



Community to Community

C2C COMMENTS ON EMERGENCY RULES REGARDING HOUSING

Education:

- **MODIFY (1) (a):** “Educate occupants about COVID-19, how to prevent virus spread, and what to do if they develop symptoms.”
- **To read:** “Educate occupants about COVID-19, how to prevent virus spread, and what to do if they develop symptoms in a language or languages understood by the workforce, and allow entry of community health workers and community based outreach workers to provide additional information.”

Sleeping quarters (1) (b) (i):

- **REMOVE from (1) (b) (i) (A):** “For bunk beds, only the lower bunk on each bed may be occupied except for sleeping rooms occupied by single families”
And replace with: The use of bunkbeds is not permitted in all temporary farmworker housing licensed by the Department of Health. No more than 2 people can reside in a room of 150-200 square feet as recommended by the CDC.
Our concerns: *It is not acceptable to allow bunk beds limited to use of only the bottom bunk as there will be no guarantee of enforcement of whether or not farms are using the top bunk to house farmworkers.*
- **REMOVE (1) (b) (i) (C) in its entirety:** “An operator may implement other effective engineering and/or administrative controls to modify this requirement by incorporating it in the plan required and having it pre-approved by the Department of Health and/or the Department of Labor and industries.”
- **REMOVE (1) (b) (ii) in its entirety:** “Physical barriers such as plastic shields can be used for fixtures such as sinks where occupants may come in close contact for short periods of time”
REMOVE from (1) (i) (B): “floor to near ceiling temporary non-permeable barrier (e.g., plexiglass, plastic sheeting, etc;.)”
DEMAND: Current ratios for housing, showers, sinks, cooking and food storage facilities (such as spacing in shared refrigerators), and laundry must be revised to reflect social distancing protocols recommended by the CDC. Maintaining the current ratios and installing barriers is not enough, because, especially without reinspection of modified housing, barriers are likely to be ineffectively installed, and won’t hold up to use, heat, environment during the season. Barriers, particularly those made of plastic sheeting, are likely to be pushed aside, damaged, or otherwise become inoperative.
- **REMOVE (1) (b) (iii) in its entirety:** “Discourage people from visiting buildings or sleeping quarters that are not their assigned living spaces, to minimize cross-contamination in the case of illness.”
Our concerns: *this could potentially be used against promotoras, community-based outreach such as the Census, or union representatives visiting buildings or sleeping quarters because it does not comply with protocols. It could also prevent self-organizing. If the farms follow every safety protocol according to our recommendations and visiting community outreach workers, health workers, or union representatives are also complying with mask/glove/social distancing requirements it should be no problem for workers to move from building to building or for visitors to arrive at camp.*

- **REMOVE** (1) (b) (v) in its entirety: “The use of tents meeting the requirements of WAC 296-307-16147/WAC 246358-077 for use at housing sites other than cherry harvest camps or other proposed temporary housing proposals may be approved after review by the Department of Health for the initial review and approval. Review of these temporary requests will be expedited”
Our concerns: The current standards for tents don’t have requirements for heating, allow up to 15 people per tent, it is possible to have only 1 electrical outlet per tent and only 1 window, there are no requirements for AC. Poses extreme risk in case of wildfire, where smoke cannot be excluded and can get trapped in the tent – lack of ventilation is likely to cause increased rates of infection and would be exacerbated by compromised air quality.
- **ADD as (1) (i) (D):** “Separate housing must be provided for those workers at a higher risk from COVID-19.”

Cleaning (1) (c):

- **MODIFY** (1) (c) (iii) to specify “adequate supplies” should comply with CDC recommendations for facilities that house people overnight
Our concerns: “adequate supplies” – quantities or antiviral qualities aren’t specified in either (1) (c) (iii) or (1) (c) (iv)
- **MODIFY (1) (c) to include:** “(v) Require training in a language or languages understood by contracted workers regarding COVID-19 cleaning, disinfecting, and sanitizing protocols for any contracted cleaning labor prior to their arrival to clean temporary worker housing. Require that those contracted workers use disposable gloves and wear masks covering nose and mouth while working at the site.”

Policies and procedures to identify and isolate sick occupants (1) (d):

- **INCLUDE in (1) (d):** “Require employers to facilitate testing of all employees upon their arrival to the farm to work.”
- **MODIFY (1) (d) (iv) to include:** “The operator must provide their regular pay during the isolation period.”
- **MODIFY (1) (d) to include as (vi):** “The operator must immediately notify all workers who have been in contact with confirmed COVID-19 case, isolate them if they are still employed at the work site, and test them, following CDC guidelines for contact tracing.”

REMOVE in its entirety (2): “(2) Operators must revise their written TWH management plan to include implementation of the above requirements. The plan must identify a single point of contact for COVID-19 related issues. The revised TWH plan must be submitted to the Department of Health for the initial review by May XX, 2020. Failure to submit a revised plan will result in license revocation.”

And replace with: “Re-inspect all temporary housing and only issue licenses and/or certifications of compliance with state standards to facilities that fully comply with these regulations.”