

State of
Washington
House of
Representatives



Tuesday, July 28, 2020

Dear Governor Inslee:

We are writing to express our support for improved implementation of the COVID-19 Requirements for Agriculture enacted by Proclamation 20-57 and the Emergency Rule for Temporary Worker Housing.

Since the advent of this pandemic the farmers, ranchers, and food processors of our state have been working to safeguard their employees and communities while simultaneously meeting their charge to maintain the food system on which we all depend for our daily survival. This is a challenging goal, and one that does require significant new safety measures. However, some of the specific requirements and processes you have enacted are insufficiently flexible to enable rapid response in a crisis.

Employee transportation and housing are appropriate areas of concern for COVID-19 safety, but we must also recognize that they are limited resources that are difficult to augment or replace. Farmworker housing and transportation are subject to existing safety codes and licensure requirements, and growers can't simply substitute unlicensed alternatives when resources and personnel are scarce. Fortunately, farmers have always been adept at finding creative and cost-effective solutions and these rules allow for the submission of variance proposals that would provide equivalent worker protection.

Our concern is that growers are required to attempt to comply with the underlying rules, which took effect almost immediately, while waiting for L&I and DOH to review and approve these requests for variances. An expedited emergency rule requires an expedited review and approval process for these variances. We strongly encourage you to commit the staff resources and necessary authority to speed up this approval process. Where multiple growers are proposing similar acceptable variances, these should be reflected as a standard option in a modified rule. Harvest plans must be put in place and farmers have been waiting for a determination of the sufficiency of their variances. Given the time sensitive nature of the crops, it is imperative that these variances are addressed as soon as possible.

Farmers are committed to providing the safest possible work environment for their employees. If workers are unable to work, it is detrimental to the worker and the employer. They have implemented safe procedures that keep the employee protected while ensuring productivity for the farming enterprise. If equal or better measures are available, please consider allowing flexibility for the farmer to achieve the desired goals. Finally, whether these proposals are approved or denied, farmers deserve a timely review and response so that they can make appropriate plans for this year's harvest.

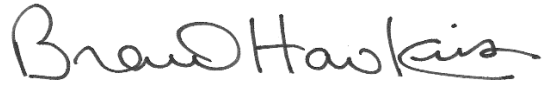
Sincerely,



Representative Keith Goehner, 12th District



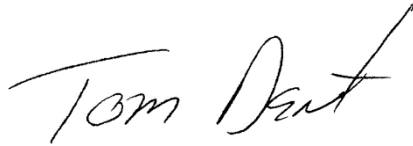
Representative Mike Steele, 12th District



Senator Brad Hawkins, 12th District



Senator Judy Warnick, 13th District



Representative Tom Dent, 13th District



Representative Alex Ybarra, 13th District



Representative Joe Schmick, 9th District



Representative Mary Dye, 9th District



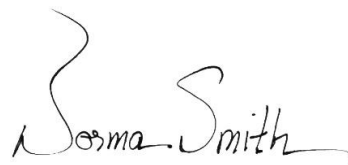
Representative Skyler Rude, 16th District



Representative Bill Jenkin, 16th District



Representative Shelly Short, 7th District



Representative Norma Smith, 10th District



Representative Larry Hoff, 18th District



Representative Bob McCaslin, 4th District



Representative Bruce Chandler, 15th District



Representative Andrew Barkis, 2nd District



Representative Jim Walsh, 19th District



Representative Gina Mosbrucker, 14th District



Representative Jeremie Dufault, 15th District