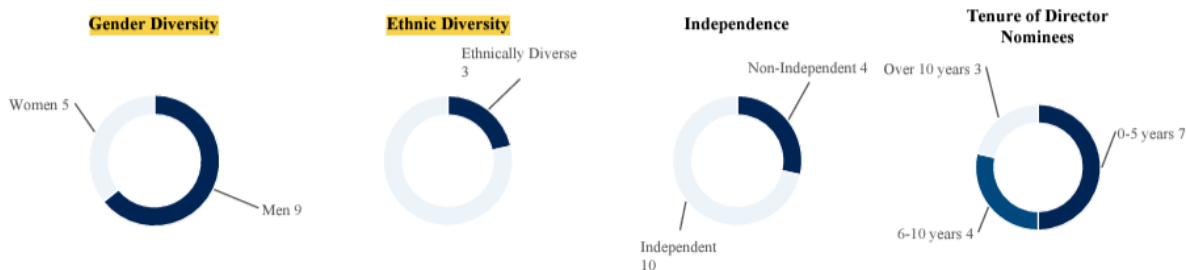
<sup>33</sup> *Texas v. Johnson*, 491 U.S. 397, 418 (1989).

<sup>34</sup> *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 511 (2006) (Roberts, C.J., concurring in part).

## Appendix

### **DIRECTOR NOMINEE DIVERSITY, TENURE AND AGE**

The following charts provide summary information about our director nominees' personal characteristics, including gender, ethnicity, independence and tenure, to illustrate the diversity of perspectives of our director nominees. Additional biographical information about the nominees can be found in the section titled "Election of Directors" in this Proxy Statement.



### *Leadership Scorecard*

In addition to the Adjusted Operating Income and Adjusted Total Volume performance measure, the Company's Executive Incentive Plan includes certain "Leadership Scorecard" performance modifiers to promote and reward behaviors in support of (1) diversity, equity and inclusion, (2) health and safety and (3) sustainability. For fiscal year 2023, the Compensation and Leadership Development Committee, in consultation with management, adjusted certain of the threshold goals. In the Diversity, Equity & Inclusion category, the goal for a percentage of diverse candidate slates was set at 85%. In the Health & Safety category, the percentage of reduction in OSHA recordable rate was modified from 10% in the prior fiscal year to 16%, and the reduction in significant injuries and fatalities was modified from 10% to 37%.

The Compensation and Leadership Development Committee recognizes that the mix of categories may change and grow over time, including expanding outside of the existing "Leadership Scorecard" goals into other environmental, social and governance categories. As such, in fiscal year 2023, after a review of the Company's goals, the Compensation and Leadership Development Committee accepted both of management's recommendations to (i) use Sustainability as one of the three categories of the Leadership Scorecard goals, in place of the category for Talent and Development, and (ii) to use the Company's Dow Jones Sustainability Index score as the Sustainability goal for the Leadership Scorecard.

<b>Goals</b>
<p><b><i>Diversity, Equity &amp; Inclusion</i></b></p> <ul style="list-style-type: none"> <li>Greater than 85% of candidate slates considered are diverse</li> </ul>
<p><b><i>Health &amp; Safety</i></b></p> <ul style="list-style-type: none"> <li>16% reduction in OSHA recordable rate</li> <li>37% reduction in significant injuries and fatalities</li> </ul>
<p><b><i>Sustainability</i></b></p> <ul style="list-style-type: none"> <li>Achieve a rating of between 45 and 55 or better on the Dow Jones Sustainability Index</li> </ul>

## Board Refreshment

We believe the quality, focus and diversity of skills and experience of the Board have been a key driver of the Company's success. Our Governance and Nominating Committee regularly monitors the composition of the Board and identifies ways we can strengthen the Board, including to address particular skill and expertise areas, enhance diversity or replace directors that are expected to retire in the near future, while continuing to balance the benefits of having a board with significant Company knowledge and experience. The consistent, thoughtful and strategic approach of the Governance and Nominating Committee and the Board with respect to strengthening is illustrated by changes to the Board in the last few years, including the nomination to the Board of Kate B. Quinn which addresses, among other things, the Board's strategic goal of expanding its expertise in business strategy, marketing, customer experience and retail operations.

## Human Capital Management

Our commitment to health, safety, and wellbeing revolves around rigorous safety training and providing essential equipment to our team members. We continuously strive to reduce workplace incidents and hazards, with a specific focus on decreasing OSHA recordable incidents year by year. Additionally, we make healthcare easily accessible for team members and their families by operating health clinics near our main production facilities.

Diversity, equity, and inclusion ("DE&I") are core to our company's strength. With approximately 39% women and over 60% representation from minority groups in our workforce, we actively promote a culture of DE&I. This commitment extends across the employee lifecycle, encompassing recruitment, individual development, and team member engagement. We establish employee-led business resource groups and DE&I councils to create a culture of inclusion where every team member feels respected and valued.

Our talent strategy, known as "Grow With Us," is centered on attracting the best talent, recognizing and rewarding performance, and continuously developing and engaging our team members. We prioritize the team member experience, streamline HR processes, and place a strong emphasis on frontline team member retention. To support this, we offer an array of educational opportunities through the Upward Academy Program, which provides training in areas such as language, education, and financial literacy. Furthermore, we have launched Upward Academy online, an initiative that supports career development and advancement at no cost to participants, creating opportunities for our team members to progress into higher-paying, senior-level roles. In addition, we strengthened our commitment to immigrant team members through a partnership and investment in Immigrant Connection, a non-profit organization that provides immigrants with legal services, including petitions for citizenship. Our overarching goal is to be a highly sought-after company within our markets, by continually nurturing the skills and capabilities needed and maintaining a robust talent pipeline throughout the organization.

## HOW PAY IS TIED TO COMPANY PERFORMANCE

Incentive payments under the Company's Executive Incentive Plan are based on performance measures established by the Compensation and Leadership Development Committee. For fiscal year 2023, the Compensation and Leadership Development Committee selected two performance measures under the Executive Incentive Plan: (i) Adjusted Operating Income, weighted at 75% of the total funding to be made available for the plan, and (ii) Adjusted Total Volume as a new performance measure, weighted at 25% of the total funding to be made available for the plan. The Compensation and Leadership Development Committee believes Adjusted Operating Income and Adjusted Total Volume are appropriate measures of Company performance to utilize in making performance-based compensation decisions because these are good indicators of value creation and are some of the factors used by senior management to evaluate the performance of the business. In addition, the Company's Executive Incentive Plan included certain "Leadership Scorecard" performance modifiers to promote and reward behaviors in support of (1) diversity, equity and inclusion, (2) health and safety and (3) sustainability. Each of the three above-referenced factors can modify annual incentive payments by plus or minus 5% of target performance incentive payments, with a total potential impact of plus or minus 15% of annual incentive payments. A positive modifier applies if we exceed these goals, no modifier applies if we meet these goals and a negative modifier applies if we do not meet these measured goals. The Adjusted Operating Income target for purposes of the Executive Incentive Plan was \$4.1 billion for fiscal year 2023 and the Adjusted Total Volume target for fiscal year 2023 was 28,813 million pounds. For fiscal year 2023, the Company achieved the Adjusted Total Volume goal but not the Adjusted Operating Income goal, resulting in an overall incentive payment of 25% of the respective target eligibilities for each of our named executive officers. In addition, the "Leadership Scorecard" resulted in a net payout modifier of -7.5%, which was applied to the fiscal year 2023 annual incentive payments for executives who were team members throughout all of fiscal year 2023. For further information, please see the "Compensation Discussion and Analysis" section in this Proxy Statement.



### ***Diversity, Equity and Inclusion***

We believe that diversity, equity, and inclusion (“DE&I”) is one of our strengths. Our Company is diverse and consists of team members with a variety of experiences, backgrounds, beliefs, and lifestyles. Our workforce consists of approximately 39% women and over 60% minority groups. We strive to continue cultivating a culture and vision that supports DE&I in every aspect of our business, from recruiting to individual development and team member engagement, with the objective of promoting and retaining talent. We also believe that having engaged team members with a sense of belonging is paramount to our continued success. The Company has eight employee-led business resource groups that support our team members and assist with efforts to build a culture of inclusion to ensure that everyone feels respected and valued. Some of our functional teams have also engaged formal DE&I councils to inform special projects and initiatives and many production facilities routinely host local diversity committees.

We are dedicated supporters of

# Minorities in Agriculture, Natural Resources and Related Sciences (MANRRS)

an organization created  
to advance diverse representation  
in the agricultural industry.

Also, throughout the year, our procurement team:

- Began the intensive process of cleaning and classifying our supplier data to understand supply chain makeup and inform growth strategies.
- Added requirements to our internal procurement policy for good faith efforts and the inclusion of diverse suppliers when engaging in sourcing activities.
- Increased engagement with diverse supplier certification agencies.
- Started a monthly Diverse Supplier Spotlight Series.

### Supplier Inclusion Summit

The **supplier diversity** team includes procurement team members and leaders, as well as representatives from our DEI teams. In March 2022, our supplier diversity team began planning our Supplier Inclusion Summit, which took place on June 20, 2023. The summit began with an evening reception hosted by Tyson leadership and included a full day of networking opportunities with company leadership, matchmaking between suppliers for enhanced partnerships, supplier enrichment sessions and a featured panel discussion with leaders from Tyson customers.

The summit provided the opportunity for impactful conversations on the importance of building and nurturing a diverse supply chain. The event supports our efforts to build a robust supplier diversity program that is aligned with Tyson's values while delivering on our core strategies of winning with customers, consumers and team members.

For small and diverse suppliers, the summit was a chance to learn about opportunities with Tyson and enrich strategic relationships with other suppliers. For non-diverse suppliers, the summit let them connect with diverse suppliers and Tyson stakeholders who may be able to support their needs.

Our suppliers are encouraged to provide opportunities such as Tier 2 relationships that enable diverse suppliers to build capacity.

### SUPPORTING DIVERSE COMMUNITIES

As a protein company that employs a global workforce dedicated to feeding the world, our philanthropic efforts center on two key areas:

- **Food access and nutrition**
- **Immigrant and refugee support and resettlement**

In 2022, we donated \$250,000 through our **Asian American and Pacific Islander grants** to the following groups: Arkansas Coalition of Marshallese, National Association of Asian American Professionals, Family Support Services, Asian Americans Advancing Justice | Chicago, and Ethnic Minorities of Burma Advocacy and Resource Center. These donations were part of a larger \$500,000 commitment to Stop Asian Hate, which was an initiative that Tyson's executive leadership team supported by **allowing grant allocations to be led by the Asians & Allies BRG.**

We also invested \$1 million to support equitable hunger relief in local communities through our investment in Feeding America's Multi-Donor Equitable Food Access Fund. This funding will be distributed in the form of grants to food banks that serve people living in rural areas and communities of color disproportionately impacted by hunger.

In 2022, Tyson Foods became  
a member of the

### Women's Business Enterprise National Council

to increase resource sharing and our  
visibility of supplier networks.

to more than 175 programs from more than 35 universities and learning providers.

And, because we recognize the importance of welcoming diverse voices to the conversation—and then supporting them when they arrive—we have dedicated over \$2.4 million since 2020 to support the path to U.S. citizenship for immigrant employees. As a partner in the Tent Coalition for Refugees, we also committed to hiring more than 2,500 refugees over three years in the United States. To help alleviate hunger, Tyson committed \$2.5 million to address food insecurity by partnering with Feeding America® member food banks, and we continue to find ways to donate and divert our products from becoming food waste. We are proud to say that seven of our U.S. plants now hold gold-level Zero Waste to Landfill validation, as well as one plant with silver-level Zero Waste to Landfill validation.

Through it all we recentered our focus on driving product responsibility from farm to table. For example, to inspire shared responsibility for animals in our supply chain, we launched Tyson's first Animal Welfare Awareness Week, emphasizing our dedication to ensuring that animals in our supply chain are provided appropriate care.

## LOOKING FORWARD

Every day, we are working to provide better, more nutritious protein options to the people we serve. Now, as we look to the future, we're setting a new course for sustainability, reimagining our social

impact and designing responsibility into products from the get-go.

In collaboration with our Enterprise Leadership Team, I was pleased to present our new strategic sustainability goals to our Board this year, setting new priorities that will guide Tyson's efforts into 2023 and beyond. Since FY2021, the Company's Executive Incentive Plan has included certain "People Goals" performance modifiers to promote and reward behaviors in support of diversity, equity and inclusion, health and safety, and talent development, ensuring accountability for our People Goals across the business. I look forward to seeing as we—together with our suppliers, partners, and employees—continue to find increasingly sustainable ways to *Feed the Future*.



**Donnie King**  
President & CEO  
Tyson Foods

