June 17, 2020

To:

Governor Jay Inslee

WA State Governor’s Office

Alejandro Sanchez

Right after the 2016 presidential election, a group of us in the Olympia/Thurston area formed out of our concern for immigrant rights. The Strengthening Sanctuary Alliance ([www.strengtheningsanctuaryalliance.org](http://www.strengtheningsanctuaryalliance.org)) has been involved in legislative/policy advocacy, protections for children and their families in the school system, examination of police/ICE activities, and direct support for immigrant families. Our work connects us with the broader statewide organization WAISN (WA Immigrant Solidarity Network).

We have been attentive to the conditions facing the agricultural labor community across the country, and particularly in Eastern WA. We’ve offered support in different ways, including joining striking workers when they came to rally outside L&I on May 26th. We are learning from the communities and organizations involved about the daily struggles to protect their health in these COVID-times.

We were encouraged that Governor’s Office and others in WA state government worked to issue some protective COVID-19 Requirements on May 28th. However, as we’re sure that you’re hearing from many other allies of the farmworkers and from public health advocates, there is much work left to be done.

*There are several key issues that we are raising:*

*\* The need for workers and their representatives to be involved.*

*\* Required protections must be enforced and evaluated.*

*\* There should be public transparency about the process.*

*\* Workers should not be retaliated against for identifying hazards.*

*\* Health & Safety Committees should be empowered, with workers at the center.*

*\* Housing/transport conditions should not put workers and their families at risk.*

*\* Health care for workers and their families must be ensured.*

As a publicly concerned group here in the Olympia area, working as part of a statewide immigrant rights movement, we want to register our concerns and respectfully ask that you given them serious attention:

1) It is our understanding that there is concern among many farmworkers, and many of their representatives, about your not having met directly with the workers during the formation of the Covid requirements. While we are not in a position to know all the details, we think that given the vital place of agriculture in the state’s economy and the crucial role of immigrant workers in the life of our communities, it’s essential that agricultural workers are directly involved in the creation, activation and evaluation of policies that bear on their lives – their lives at work and the lives of their families.

2) We urge the Governor’s Office and L&I to ensure that the “Agricultural COVID-19 Requirements” are being enforced and that employers are being held accountable. The process must be open and transparent, with the public and especially the farmworkers having access to information about the impact of the requirements. As those who’ve worked in Health & Safety know well, the proof is in the evidence of what is daily made real, beyond what is decreed by the government. The Proclamation and the Requirements offer some strong measures, including the June 3rd “stop-operation if no full compliance” feature. We urge that there be a strong, persistent and transparent review of the activation (of lack of activation) of the requirements. Again, worker representation and review of the process is vital.

3) There must be assurance that there be no retaliation or reprisals directed at farmworkers and food shed workers – for their activism during the strike or for their reporting of violations of the 5/28 requirements. Protection against retaliation is at the heart of any safety and health program. If workers feel that they can’t speak up, then the requirements are merely a wish-list, not a sound framework for protecting people’s health during this very challenging time.

4) As we’ve noted, worker participation is key to the entire process. We urge the Governor’s Office and L&I/DOSH to ensure workers in agriculture have the right to form and sustain worker-led Safety & Health Committees. This is part of the declared fabric of WA’s workplace ethics. It must be protected in this most vulnerable workforce, who are putting themselves at risk as they work to put food on our tables

5) One of the outstanding concerns in the Regulations is the provision of the housing/transport arrangements for H2A workers. They are forced to live/work/move in isolated, concentrated teams that obviously puts them at higher risk. As Dr. Hajat and Dr. Karr at UW’s Department of Epidemiology have conveyed in detail, the conditions allowed for under the 5/28 Requirements creates a high-risk category of workers that is deeply troubling. As made clear at a recent online conference organized by the Council on Occupational Safety and Health (part of a national network of COSH groups) on “Essential Workers”, the pandemic has not levelled the playing field. All agricultural workers, including but not only H2A workers, are at high risk in their work, transport and housing. Depending on the workplace and state/federal policies, we are seeing deeply troubling inequities in how people are treated by employers and by public policy.

6) It is essential that health of agricultural workers be protected in every way possible. There should be regular, accessible testing of workers; their health should be tracked, with due protections to their privacy and their right-to-know. Workers who are ill should have access to health care and comprehensive paid sick leave. Messaging about risks-to-health and access to care should be steadily available to workers and their families. Lessons learned from the current crisis should be part of all of our education in this challenging time; the Governor’s Office should continue to provide leadership, identifying what is working and what is not in the current efforts to protect people’s health.

We are encouraged that the agricultural workers in Eastern WA have gained more respect and attention through their strike actions. We hope that the Governor’s Proclamation signals the beginning of a new era – long overdue – of stronger regard and protection for farmworkers, their families and their communities. WA is being acknowledged for its strong support of immigrant rights, labor protections, and sustained activities to protect the public from the ongoing pandemic. The convergence of immigrant rights, the rights of labor and health rights in the struggles of farmworkers puts out a very important challenge to WA state and to all of us in the region. If we are working to sustain the public’s health, we cannot leave anyone out. The lives of agricultural workers must be at the center and they must be at the table.

At this moment our country is going through an intense reassessment of race, equity and justice in our society, economy, and political life. There has long been an absence of respect and support for farmworkers. Aggressively protecting their health would be a good place to start.

Sincerely,

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Columbia Legal Services

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Community-to-Community

El Centro de la Raza

Familias Unidas por la Justicia

Governor’s Interagency Council on Health Disparities

Hispanic Round Table

Latino Civic Alliance

Latino Leadership Network

NW Immigrant Rights Project

Representative Javier Valdez, House Members of Color Caucus

Senator Bob Hasegawa, Senate Members of Color Caucus

The News Tribune, James Drew

The Olympian, Dusty Demarest

The Tri-City Herald, Cameron Probert

United Farm Workers

WA Department of Health

WA Department of Labor & Industries

WA Division of Occupational Safety & Health

WA Immigrant Solidarity Network

WA State Commission on Hispanic Affairs

WA State Labor Council

WA State Public Health Association

Yakima Health District