



**Examining Employment and Wages Paid to Oyster Shuckers,  
Oyster Packers, and Shellfish Laborers in the Texas Oyster  
Industry: 2014 – 2015**

**Prepared by Extension Specialists in the  
Department of Agricultural Economics**

**Texas A&M AgriLife Extension Service  
Texas Sea Grant College Program  
Texas A&M University**

**Examining Employment and Wages Paid to Oyster Shuckers, Oyster  
Packers, and Shellfish Laborers  
In the Texas Oyster Industry: 2014 – 2015<sup>1</sup>**

Prepared by  
Andrew Ropicki<sup>2</sup>

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TAMU-SG-15-514

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<sup>1</sup> This work is conducted and sponsored by the Texas Sea Grant College Program, the Texas A&M AgriLife Extension Service, and the Department of Agricultural Economics at Texas A&M University to gather and summarize employment and wage information on the Texas oyster processing industry. No outside funds were requested or used to complete this assessment. This study is part of our ongoing research and outreach efforts designed to assist the Texas seafood industry. This work is an updated version of TAMU-SG-13-200 by Mike Haby that involved the same analysis for the 2012-13 oyster season.

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# Examining Employment and Wages Paid to Oyster Shuckers, Oyster Packers, and Shellfish Laborers in the Texas Oyster Industry: 2014 – 2015

## Background and Introduction

Labor is a significant input in the U.S. meat processing complex, and processing seafood is no exception. In 2013, 37,628 people worked in 824 seafood processing establishments nationwide (NMFS 2014). Using these reported data, on average each seafood processing operation in the U.S. employed about 46 people. However, this computed average is misleading because there is wide variability in the size of seafood processing establishments. Some seafood processing facilities rival the square footage and employment levels found in beef or poultry processing operations. However, other seafood processing firms are orders of magnitude smaller than beef, pork, and poultry facilities, both in terms of their physical footprints and the number of workers required to staff these facilities. In addition, some seafood processing operations are seasonal in nature, either changing the species handled over the course of a year, or opening and closing based on the tempo of local harvests.

Transforming raw material into convenient, “user-friendly” market forms is at the heart of meat, poultry, and seafood processing. Historically, such transformation required skilled hand labor. Today the transformation is assisted with various types of specialized technology. Technological innovation has enabled meat and poultry plants to make substantial gains in efficiency [2]. In part, some of the efficiency gains have occurred because technological innovation facilitates the hiring of less-skilled (and lower paid) workers. In contrast, the transformation of oysters, mussels, and hard clams still relies on the technique, skill, and speed of employees<sup>3</sup>.

Historically, seafood processors recruited labor from local sources. Over the last several decades though, recruiting and retaining local wage-earners willing to transform live mollusks into value-added products has become more difficult<sup>4</sup>. The Texas oyster industry—a major, nationwide supplier of shell-stock and various value-added oyster products—has experienced a continuous reduction in the availability of local labor for more than twenty years. As a result, virtually all Texas oyster-processing establishments have recruited foreign workers for necessary duties in their facilities through the H-2B program. In a growing number of firms, were it not for the H-2B program, these facilities simply could not operate.

## Report Objective

This report summarizes a survey of Texas oyster industry operators. These facilities occupy six counties in the Texas coastal region that range from Liberty County on the northern end of the coast to operations in Aransas County at the southern end. This survey was initiated in June 2015, and is an update of an earlier study titled ‘Examining Employment and Wages Paid to Oyster Shuckers, Oyster Packers, Shellfish Laborers, and Oyster Boat Deck Hands in the Texas Oyster Industry: 2012 – 2013’ (TAMU-SG-13-200)<sup>5</sup>. In computing statewide wages across the three job titles/descriptions (oyster shuckers, oyster packers,

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<sup>3</sup> Some “transformation technology” has been developed for mollusks. In 1979 an interdisciplinary team of Sea Grant researchers at Virginia Tech pioneered a heat-shock technology that facilitated the hand shucking of oysters with the attendant material handling system necessary to transport live, heat-shocked oysters (i.e., with “relaxed” adductor muscles) to the shucking room. A few oyster processors around the Chesapeake Bay area invested in heat-shocking technology but the vast majority of Eastern oyster (*Crassostrea virginica*) processors did not opt for this specialized technology. Regarding the processing of molluscan shellfish, Hackney points out, “... industry depends on natural stocks which fluctuate from year to year. The varying supply often causes processors to be reluctant to expand their operations, to adopt new technology, or to make major investments in product development.” (Hackney 1990). The one example of capital-intensive, mechanized, molluscan processing is the Atlantic surf clam (*Spisula solidissima*). Surf clams, found in nearshore mid-Atlantic waters, are mechanically shucked. Originally, only parts of the clam were targeted for use as clam strips, but ultimately other parts of the animal, originally considered “salvage” were captured and used in a variety of applications from liquid flavoring bases and stocks to bait.

<sup>4</sup> Regarding the seasonal transformation of live oysters into a variety of value-added products, the shortage of local labor exists across the entire geographic range of the eastern oyster.

<sup>5</sup> The publication prepared in 2013 was referenced as Haby, Michael G. 2013. “Examining Employment and Wages Paid to Oyster Shuckers, Oyster Packers, Shellfish Laborers, and Oyster Boat Deck-hands in the Texas Oyster Industry: 2012:2013” A Texas A&M

and shellfish laborers), we follow the procedures outlined in “*Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Final Rule*” (20 C.F.R. § 655) that was published in April 2015. This document can be found at <http://www.dol.gov/whd/immigration/H2BFinalRule/>. Reporting on employment and wages paid across the three types of jobs found in oyster processing and production firms is the primary emphasis of this work.

## Collecting Industry Information

### *Identifying Oyster Facilities along the Texas Coast*

Shucker-Packer operations were identified from the Interstate Certified Shellfish Shippers List for April 2015 (<http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM441605.pdf>). (Appendix I includes a list of all firms that we attempted to contact for the survey.) The focus on shucker-packer operations was a departure from the last survey which included some entities that did not shuck oysters and simply sold the oysters un-shucked. The narrower focus of this analysis was designed to focus on oyster packers and shellfish laborers that worked with shucked oysters and, as such, had different job duties than those with similar titles at facilities that do not shuck oysters.

### *Designing and Distributing the Survey*

The design of this survey follows the approach suggested by Dillman, Smyth, and Christian (2008). Dillman et. al. (2008) enumerates a procedure for developing and structuring questions, provides guidance on pertinent information to be included in the cover letter to potential respondents, specifies what information to include in the survey and all additional correspondence with survey participants.

The survey followed the same basic outline as the 2013 version drafted and implemented by Haby (2013), however the current version includes some changes to account for the new rules outlined in “*Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Final Rule*” (20 C.F.R. § 655) that was published in April 2015. The survey changes required by the new rules outlined in 20 C.F.R. § 655 were:

- respondents were asked to provide mean wages for each job category as opposed to entry level wages;
- respondents were asked to include any and all forms of payment made to employees in each job category including: commissions, cost-of-living allowance, deadheading pay, guaranteed pay, hazard pay, incentive pay, longevity pay, piece rate, portal-to-portal rate, and/or tips;
- respondents were not asked about the deckhand job category.

Respondents were not asked about deckhand wages because the surveyed group, FDA certified shucker-packer firms in Texas, represented every firm (a census) that employed oyster shuckers, oyster packers, and shellfish laborers in processing facilities where oysters were shucked. However, the oyster harvesting industry in Texas includes harvesting firms/individuals that employ deckhands but do **not** process oysters. Given the different types of oyster harvesters employing deckhands, a survey only including shucker-packers would not have represented a random sample for oyster boat deckhands.

For the 2013 survey, an instrument was prepared, then proofed/reviewed by both industry leadership and several volunteers including (a) a firm that helps various industries navigate the H-2B guest worker program and

(b) an attorney that specializes in H-2B guest worker issues. A cover letter was then prepared outlining (a) why the survey was being conducted, (b) more specificity about why questions sought particular information, and the (c) requirement that respondents needed to be listed alongside their responses<sup>6</sup>.

The current version of the survey was similar to the 2013 version in that it used the same job descriptions as the

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AgriLife Extension Service/ Texas Sea Grant Extension Document. Document No: TAMU-SG-13-200.

<sup>6</sup> The requirement that respondents needed to be listed alongside their responses was included because the Department of Labor requires the linking of responses to respondents. However, each respondent was given the choice of having their responses not being associated directly with their firm and having their responses associated with a randomly generated number known only to the firm and Texas Sea Grant. This allowed firms to report their responses anonymously in the report while still making it possible for Texas Sea Grant to provide matching data to the Department of Labor if asked (respondents were made aware of this being a possibility).

2013 version (minus deckhands) and contained similar cover letter (Copies of the cover letter, survey instrument, and consent form are located in Appendix II.) Firms listed on the FDA April 2015 list of Texas Interstate Certified Shellfish Shippers (shucker-packer operators) were contacted by phone and or email. For those firms that indicated they were willing to take part in the survey; survey packets were assembled for distribution using two delivery methods. Most of the participants were emailed a copy of the survey while a few firms opted to have the survey packet faxed to them. Each packet included a personally-addressed cover letter, a survey that carried a randomly-generated identification number, and a consent form required by The Texas A&M University Institutional Review Board.

Attempts to contact shucker-packer operators began in late June 2015 and continued through early August of the year. Phone numbers for 18 entities listed on the Interstate Certified Shellfish Shippers List were located through an internet search<sup>7</sup>. Contact was attempted at least four times with every business on the list between June 29, 2015 and August 10, 2015, the attempts were spread out over the period in an attempt to gather as many responses as possible. Once contact with a firm was made and they indicated they were willing to take part in the survey they were emailed or faxed (based on their indicated preference) a survey packet that day. For those that failed to respond to the survey a follow up notice (sent either by email or fax based on the respondents preference), including an additional survey packet, was sent two weeks after the first packet.

### *A Summary of Responses*

Of the 19 firms on the list (see footnote 7), contact was made with 15 of the firms. Two of the firms indicated that they did not process oysters and were removed from the survey group. In addition, one firm contacted indicated they did not wish to take part in the survey. Five of the seventeen firms that appeared on the FDA list completed the survey (29% response rate)<sup>8</sup>. In all, 12 firms indicated by phone or through email that they wanted the survey sent to them (indicating an effective response rate of 42%).

## **Survey Results**

Each of the sub-headings in this section summarizes responses to questions that were specific to each job title used in the survey. (These job titles are underlined in each sub-heading). From the survey found in Appendix II, the first question asks about the number of employees hired, while the following two questions examines how these employees were compensated, the mean rate of pay, and whether additional compensation of any type was paid to these employees..

### *Employment, Compensation Method, and Mean Hourly Rate for an Oyster Shucker*

Synopsis of expected duties. Oyster shuckers transform live oysters (typically called shell-stock) into either shucked meats which are containerized and sold by liquid volume or “shucked half-shell” oysters which are typically arrayed on a tray, frozen, packaged, master-cartoned, and sold by the dozen. Regardless of the ending market form, shuckers must first pry open the bivalve, then cut the adductor muscle connected to the top shell, and finally cut the adductor muscle connected to the bottom shell. Some on-the-job experience (practice) is required in the transformation process since the market demands whole oyster meats which have not been accidentally sliced during the opening process.

Employment and Compensation Methods. Of the firms that responded to the survey, there were 262 oyster shuckers who worked in Texas oyster facilities in 2014–2015. With just a 42 percent response rate, the actual number of workers employed in this occupation across the Texas oyster industry is obviously higher.

All 262 oyster shuckers employed by the firms who responded to this survey are paid a piece rate which is a stated price per quantity transformed. The quantity can be pounds of meats shucked (which will be packed in various-sized containers), or the number of oysters or sacks/bushels opened (many of which are destined

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<sup>7</sup> Although 20 entities were listed, one firm with multiple locations (Hillman Shrimp & Oyster Company) was listed twice, once for each of its operations. In addition, no contact information was found on one of the firms listed (Eastbay Select).

<sup>8</sup> Although 19 firms were listed on the FDA report, two were removed from the sample after indicating they did not process oysters.

for use in frozen, “shucked half-shell” presentations). One firm paid employees different rates depending on what market the finished product was going to; on days shucking was done for the half-shell market shuckers were paid by the bushel and on days shucking was done for the shucked meat market pay was based on pounds of shucked meat.

Estimating the weighted average hourly wage for oyster shuckers involved determining the number of shuckers employed at each firm, the compensation method (amount paid per lb. shucked or sack opened), and the average production rate per hour across all employees in the position. The information is displayed in Table 1.

Table 1. Responses by Facility Operators (Survey Questions 1, 2, and 2A), and the Computation of a Weighted Average Wage for Oyster Shuckers

Firm	Shuckers Hired	Pay rate per lb. shucked	Pay rate per bushel opened	Pay rate per hour worked	Average Production Rate Per Hour	Mean Pay Per Hour	Total Pay Per Hour
Groomer's Seafood of San Antonio	6	\$2.00	-	-	9 lbs	\$18.00	\$108.00
Hillman Shrimp & Oyster Co.	53	\$1.50	\$7.50	-	7 lbs or 1.5 bu	\$10.95*	\$580.35
Jeri's Seafood, Inc.	58	\$1.06	-	-	18.4 lbs	\$19.50	\$1,131.00
Firm #278**	59	\$1.40	-	-	6.35 lbs	8.89	\$524.51
Prestige Oyster, Inc.	86	\$1.19	-	-	8.5 lbs	\$10.11	\$869.46
Totals	262	-	-	-	-	-	\$3,213.32
Weighted average wage across survey respondents = (sum of (shuckers hired in each facility X the average per hour rate in that facility)) ÷ (sum of all shuckers hired)							<b>\$12.26</b>
* Hillman Shrimp & Oyster Co. paid shuckers by the bushel on days that oysters were being shucked for the half shell market and by the pound on days they were shucking for the shucked meat market. The firm's average pay was calculated based on the percentage of days shuckers spent in each role (60% of days shucking was done for the half shell market and 40% of days shucking was for the shucked meat market).							
**Firm #278 wished to have their responses reported anonymously.							

#### *Employment, Compensation Method, and Mean Hourly Rate for an Oyster Packer*

Synopsis of Expected Duties. Once the cadre of shuckers either removes oyster meats from their shells or prepares a “shucked half-shell” market form (complete with the unattached bottom shell), these products become the responsibility of the oyster packer. For shucked meats, the packer pours the meats on a skimming tool and inspects the meats for inadvertent nicks and cuts which ultimately will cause the oyster meat to weep and lose its liquor. An oyster packer then containerizes the meats in gallons, quarts, pints, or smaller volumes. Likewise, a packer also inspects the “shucked half-shell” market form, and prepares this market form for the next step which is placing the “shucked half-shell” on a tray holding a dozen items. Oyster packers also record the quantities of oyster meats or “shucked half-shells” generated by each oyster shucker.

Employment and Compensation Method. There were 143 oyster packers employed at the 5 firms that took part in the survey. Unlike oyster shuckers who are paid on a piece rate basis, oyster packers earned an hourly wage at all 5 processing firms. Table 2 presents the responses by facility operators, and computed a weighted average wage for employees operating under this job title. The weighted average wage among oyster packers was \$9.55 per hour.

Table 2. Responses by Facility Operators (Survey Questions 3, 4, and 4A), and the Computation of a Weighted Average Wage for Oyster Packers

Firm	Packers Hired	Pay rate per lb. shucked	Pay rate per bushel opened	Pay rate per hour worked	Average Production Rate Per Hour	Mean Pay Per Hour	Total Pay Per Hour
Groomer's Seafood of San Antonio	5	-	-	\$10.00	-	\$10.00	\$50.00
Hillman Shrimp & Oyster Co.	99	-	-	\$9.29	-	\$9.29	\$919.71
Jeri's Seafood, Inc.	5	-	-	\$10.00	-	\$10.00	\$50.00
Firm #278*	3	-	-	\$8.83	-	\$8.83*	\$26.49
Prestige Oyster, Inc.	31	-	-	\$10.30	-	\$10.30	\$319.30
Totals	143	-	-		-	-	\$ 1,365.50
Weighted average wage across survey respondents = (sum of (packers hired in each facility X the average per hour rate in that facility)) ÷ (sum of all packers hired)							<b>\$9.55</b>
*Firm #278 wished to have their responses reported anonymously, Firm #278 paid oyster packers \$8.15 per hour, but oyster packers worked an average of 48 hours per week. The wage reported is a weighted average wage of their normal rate (\$8.15/hr) and their overtime rate (\$12.23/hr).							

*Employment, Compensation Method, and Mean Hourly Rate for a Shellfish Laborer*

Synopsis of Expected Duties. Shellfish laborers implement the materials-handling system in oyster facilities, and are also responsible for periodic/daily clean-up of the facility. Specifically, shellfish laborers periodically distribute shell-stock to the cadre of oyster shuckers who operate in dedicated space within the facility, and periodically remove the shells and place them in outside storage areas for later use<sup>9</sup>. Shellfish laborers also keep the processing areas clean; an ongoing requirement to meet good manufacturing practices and other food safety requirements.

Employment and Compensation Method. Four of the firms responding provided information on shellfish laborer pay. There were 74 shellfish laborers employed in the Texas oyster facilities in 2014–2015 that responded to the survey (Table 3). For three of the four firms shellfish laborers were paid an hourly wage, the fourth firm paid shellfish laborers based on pounds of oysters shucked. The weighted average hourly wage for these employees was \$10.75 per hour.

<sup>9</sup> The “best” use of oyster shell is to “replant” them in the bay. Unlike clams that burrow in the bottom, oysters must attach to some structure in the water column, and oyster shell provides that structure.

Table 3. Responses by Facility Operators (Survey Questions 5, 6, and 6A), and the Computation of a Weighted Average Wage for Shellfish Laborers

Firm	Shellfish Laborers Hired	Pay rate per lb. shucked	Pay rate per bushel opened	Pay rate per hour worked	Average Production Rate Per Hour	Mean Pay Per Hour	Total Pay Per Hour
Groomer's Seafood of San Antonio	4	\$2.00	-	-	9lbs	\$18.00	\$72.00
Hillman Shrimp & Oyster Co.	10	-	-	\$9.29	-	\$9.29	\$92.90
Jeri's Seafood, Inc.	4	-	-	\$10.74	-	\$10.74	\$42.96
Firm #278	-	-	-	-	-	-	-
Prestige Oyster, Inc.	56	-	-	\$10.50	-	\$10.50	\$588.00
Totals	74	-	-	-	-	-	795.86
Weighted average wage across survey respondents = (sum of (shellfish laborers hired in each facility X the average per hour rate in that facility)) ÷ (sum of all shellfish laborers hired)							<b>\$10.75</b>

## Summary and Conclusions

### *Development and Implementation of the Survey*

Multiple attempts were made to contact all nineteen unique shucker-packer firms on the April 2015 FDA Interstate Certified Shellfish Shippers List. Fifteen of the nineteen firms were successfully contacted, one firm indicated they were unwilling to take the survey and two indicated they did not process oysters. Five of the twelve firms that indicated they were willing to participate in the survey actually completed and returned the survey. Survey packets were sent out (either by email or fax based on respondent preference) on the day that initial telephone contact was made. In cases where the survey had not been completed a follow up survey packet was sent out two weeks after the first. In the end, five firms responded to the survey out of 17 shucker-packer operations for a 29% response rate<sup>10</sup>.

### *Survey Results*

Respectively, the employment and weighted average wages paid to workers across these three type of oyster industry employment were: (a) 262 oyster shuckers who earned a weighted average hourly wage of \$12.26; (b) 143 oyster packers who earned a weighted average hourly wage of \$9.55; and (c) 74 shellfish laborers who earned a weighted average hourly wage of \$10.75.

<sup>10</sup> The response rate does not include the two firms that indicated they did not process oysters.



## References

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Appendix I – April 2015 FDA List of Texas Based Interstate Certified Shellfish Shippers List, Shucker-Packers

April 2015 Interstate Certified Shellfish Shippers List (Texas Shucker-Packers)

Sal.	First Name	Last Name	Business	Address	City	State	Zip
Mr.	Henry	Anderson	Clark's Seafood	P.O. Box 43	Port O'Connor	TX	77982
Ms.	Janie	Blevins	Chunky Monkey's	621 South Main St.	Seadrift	TX	77983
Mr.	Leslie	Casterline	Casterline Fish Co., Inc.	110 Casterline Dr	Rockport	TX	78358
Mr.	Billy	Duff	Billy Duff Oyster House	106 Duff St.	Liberty	TX	77575
Mr.	Jerry	Duff Jr.	South Liberty Seafood	115 Duff St.	Liberty	TX	77575
Mr.	Anthony	Godninich	Alby's Seafood	3402 Hwy 35 N	Fulton	TX	78358
Mr.	Richard	Groomer	Groomer's Seafood of San Antonio	9801 McCullough	San Antonio	TX	78216
Mrs.	Lisa	Halili	Prestige Oyster, Inc.	P.O. Box 8448	San Leon	TX	77539
Mr.	Clifford	Hillman	Hillman Shrimp & Oyster Co. <sup>2</sup>	10700 Hillman Dr.	Dickinson	TX	77539
Ms.	Esmeralda	Ivic	Misho's Oyster Co.	P.O. Box 269	Seabrook	TX	77586
Mr.	Curtis	Miller	Miller Seafood Co., Inc.	200 Montier	Port Lavaca	TX	77979
Mr.	Manuel	Reyes	Reyes Seafood Products <sup>1</sup>	76 Hwy 100	Laguna Heights	TX	78578
Mr.	Jure	Slabic	Gulf Coast Oysters, Inc.	10345 Lazy Lane	Dickinson	TX	77539
Ms.	Mary	Smith	Hillmans Seafood Café, Inc.	5516 Hillman Dr.	Dickinson	TX	77539
Mr.	John	Theis	Po Boys Dock LLC <sup>1</sup>	Turning Basin No. 1	Palacios	TX	77645
Mr.	Buddy	Treybig	Arnold's Seafood Sales	P.O. Box 543	Matagorda	TX	77475
Mr.	Mark	Valentino	Bay Fresh Oyster Co.	Ave. L	San Leon	TX	77539
Mr.	Tracy	Woody	Jeri's Seafood, Inc.	136 County Dock Rd	Anahuac	TX	77514
N/A	N/A	N/A	East Bay Select <sup>3</sup>	N/A	Crystal Beach	TX	N/A

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<sup>1</sup> Firm did not process oysters.

<sup>2</sup> Firm had two locations listed (the other was located in Dickinson, TX), both locations are included in values for firm.

<sup>3</sup> No information was located for this firm.

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Texas Sea Grant College Program • Texas A&M AgriLife Extension Service • The Texas A&M University System

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June 29, 2015

Dear \_\_\_\_\_,

Texas A&M AgriLife and Texas Sea Grant are conducting a survey of the Texas oyster industry, specifically those Texas-based firms listed as “shucker-packers” on the April 2015 FDA Interstate Certified Shellfish Shippers List (<http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM441605.pdf>). The information that will be collected includes:

- (a) overall employment for shuckers and other hourly employees across Texas shucker/packer operations, and
- (b) mean wage rates paid for both shuckers and other hourly employees.

I am contacting you to collect this information. This survey uses the six-month time frame beginning November 1, 2014 and ending April 30, 2015. The data you provide will be used in a study to determine the prevailing wage for hourly employees in the oyster processing industry in Texas, respondents can use the survey results in the application process for H-2B guest worker permits. Your information is needed AS SOON AS POSSIBLE because a few days will be required for me to summarize individual responses into an industry-wide profile. When that report is completed, you will receive a copy. **If possible, please either e-mail or fax your completed survey to me at [andrew.ropicki@ag.tamu.edu](mailto:andrew.ropicki@ag.tamu.edu) or 361/265-9434.**

In addition to a summary of the Texas oyster processing industry, the U.S. Department of Labor (DOL) requires that individual responses be included in any report prepared to determine prevailing wages for H-2B guest workers. While the report itself can have your firm’s information reported anonymously (if you indicate that you wish to respond anonymously to the survey your responses will be included in the results but your firm will not be identified); however, the information you provide will be made available to the US Department of

Labor as required for prevailing wage determination studies related to the H-2B visa program. If your firm plans to use the results of this study for determining the prevailing wage rate for H-2B guest workers it is strongly recommended you allow your responses to be included in the study report with your firm identified.

All the best to you and yours,

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IRB NUMBER: IRB2015-0389D

attachment: 2014-2015 Texas oyster industry wage survey

# Examining Employment and Wages Paid to Oyster Shuckers, Oyster Packers, and Shellfish Laborers in The Texas Oyster Industry: 2014 – 2015



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The information you contribute will be combined with that of others to develop an **industry-wide estimate** of employment and wages paid to those who work in Texas Oyster facilities.

The information you contribute here can remain permanently separated from your contact information in the report to protect your privacy **if you prefer**. However, your specific request for H-2B guest workers **may be jeopardized** if you choose **not** to include your contact information.

The information you provide will be used in a study to determine the prevailing wage rate of certain job types in the Texas oyster processing industry for the purposes of determining H-2B guest worker wage rates. This report and all survey responses will be made available to the US Department of Labor upon request.

As soon as you are done, Please return your completed survey to me at the email address or fax number listed above!! **We only have a few days to compile the results!!!**

In this survey of employment and wages, we are interested in **ALL** employees you hired for each job-type, not just H-2B guest workers.

**IN ADDITION, PLEASE NOTE THAT, PER NEW PREVAILING WAGE DETERMINATION STUDY RULES, THE SURVEY ASKS FOR THE MEAN (OR AVERAGE) WAGE PAID TO ALL EMPLOYEES IN A JOB TYPE (REGARDLESS OF SKILL LEVEL, EXPERIENCE, EDUCATION, OR LENGTH OF EMPLOYMENT).**

If you did **not** employ any workers for a particular job-type, please enter “0”, “none”, or “N/A”.

How many **oyster shuckers** did you employ during the 2014 – 2015 oyster season? (**Description of Oyster Shuckers duties: Oyster shuckers transform live oysters (typically called shell-stock) into either shucked meats which are containerized and sold by liquid volume or “shucked half-shell” oysters which are typically arrayed on a tray, frozen, packaged, master-cartoned, and ultimately sold by the dozen. Regardless of the ending market form, shuckers must first pry open the bivalve, then cut the adductor muscle connected to the top shell, and finally cut the adductor muscle connected to the bottom shell. Some on-the-job experience (practice) is required in the transformation process since the market demands whole oyster meats which have not been accidentally nicked or sliced during the opening process. )**

1. (Please enter all the oyster shuckers you hired. This should include “local” employees and H-2B guest workers too.)

**Total number of Oyster Shuckers**

2. How did you pay the **oyster shuckers** you hired, and what was their average, or mean, pay rate (include all oyster shuckers employed regardless of skill level, experience, education, or length of employment)?

<b><u>Oyster shuckers</u></b> were paid based on ...	✓ here	and their <b><u>mean</u></b> rate of pay was ...	and their <b><u>mean</u></b> production rate was (lbs/hr, oysters/hr, sacks/hr, or bushels/hr) was...
pounds of meats shucked or number of oysters opened		\$	
number of sacks or bushels of oysters opened		\$	
number of hours worked		\$	N/A

- 2a. In addition to the pay listed above, were **any oyster shuckers** paid additional wages in the form of commissions, cost-of-living allowance, deadheading pay (payment for time spent waiting during unloading or loading for a return trip), guaranteed pay (minimum payment guaranteed to an employee who is on an incentive system), hazard pay (payment based on working conditions: usually an add-on to a base rate), incentive pay (payment that relates earnings to actual individual or group production), longevity pay (payments to an employee based on seniority or length of service with an employer), piece rate (payment based on a constant rate of pay for each unit of production), portal-to-portal rate (payment for travel to job), production bonus (payment based on production in excess of quota or on completion of a job in less than standard time), and tips (voluntary payment over and above an employee’s regular pay from the customer for services rendered).

\_\_\_\_\_ No additional payments were made to **oyster shuckers** above those provided in Question 2.

**OR**

In addition to the pay amounts given in Question 2, \_\_\_\_\_ (number of **oyster shuckers** – may not be all employees in the role) were paid an extra \_\_\_\_\_ (insert dollar amount) per \_\_\_\_\_ (unit of measurement might be per hour, per oyster, for the season, etc.,).

How many **oyster packers** did you employ during the 2014 – 2015 oyster season? (**Description of Oyster Packers duties:** Once the cadre of shuckers either removes oyster meats from their shells or prepares a “shucked half-shell” market form (complete with the unattached bottom shell), these products become the responsibility of the oyster packer. For shucked meats, the packer pours the meats on a skimming tool and inspects the meats for inadvertent nicks and cuts which ultimately will cause the oyster meat to weep and lose its liquor. An oyster packer then containerizes the meats in gallons, quarts, pints, or smaller volumes. Likewise, a packer also inspects the “shucked half-shell” market form, and prepares this market form for the next step which is placing the “shucked half-shell” on a tray holding a dozen items. Oyster packers also record the quantities of oyster meats or “shucked half-shells” generated by each oyster shucker.)

3. (Please enter all the **oyster packers** you hired. This should include “local” employees and H-2B guest workers too.)

\_\_\_\_\_ **Total number of Oyster Packers**

4. How did you pay the **oyster packers** you hired, and what was their average, or mean, rate of pay (include all oyster packers employed regardless of skill level, experience, education, or length of employment)?

<b><u>Oyster packers</u></b> were paid based on ...	✓ here	and their <b><u>mean</u></b> rate of pay was ...	And their <b><u>mean</u></b> production rate (lbs/hr, oysters/hr, sacks/hr, or bushels/hr) was...
pounds of shucked meats or number of oysters		\$	
number of sacks or bushels of oysters packed		\$	
number of hours worked		\$	N/A

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- 4a. In addition to the pay listed above, were any oyster packers paid additional wages in the form of commissions, cost-of-living allowance, deadheading pay (payment for time spent waiting during unloading or loading for a return trip), guaranteed pay (minimum payment guaranteed to an employee who is on an incentive system), hazard pay (payment based on working conditions: usually an add-on to a base rate), incentive pay (payment that relates earnings to actual individual or group production), longevity pay (payments to an employee based on seniority or length of service with an employer), piece rate (payment based on a constant rate of pay for each unit of production), portal-to-portal rate (payment for travel to job), production bonus (payment based on production in excess of quota or on completion of a job in less than standard time), and tips (voluntary payment over and above an employee's regular pay from the customer for services rendered).

\_\_\_\_\_ No additional payments were made to **oyster packers** above those provided in Question 2.

## OR

In addition to the pay amounts given in Question 2, \_\_\_\_\_ (number of **oyster packers** – may not be all employees in the role) were paid an extra \_\_\_\_\_ (insert dollar amount) per \_\_\_\_\_ (unit of measurement might be per hour, per oyster, for the season, etc.,).

How many shellfish laborers did you employ during the 2014 – 2015 oyster season? (**Description of Shellfish Laborers duties: Shellfish laborers implement the materials-handling system in oyster facilities, and are also responsible for periodic/daily clean-up of the facility. Specifically, shellfish laborers periodically distribute shell-stock to the cadre of oyster shuckers who operate in dedicated space within the facility, and periodically remove the shells and place them in outside storage areas for later use. Shellfish laborers also keep the processing areas clean.**)

5. (Please enter all the shellfish laborers you hired. This should include "local" employees and H-2B guest workers too.)

\_\_\_\_\_ Total number of Shellfish Laborers

6. How did you pay the shellfish laborers you hired, and what was their average, or mean, rate of pay (include all shellfish laborers employed regardless of skill level, experience, education, or length of employment)?

<u>Shellfish Laborers</u> were paid based on ...	✓ here	and their <u>mean</u> rate of pay was ...	and their <u>mean</u> production rate (lbs/hr, sacks/hr, or bushels/hr) was...
pounds of shellstock and shucked meats		\$	
number of sacks or bushels of oysters		\$	
number of hours worked		\$	N/A

- 6a. In addition to the pay listed above, were any shellfish laborers paid additional wages in the form of commissions, cost-of-living allowance, deadheading pay (payment for time spent waiting during unloading or loading for a return trip), guaranteed pay (minimum payment guaranteed to an employee who is on an incentive system), hazard pay (payment based on working conditions: usually an add-on to a base rate),



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incentive pay (payment that relates earnings to actual individual or group production), longevity pay (payments to an employee based on seniority or length of service with an employer), piece rate (payment based on a constant rate of pay for each unit of production), portal-to-portal rate (payment for travel to job), production bonus (payment based on production in excess of quota or on completion of a job in less than standard time), and tips (voluntary payment over and above an employee's regular pay from the customer for services rendered).

\_\_\_\_\_ No additional payments were made to **shellfish laborers** above those provided in Question 2.

### OR

In addition to the pay amounts given in Question 2, \_\_\_\_\_ (number of **shellfish laborers** – may not be all employees in the role) were paid an extra \_\_\_\_\_ (insert dollar amount) per \_\_\_\_\_ (unit of measurement might be per hour, per oyster, for the season, etc.,).

7. Contact information is optional and if you leave this section blank your responses will be presented anonymously in the report (it is possible that your responses will be collected by the US Department of Labor to examine the report). If you intend to apply for H-2B workers for the next season it is strongly recommended that you provide your information.

Company name:	
Contact person:	
Mailing Address:	
City:	
State:	
Zipcode:	
Telephone:	
Fax number:	

**Thanks very much for the information you contributed!**

TEXAS A&M UNIVERSITY HUMAN SUBJECTS PROTECTION PROGRAM

CONSENT FORM

Project Title: **Examining Employment and Wages Paid to Oyster Shuckers, Oyster Packers, and Shellfish Laborers in the Texas Oyster Industry: 2014-2015**

You are invited to take part in a research study being conducted by Andrew Ropicki, a researcher from Texas A&M University and is sponsored by Texas Sea Grant and the Texas A&M AgriLife Extension Service. The information in this form is provided to help you decide whether or not to take part. If you decide to take part in the study, you will be asked to sign this consent form. If you decide you do not want to participate, there will be no penalty to you, and you will not lose any benefits you normally would have.

**Why Is This Study Being Done?**

The purpose of this study is to estimate the # of employees and wages paid to oyster shuckers, oyster packers, and shellfish laborers in the Texas oyster industry during the 2014-2015 season. The data is being collected to determine the prevailing wage rates for oyster shuckers, packers, and shellfish laborers in the Texas oyster industry as this data pertains to H-2B guest worker employee access.

**Why Am I Being Asked To Be In This Study?**

You are being asked to be in this study because your firm was identified on the April 2015 FDA Interstate Certified Shellfish Shippers List (<http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM441605.pdf>) as a shucker-packer located in Texas.

**How Many People Will Be Asked To Be In This Study?**

20 firms identified as shucker-packers located in Texas will be invited to participate in this study.

**What Are the Alternatives to being in this study?**

The alternative to being in the study is not to participate.

**What Will I Be Asked To Do In This Study?**

You will be asked to fill out a survey that documents your firm's employment of oyster shuckers, oyster packers, and shellfish laborers. The survey will ask you how many of each type of employee your firm hired during the 2014-2015 oyster season and how they were compensated. The survey should take approximately 30 minutes and once you have returned the completed survey your participation in this study will be complete.

**Are There Any Risks To Me?**

This survey involves very little risk to you. If you choose for the responses you provide regarding your firm to remain confidential there is a risk that the data could be compromised. To limit this risk your responses will be stored on an electronic storage device (USB) that is password protected. Only Andrew Ropicki (lead researcher) will have access to your responses if you indicate that you wish to keep your responses confidential. Your responses will also be made available to the US Department of Labor (as is required with prevailing wage determination studies) and it is possible that data (if collected by the US Department of Labor) could be compromised while in their possession.

You do not have to answer anything you do not want to.

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**Are There Any Benefits To Me?**

If your firm employees H2-B guest workers in any of the jobs analyzed in this study, it is possible the results of this study could ensure future access to H2-B guest workers.

**Will There Be Any Costs To Me?**

Aside from your time, there are no costs for taking part in the study.

**Will I Be Paid To Be In This Study?**

You will not be paid for being in this study.

**Will Information From This Study Be Kept Private?**

While the information you provide can be anonymously reported in the extension document that will be prepared based on this survey, it is recommended you allow us to present your answers to the survey in the final report if you plan to use the study findings related to wages of future H-2B guest workers you might employee.

Information about your firm will be stored in computer files protected with a password. This consent form will be filed securely in an official area.

The only people with access to your information (if you choose to respond but want your responses reported anonymously) will be the Principal Investigator (Andrew Ropicki) and possibly the US Department of Labor. Since this data is being used in a prevailing wage determination study which will be used by the US Department of Labor it is possible they will collect your responses to verify the accuracy of the report.

If you choose to allow your responses to be published in the final report they will be available publically as a Sea Grant extension document (here is the 2012-2013 study:

<http://texasseagrant.org/assets/uploads/publications/2013/13-200%20Oyster%20Industry%20Wage%20and%20Labor%20Rpt%202012-13.pdf>)

**Who may I Contact for More Information?**

You may contact the Principal Investigator, Andrew Ropicki (Ph.D.), to tell him/her about a concern or complaint about this research at 361-825-6210 or [andrew.ropicki@ag.tamu.edu](mailto:andrew.ropicki@ag.tamu.edu).

For questions about your rights as a research participant, to provide input regarding research, or if you have questions, complaints, or concerns about the research, you may call the Texas A&M University Human Subjects Protection Program office by phone at 1-979-458-4067, toll free at 1-855-795-8636, or by email at [irb@tamu.edu](mailto:irb@tamu.edu).

**What if I Change My Mind About Participating?**

This research is voluntary and you have the choice whether or not to be in this research study. You may decide to not begin or to stop participating at any time. If you choose not to be in this study there will be no effect to you or your business.

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**STATEMENT OF CONSENT**

**I agree to be in this study and know that I am not giving up any legal rights by signing this form. The procedures, risks, and benefits have been explained to me, and my questions have been answered. I know that new information about this research study will be provided to me as it becomes available and that the researcher will tell me if I must be removed from the study. I can ask more questions if I want. A copy of this entire consent form will be given to me.**

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**INVESTIGATOR'S AFFIDAVIT:**

Either I have or my agent has carefully explained to the participant the nature of the above project. I hereby certify that to the best of my knowledge the person who signed this consent form was informed of the nature, demands, benefits, and risks involved in his/her participation.

\_\_\_\_\_  
Signature of Presenter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date