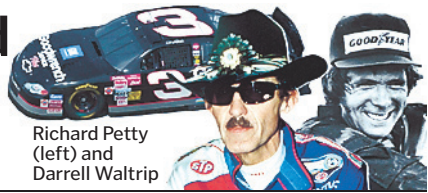




PANTHERS
CUT
◀ MORGAN,
WAHLE ▶

50 things you should
know about the
DAYTONA 500 Sports



Richard Petty
(left) and
Darrell Waltrip

The Charlotte Observer

TUESDAY, FEBRUARY 12, 2008 +

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C D E F • • • I Price varies by county | 50¢

The Dow grabs BofA

Starting Feb. 19, Charlotte's **Bank of America** will join an elite group — the 30 companies that make up the Dow Jones industrial average, the best-known stock market benchmark. The recognition was perhaps overdue: Bank of America has a bigger market value than any of the other financial firms in the index. See story, 1D.



Decision 2008

Powerful delegates watching, waiting

Unpledged votes may be key in Democratic race

BY LISA ZAGAROLI
AND DAVID INGRAM
Staff Writers

WASHINGTON — U.S. Rep. Mel Watt is being courted because he holds a rare exclusive key to deciding who will get the Democratic presidential nomination. But he won't be using it soon.

"I'm just watching at this point, and will probably do that for a while," Watt says.



The Charlotte Democrat is among 796 "superdelegates" who aren't required to vote for a particular candidate at the Democratic National Convention and may be pivotal in determining the nominee.

North Carolina has 17 unpledged delegates, and two more will be named later at a state convention. Only four have sided with either of the front-runners so far — three for Sen. Barack

SEE DEMOCRATS | 4A

MORE ELECTION NEWS

4A | Candidates get ready for the 'Potomac primary' today.
2B | Hopefuls' filings launch N.C. election season.

THE CRUELEST CUTS

Third of Six Parts



THE HUMAN COST
OF BRINGING POULTRY
TO YOUR TABLE

MISERY ON THE LINE

Vulnerable work force suffers in silence



JOHN D. SIMMONS — jsimmons@charlotteobserver.com

Enrique Pagan was known as a tough supervisor at the House of Raeford poultry processing plant in Greenville, S.C. He says he had to push workers to keep his job. His wife, Lydia Torres, worked at the same plant but left, she said, because of carpal tunnel syndrome. Their son, Bryant, is in front.

Some managers knew workers were illegal, former employees say

BY FRANCO ORDOÑEZ, KERRY HALL
AND AMES ALEXANDER
Staff Writers

Illegal immigrants say it's easy to get a job at House of Raeford Farms.

Of 52 current and former Latino workers at House of Raeford who spoke to the Observer about their legal status, 42 said they were in the country illegally.

Company officials say they hire mostly Latino workers but don't knowingly hire illegal immigrants.

But five current and former House of Raeford supervisors and human resource administrators, including two who were involved in hiring, said some of the company's managers knew they employ undocumented workers.

"If immigration came and looked at our files, they'd take half the plant," said Caitlyn Davis, a

SEE LATINO | 6A

A boss's view: Keep them working

BY FRANCO ORDOÑEZ, KERRY HALL
AND AMES ALEXANDER
Staff Writers

GREENVILLE, S.C. — The production lines rarely stopped.

An endless stream of raw chickens — thousands an hour — had to be sliced and cut into pieces for family dinner tables.

It was Enrique Pagan's job to keep his part of the line running.

He paced and often screamed at Mexicans and Guatemalans cutting chicken thighs. He demanded they move faster and scolded them when they left too much meat on the bone.

Pagan said most of his 90 workers in 2002 suffered hand and wrist pains. But he had production goals to meet. And he knew that workers wouldn't complain because many were in the country illegally.

"A lot of people didn't like me," he said.

Pagan (pronounced Puh-GAHN) had been hired in 1999 and promoted to supervisor about a year later when House of Raeford Farms' work force was in transition. By the early 2000s,

INSIDE TODAY

6A | Rogue managers were blamed in 2003 Tyson Foods case.

ONLINE VIDEO

Enrique Pagan and Lydia Torres tell their story.

■ Read parts 1 and 2 at www.charlotte.com/poultry

Latinos had replaced most African Americans on production lines. The company needed supervisors who could lead and speak Spanish. Pagan could do both.

He described himself as a loyal employee, but he would come to question company tactics. He would confront both the pressure for profits in the billion-dollar poultry industry, and the suffering that resulted.

He said his bosses never told him to intimidate his fellow Latino workers but never reprimanded him for doing so. He says he didn't have a choice — his job was at stake.

SEE PAGAN | 7A

INSIDE

Nation | 10A

Mailing letter will cost 42 cents

For the 2nd straight May, postage rates are rising. Rates go up May 12. Forever stamps will still be OK for postage after that. They can be bought for 41 cents until the new rates begin.



Not as cool

Low: 30. High: 54.
Mostly cloudy through afternoon with areas of rain this evening, lingering Wednesday. Forecast, 6D.

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Nation

White House: Bush had no role in 9-11 prosecution

Officials say that President Bush had no role in the decision to file murder charges against six Guantanamo detainees who had central roles in the Sept. 11 attacks, leaving the strategy for prosecuting them to the military. His press secretary said he only learned they would be charged on Saturday. **Related story, 8A.**

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Canines strut their stuff at this year's Westminster Kennel Club dog show.

www.charlotte.com/spotlight

► More Web gems on 2A



JASON DECROW — ASSOCIATED PRESS PHOTO
EJ's CC Rider, a 1-year-old dachshund.

'IF YOU ARE SINGLED OUT, IT IS MERCILESS'

CMS moves toward taking on bullies

Get tough policy introduced tonight, but board members split

BY ANN DOSS HELMS
ahelms@charlotteobserver.com

Teachers knew something was wrong when they caught a second-grader showing off a \$100 bill.

They found out the boy had extorted it from another child, who swiped the bill from a stack of rent money at home to buy his way into "the Gangster Club."

Few dispute the need to rein in bullying in Charlotte-Mecklenburg Schools. But a policy that will be formally introduced at tonight's school board meeting has

touched off a debate over homosexuality, Christianity, free speech and bigotry.



Gorman

Superintendent Peter Gorman, the majority of the school board and a citizen-advisory panel say the policy will help kids who are picked on — and sometimes let down by adults who are supposed to protect them.

"If you talk to students who are bullied, they will tell you that they're not protected and they don't know where to go," said Kelley Doherty, a CMS parent and Wachovia executive who chairs the district's Equity

SEE SCHOOL BOARD | 14A

THE HUMAN COST OF BRINGING POULTRY TO YOUR TABLE



PHOTOS BY JOHN D. SIMMONS – jsimmons@charlotteobserver.com

Workers place chickens on cones before skin and meat are removed. Latinos make up about 90 percent of the work force at the West Columbia, S.C., plant. Complex manager James Mabe said many workers stay for six months and then return to Mexico. They may or may not come back, he said.

Some illegal immigrants work in fear

Latino from LA

former Greenville, S.C., plant human resources employee.

Former Greenville supervisors said the plant prefers undocumented workers because they are less likely to question working conditions for fear of losing their jobs or being deported.

In the early 1990s, when another company owned the Greenville plant, most workers were African Americans. Now, most are Latino.

“We can only hire those who apply to work for us, and at the moment between 85 percent and 90 percent of our job applicants are Latino,” said Greenville complex manager Barry Cronin in a written response.

Handling IDs

Federal immigration law requires little of companies when checking applicants’ IDs. Employers don’t have to verify workers’ immigration status or check that their IDs are valid. Instead, companies must accept applicants’ documents if they “reasonably appear to be genuine.”

Davis, the former Greenville human resources employee, said she was told not to examine actual IDs when hiring, but instead to copy the IDs, then review the black-and-white images. She said some Latino applicants provided discolored Permanent Resident Cards, but such flaws did not show up in the black-and-white copies.

“We knew for a fact that some of the IDs were fake,” said Davis, who worked at the plant for two years until this past summer.

If questioned by authorities, the company could show copies of the IDs, which appeared authentic, she said.

Cronic, the Greenville complex manager, said the plant examines all documents as presented and makes copies only for its records.

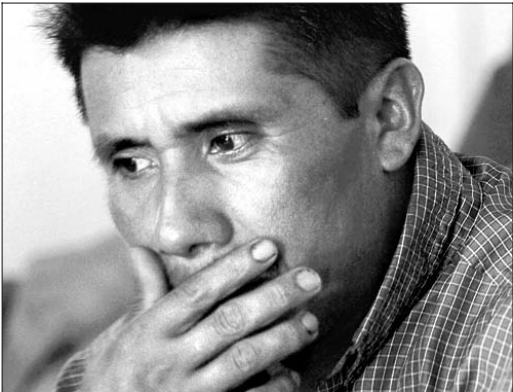
“All Human Resource personnel are trained to examine documents,” he wrote. “We are not document experts.”

Workers from House of Raeford’s plants in Raeford, Greenville and West Columbia, S.C., spoke to the Observer about their status. Some said House of Raeford questioned worker IDs less than other employers. One worker said he got a job at the same plant twice using different names and IDs.

House of Raeford’s Carolinas plants do not participate in a free federal program that allows companies to verify applicants’ Social Security numbers, according to the Department of Homeland Security.

“It is a common misconception that the employer must check social security numbers of applicants or employees in order to determine their immigration status,” Cronin said in a written response.

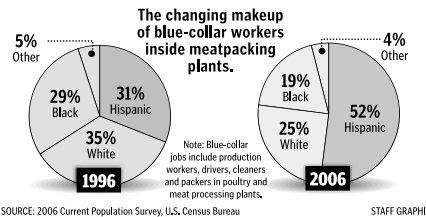
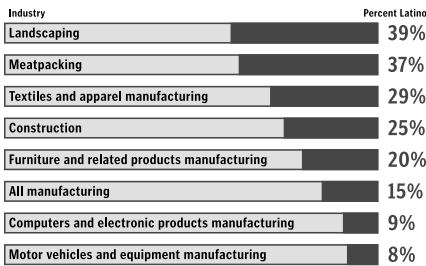
Former poultry worker Jose Lopez told the Observer he used fake docu-



Family and friends from Guatemala told Jose Lopez he could find a good-paying poultry job in the Carolinas. He says he spent \$100 for fake identification, then used it to get a job at House of Raeford’s Greenville, S.C., plant.

Latinos in the work force

Meatpacking is more reliant on Latinos than all but one other industry – landscaping. The percentage of Latinos in various industries in the U.S., according to the Census:



ments to get work at the Greenville plant. He said family and friends from Guatemala told him that there were good-paying poultry jobs in the Carolinas, even for illegal immigrants who didn’t speak English.

In 2004, he paid a smuggler \$3,000 to guide him on a two-week journey across the desert and into Arizona before catching a series of buses. He said \$100 bought him a fake Permanent Resident Card and Social Security number, which he says he used to get his job.

Industry of undocumented

It’s unclear how many illegal immigrants work in the poultry industry. One 2006 study estimated more than a quarter of meat-processing workers nationwide are undocumented. Some experts say even more work in poultry be-

cause its jobs are less skilled.

A 900-employee Crider poultry plant in Stillmore, Ga., lost 75 percent of its mostly Latino work force during September 2006 immigration raids. No Carolina poultry plants have been raided in the past five years, according to immigration officials.

House of Raeford’s West Columbia plant stopped production when about 10 percent of its work force did not show up during a May 1, 2006, national boycott calling on Congress to support efforts to legalize undocumented workers.

James Mabe, the West Columbia complex manager, said 90 percent of



Mabe

The immigration case against Tyson

The 2003 federal trial involving Tyson Foods provides a rare glimpse of how some poultry plant managers filled their chicken lines with illegal immigrants. The company was cleared of wrongdoing, but two managers pleaded guilty to charges of conspiring to hire illegal immigrants. Another manager committed suicide shortly after the charges became public.

Here are excerpts from the thousands of pages of transcripts and court documents:

■ Federal agents posing as human smugglers secretly taped some plant managers, such as Robert Sanford in Monroe, requesting illegal immigrants to work on the production lines. “Hell, I put over 700 people to work,” said the voice identified as Sanford. “I’m going to need to replace 300 or 400 people – maybe 500. I’m going to need a lot.”

■ Some plants skirted immigration scrutiny by giving federal officials the impression they verified workers’ legal status. While the company policy called for using a federal program to verify applicants’ Social Security numbers, several plants used in-house temporary employment agencies that did not scrutinize worker IDs.

■ In 1995, a Tyson plant in Shelbyville, Tenn., that had only a few Latino workers boosted production by increasing its staff to about 80 percent Latino, according to a former manager. In that year, production surged from processing 900,000 chickens a week to 1.3 million – impossible without the help of illegal labor, the former manager told a federal jury.

■ A security guard at the Tennessee plant said he was told to turn away black or white job applicants who approached the gate, but to let Latinos in.

The company, headquartered in Arkansas, said illegal immigrants were hired because of a few rogue managers.

— FRANCO ORDOÑEZ

Yuxquen” was spray-painted in black letters across one apartment complex driveway, referring to a community in Northern Guatemala.

Workers walk to the plant along wooded paths littered with torn aprons, gloves and hairnets.

Over a decade ago, pockets of the neighborhood were predominantly African American, former workers said. But as the plant hired more Latinos, those employees displaced many blacks in their jobs and later in their homes.

Experts have long debated whether illegal immigrants take jobs away from U.S. citizens, or take jobs U.S. citizens don’t want.

Former union steward Joann Sullivan said the number of Latinos increased at the Greenville plant after House of Raeford bought it from Columbia Farms in 1998. She said Latinos replaced many of her African American colleagues.

“You were seeing Hispanics coming in and no blacks,” said Sullivan, an African American who worked at the plant for more than 20 years. Soon, she said, Hispanics were being promoted over blacks with more experience.

Some African Americans in neighborhoods near the plant said they came to believe blacks wouldn’t be hired there.

The work force change was no accident, said Belem Villegas, a former employment supervisor at the Greenville plant. She said a plant manager told her in 2001 to stop hiring African Americans.

“They want people who do not complain,” said Villegas, who handled much of the hiring until she was fired in 2005 after about five years at the plant. “It’s a benefit to them to be in control. To have them illegal.”

Cronic declined to answer questions about Villegas’ allegations. But he said, “It is the law of supply and demand, not discrimination that has led to us having today a work force that is predominantly Latino.”

The company said it fired Villegas because she was “accepting money to provide employment favors to potential employees.” Villegas denies the claim and says she believes she was fired, in part, because she started speaking up for workers.

When problems arise, illegal immigrants often won’t pursue typical avenues of recourse, such as joining unions or hiring attorneys, because they fear exposing themselves to greater risks.

Villegas, who was born in Texas, said some company managers would hold the workers’ immigration status over their heads if they complained too much. One manager kept a list of illegal immigrants who could be fired if they caused problems, Villegas said.

“They don’t play fair,” she said. “They knew they had the upper hand.”

— RESEARCHERS SARA KLEMMER AND MARIA WYGAND CONTRIBUTED.

Spanish version

Wednesday’s edition of La Noticia will run some of the Observer’s poultry series in Spanish.

“If immigration came and looked at our files, they’d take half the plant.”

CAITLYN DAVIS, A FORMER GREENVILLE, S.C., PLANT HUMAN RESOURCES EMPLOYEE

THE HUMAN COST OF BRINGING POULTRY TO YOUR TABLE

A boss's view: Keep them working

Pagan from 1A

First impression

Pagan remembers the day he came to work. He had never seen anything like the Greenville chicken plant, known locally as Columbia Farms. It was almost the size of a soccer field.

Inside the plant, hundreds of Latinos stood inches apart, wielding knives, cutting up thousands of chickens a shift.

It was cold, wet and noisy. Workers wore earplugs to protect their hearing from the clanking conveyor belts.

Pagan, then 47, and Lydia Torres, 34, had left Puerto Rico, where they were U.S. citizens, to "echarse adelante" – a Spanish phrase meaning to succeed and get ahead. The couple moved to Buffalo, but after working odd jobs for a few years relocated to Greenville, where a Honduran friend told them the climate was warm and jobs were plentiful.

They were among the growing number of Latinos who found work in poultry plants throughout the Southeast, usually in the most dangerous jobs for the lowest pay.

Pagan drove a bus in Puerto Rico and made \$100 to \$250 a week. Now, he could make \$300 a week at the processing plant cutting wings and thighs.

He was quick with a knife and scissors on the de-boning line. In just over a year, he was promoted to supervisor. That meant an extra \$100 a week, he said. He would wear a hard hat signifying his new role as a boss.

Pressure to produce

Pagan's department was required to keep production levels between 150 to 160 birds a minute, about 70,000 a day, he remembers. No excuses.

If his workers fell behind, it was his job to make sure they caught up. If they could not get the work done in eight hours, they stayed overtime until they finished, he said.

Managers warned workers that the plant lost money every second the line slowed or stopped.

Upper management in white hard hats pushed production managers in red hard hats – who pushed supervisors like Pagan, in orange hard hats. Workers received the brunt.

Latino workers were accustomed to their American bosses yelling at them. But what really hurt, several workers said, was the disparaging treatment by Latino supervisors who shared their background and understood the struggles of being an immigrant in the U.S.

One Guatemalan line worker, Miguel, said several supervisors treated fellow Latinos as if they were "desechables" or disposables.

"They treat you like you're not human," said Miguel, who asked that his last name not be used for fear of losing his job.

Barry Cronin, House of Raeford's complex manager in Greenville, said in a written response that "our supervisors were never asked to use fear and intimidation against our employees."

Pagan acquired a reputation as one of the toughest line supervisors, particularly with Guatemalan workers who often spoke Mayan dialects and knew little Spanish. He had a short temper and spoke rapidly when angry, workers recalled.

Former line worker Alberto Sosa called Pagan abusive and once confronted him in a storage area after he berated a Guatemalan for working too slowly. You don't have to treat people that way, Sosa remembers saying.

Pagan said he didn't recall the incident, but didn't deny it.

The workers, he said, didn't understand that missed production goals could cost him his job.

A wife's warning

Torres never wanted Pagan to be a supervisor.

All day, knife in hand, Torres made hundreds of cuts an hour. After about six months, her hands began to hurt. She said a supervisor screamed at her to work faster even after she complained about being in pain.

At home she had trouble cooking and cleaning. She couldn't open jars.

Torres' hands worsened. She would awake with her hands curled in a claw. The company sent her to a doctor who diagnosed her with carpal tunnel, she said. She had surgery. She went back to work, but left several months later because of the pain, she said.

Torres worried Pagan would become like her supervisor, who often scolded her. But Pagan dismissed her concerns. He said she just had a bad boss. He would never be like that.

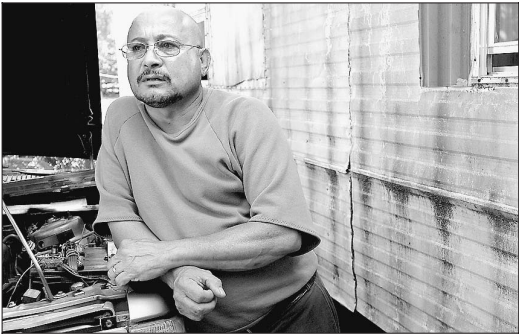
Touched by pain

Veronica Zapot worked on Pagan's line. She was a quiet, petite woman who kept her head down. But in 2001, she be-



PHOTOS BY JOHN D. SIMMONS - jsimmons@charlotteobserver.com

Lydia Torres says she had carpal tunnel surgery on her right hand after working at the House of Raeford poultry plant in Greenville, S.C. She says she quit when the pain became too much. More than five years later, her hands are better, but she still has pain and struggles with some routine tasks.



Enrique Pagan said he eventually warned employees that poultry work could ruin their hands. Most worked in pain, he said. "How can you not feel bad (for them)?"

gan to complain about her hands. Pagan conceded the work was difficult, but if she wanted the job she would need to keep up, he said.

He later learned Zapot, then 30, lived a few blocks from his apartment. She told him about coming to the Carolinas from Coatzacoalcos, Mexico. She told him about her life as a single mother, and the challenges of raising children in the U.S.

He later invited Zapot to leave her baby with Torres, who was then taking care of several workers' children for extra money.

Pagan watched as Zapot struggled. She de-boned 200 to 300 chicken thighs an hour. Eventually, she said, the fingers of her hand locked into a claw – the way Torres' had. Unable to straighten them, she said she would have to tilt her hand to let the knife slip out.

"She'd come to me. She'd be holding her wrists," Pagan said. "You could see it in her eyes that she was in pain."

He sent her to the first-aid attendant, who gave Zapot over-the-counter pain pills and a bandage, suggesting her throbbing hands came from cooking at home.

"She'd say, 'You Mexicans, you make so many tortillas,' " Zapot said.

When Zapot visited a doctor on her own, she said she learned she had tendonitis. She later had surgery and won a worker's compensation settlement, according to her attorneys.

"The tendons in my fingers were in knots," she said.

House of Raeford declined to comment on many of the employees' specific allegations, saying that, without signed releases, it was unable to discuss details of their health or employment. In general, the company said it found "many inaccuracies" in the information workers provided to the Observer but declined to elaborate.

"The allegations made by these former employees do not fairly or accurately represent the policies or management practices of House of Raeford Farms," the company wrote. ... "We value our employees and strive to treat them in a fair and respectful manner at all times."

'Tell them to wait'

Pagan said he worried about his workers, but giving them breaks left him with fewer hands on the line. A

boss once admonished Pagan for sending workers to the first-aid station, he said.

Three other ex-supervisors and a former human resources employee similarly described a culture where supervisors dismissed employee's complaints. Caitlyn Davis, who worked in the human resources department until she quit in July, said one supervisor referred to his Latino assistants as "Thing 1" and "Thing 2."

Another former supervisor told the Observer: "They tell you to not let people off the line. 'To wait. To wait. Tell them to wait until the break. Tell them to wait until someone else can replace them. Tell them to wait until after work.' It's always to wait. The pain doesn't wait."

The supervisor said he was fired after receiving three or four reprimands, the last for a safety violation. He requested his name not be used because he still has relatives working for the company.

Cronic, the Greenville complex manager, said in a written response, "If any supervisor is discouraging employees from reporting injuries, that supervisor is in violation of company policy."

New pressure

In 2004, four years after becoming a supervisor, Pagan woke up in a sweat. It was about 2 a.m. He was shaking.

Torres asked what was wrong. He said a boss was increasing the pressure on supervisors.

My stomach's tied in knots, he said. I don't know how long I can stay.

Torres said he often came home angry. He became detached. He lost his sense of humor. It affected their sex life. "I didn't have any will to do anything," Pagan said.

In early 2005, good news came. A social worker told the couple that a family had offered a baby for adoption.

Pagan had four children from a previous marriage. Torres had none and did not want to go through infertility treatments she needed to become pregnant.

Three days later, on Feb. 14, they brought Bryant home. He was four days old and weighed less than 9 pounds.

"He was the tiniest thing," Torres said.

The couple knew that social workers would visit the family regularly to check on Bryant's progress. They

House of Raeford

The privately held company, based in Raeford, is among the top 10 U.S. chicken and turkey producers.

Chairman: Marvin Johnson.

Size: Eight processing plants and 6,000 employees.

Customers:

■ **Restaurants** including Blimpie, Golden Corral and Ryan's.

■ **Schools** around the U.S., including Charlotte-Mecklenburg Schools.

■ **Stores** including Food Lion and Loves Foods. The company's deli meat is marketed under the name "Lakewood Plantation."

Sources: Observer research, House of Raeford, Dun & Bradstreet, Watt Publishing, National Poultry and Food Distributors Association



duction goals in early 2006, but was being blamed more for workers' mistakes.

A boss pulled him into an office, he said, and reprimanded him for leaving too much meat on the floor.

Pagan said he was told to sign a disciplinary note for his personnel file. He was being punished, he believed, for giving workers too many breaks.

He refused to sign and walked out.

'I'll never go back'

Torres gave their dining room table to a niece. Pagan sold his car to a friend. They took most of the pictures off the wall, but left U.S. and Puerto Rican flags hanging in the living room. They packed their belongings into 40 boxes and shipped them to Puerto Rico.

Pagan said he planned to buy a used bus and hoped to get a public route again.

Before leaving, he made one last visit to the plant. He walked along one of the wooded trails lined with discarded gloves and hairnets. He stopped near a picnic table and spoke about his former job.

He had hoped for more when he came to Greenville. He and Torres did make enough money to buy a four-room house in Guayanilla, Puerto Rico, and they adopted their son, Bryant.

But he said he'll never forget how Latinos were treated at the poultry plant – and how he felt forced to treat them. Did he have a choice? No, he says, not if he wanted to keep his job.

"I'll never go back," he said.

Moments later, a man with a red hard hat walked out a plant door. Pagan took a long look. It was one of his former bosses.

"We should go before he says something," he said.

Pagan turned away from the poultry plant and walked back up the path.

Epilogue

In August, Pagan and Torres moved back to Puerto Rico.

Torres stays home with Bryant. Pagan drives a bus again.

"I feel good here," he says. "I have family. The only thing is, you don't make much money to save."

THE SERIES

■ **Sunday:** Poultry giant has masked the **EXTENT OF INJURIES** in its plants. **SPECIALTY CUTS** put poultry workers' hands at greater risk.

■ **Monday:** **MARVIN JOHNSON**, House of Raeford chairman, has taken on regulators.

■ **Today:** **ONE BOSS' STORY:** Pressure to produce came at expense of Latino workers.

■ **Wednesday:** **COMPANY MEDICAL WORKERS** sometimes make it hard for employees to get proper care.

■ **Thursday:** Greenville, S.C., plant's **SAFETY STREAK** is a myth, current and former workers say.

■ **Friday:** **LAX ENFORCEMENT** of workplace standards allows dangerous conditions in poultry plants to persist.

READ OUR STORIES ONLINE AT WWW.CHARLOTTE.COM/poultry

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Peter St. Onge – 704-358-5029; pstonge@charlotteobserver.com

“She'd come to me. She'd be holding her wrists. You could see it in her eyes that she was in pain.”

ENRIQUE PAGAN, FORMER HOUSE OF RAEFORD SUPERVISOR