

State of
Washington
House of
Representatives



Monday, April 27, 2020

Secretary Wiesman, Director Sacks and Mr. Shirk,

It has come to our attention that the Washington State Department of Health and Department of Labor and Industries has released WAC draft emergency COVID-19 rules for temporary agricultural worker housing. These rules were released on April 23, and with a quick deadline for comments we will make this brief and to the point. We acknowledge and respect that industries utilizing temporary labor will need to make changes to ensure worker, industry, and community safety. However, we have serious concerns with the current rules as drafted.

Section 1(b)(i)(A) of the draft rule states: “Beds and cots must be spaced at least six (6) feet apart between frames in all directions and arranged so that occupants sleep head to toe. For bunk beds, only the lower bunk on each bed may be occupied except for sleeping rooms occupied by single families.”

After consulting with many industry leaders and their trade associations and based on our own experience this rule would effectively cut housing for temporary labor in half. This equates to a shortage of roughly 10,000 workers at a critical time in our state’s agricultural seasons.

Whether it be tree fruit harvest, ranching, food production or other high labor agricultural industries, we are reaching the time where in a normal year labor is tight and often already short. This rule will create an even larger shortage that will cause a domino effect crippling the agricultural industry. This will affect the wages of these earners and a loss in harvest capacity across the board right when we are experiencing a higher demand for food products by consumers. The affects won’t be limited to industries that utilize temporary agriculture workers. A labor supply shortage will strain permanent labor worker pools as well.

Agriculture is the lifeblood of our state. We are already seeing and hearing farmers dumping crops, livestock not being able to be processed and store shelves going empty. The last thing we want to do is add to the issue and cause a larger food shortage. Again, we believe in practical safety measures to ensure worker, industry and community safety. Please reconsider these draft rules and revise them so that we can have safety while providing the labor, wages and food needed to keep Washington’s economy going.

Sincerely,

Representative Keith Goehner, 12th District

Representative Mike Steele, 12th District

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Brad Hawkins

Senator Brad Hawkins, 12th District

Judy Warnick

Senator Judy Warnick, 13th District

Tom Dent

Representative Tom Dent, 13th District

Alex Ybarra

Representative Alex Ybarra, 13th District

CC:

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