

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

TUESDAY, AUGUST 11, 2020

There was no physical meeting location. Attendance was by remote meeting only (meeting number 160 485 9411), via the attendee's choice of either Webex video-conference or teleconference

Time: 10:00 a.m.

Members Present: Chair Victoria Hassid
Members Barry Broad, Cinthia Flores, and Ralph Lightstone

Others Present: General Counsel (GC) Julia Montgomery
Chief Board Counsel Todd Ratshin
Division of Administrative Services Chief Brian Dougherty
Executive Secretary Santiago Avila-Gomez
Senior Legal Typist Annamarie Argumedo
Executive Assistant to the Board Chair Ed Hass
Interpreter Catherine J. Torres

These meeting minutes include Appendices, which provide additional information about topics that were addressed during this ALRB Public Board Meeting. Each Appendix is referenced at the appropriate place within these Minutes.

OPEN SESSION

1. Call to Order and Introductions

Presented by Victoria Hassid

- The meeting was called to Order at 10:00 a.m.
- Introduction of Board Members and of meeting technical support staff.
- Roll call of Board Members. Chair Hassid, Member Broad, Member Flores, and Member Lightstone present.
- Introduction of other ALRB participants.

No comments were received about this introduction.

2. Approval of Minutes

Presented by Victoria Hassid

- Board Member Cinthia Flores moved for approval of the minutes from the June 23, 2020 Board meeting. Seconded by Board Member Barry Broad. Minutes approved by a vote of 4 to 0.
- Board Member Ralph Lightstone moved for approval of the minutes from the June 23, 2020 Regional Directors meeting. Seconded by Board Member Barry Broad. Minutes approved by a vote of 4 to 0.

No comments were received about approval of the minutes.

3. Board Chair's Report

Presented by Victoria Hassid

- Board Members Ralph Lightstone and Isadore Hall were successful confirmed by the California State Senate Rules Committee as ALRB Board Members. Board Chair Victoria Hassid and General Counsel Julia Montgomery offered their congratulations.
- Introduction of Sebastián Sánchez, who was appointed on June 23 by Governor Newsom as the Associate Secretary for Farmworker Liaison and Immigrant Services at the Labor and Workforce Development Agency (LWDA).
- The Board now has a weekly internal working group for COVID-19, in order to focus on increased communication and more rapid response.

- The Board is also participating in an inter-agency work group, with other state agencies, discussing the impact of COVID-19 on agricultural employees:
 - Employment Development Department (EDD)
 - California Occupational Safety and Health Administration (Cal/OSHA)
 - Labor Commissioner's Office
 - Labor and Workforce Development Agency (LWDA)
 - California Office of Emergency Services (Cal OES)
 - Department of Public Health
 - Housing and Community Development
 - Department of Food and Agriculture
 - Office of the Governor
- Current areas of focus include:
 - Protect working conditions of farmworkers.
 - Health and economic impacts of COVID-19 on agriculture.
 - Lack of awareness by farmworkers, of their paid sick leave options, during quarantine and isolation.
 - Outreach and education focused on farmworkers.
 - Elevate concerns to other state and local organizations.
 - Better coordination between agencies.

No comments were received about the Board Chair's report.

4. Executive Secretary's Report on Elections, Unfair Labor Practice Complaints, and Hearings

Presented by Santiago Avila-Gomez

The Executive Secretary's Report is included in **Appendix A**.

No comments were received about the Executive Secretary's report.

5. Litigation Report

Presented by Todd Ratshin

The Litigation Report is included in **Appendix B**.

No comments were received about the Litigation Report.

6. General Counsel's Report

Presented by Julia Montgomery

The General Counsel Report is included in **Appendix C**.

Board Chair Hassid commented how helpful the new Governor-approved GC Outreach positions will be to the Board's overall mission, and especially now with the COVID-19 pandemic.

7. Division of Administrative Services Report

Presented by Brian Dougherty

The Administrative Services Report is included in **Appendix D**.

No comments were received about the Administrative Division report.

8. Regulations

Presented by Todd Ratshin

There is no current regulatory activity to report.

Chair Hassid designated a subcommittee, consisting of Board Members Broad and Lightstone, to receive input from stakeholders on proposed regulatory changes, and to present recommendations to the Board at a future public meeting.

Stakeholders may email suggested regulatory changes or updates to Executive Secretary Avila-Gomez.

9. Legislation

Presented by Todd Ratshin

There currently is no proposed legislative activity affecting the ALRA.

No comments were received about the Legislation Report.

10. Personnel

Presented by Victoria Hassid

There are no personnel items to report.

No comments were received about personnel.

11. Public Comment

No comments were received about the public business portion of this Board meeting.

PANEL PRESENTATIONS

12. Informational Panel about COVID-19 and its Impact on the Agricultural Industry and Farmworkers

- Chair Hassid noted this is the second public meeting of the Board that includes a panel focusing on COVID-19 and its impact on farmworkers.
- Farmworkers are rarely, if ever, consulted or invited to participate in discussions and decisions about COVID-19, even though it heavily affects them, and farmworkers have ideas and suggestions about what to do.

A. Results of recent farm worker survey in CA, OR, and WA: California Institute for Rural Studies (CIRS)

Presented by Ildi Carlisle-Cummins, Executive Director, and Dr. Don Villarejo, a co-founder of CIRS; Irene de Barraicua, Lideres Campesinas; Nayamin Martinez, Central California Environmental Justice Network (CCEJN); and Oralia Maceda, Centro Binacional Oaxaqueno.

The results of the survey, which was conducted between May and July, 2020, are included in **Appendix E**.

Over 900 farmworkers in 21 counties were surveyed. About one-third of farmworkers surveyed speak indigenous languages.

Topics of the survey included:

- Workplace conditions.
- Workers' ability to protect themselves at home.
- Healthcare access.
- Transportation.
- Economic impact.

Presentation by Dr. Don Villarejo

- Farmworker vulnerability pre-dates COVID-19.
- In 2018 (pre-pandemic), farmworkers were 50% more likely to suffer work-related injury or illness than those in other occupations.
- The U.S. Congress doesn't allow collecting information about workplace illness or injury, from farms with fewer than 11 employees. The actual number is probably higher.

- Due to shelter-in-place orders, \$8 billion was lost in California farm revenue in 2020. This has led to higher unemployment: 97,000 farm jobs were lost just in June 2020 alone, which is higher than the average annual loss of farm job over the previous three years.
- Only three counties in California provide online information about the number of farmworkers infected by COVID-19. Imperial County does not collect or report any information about the effect of COVID-19 on agriculture. Two counties issued a legal opinion that these pandemic statistics are *not* public information under the Public Records Act (PRA).
- In Monterey County, which *does* track and report this data, COVID-19 cases among agricultural employees is three times as high as in other industries. In the first week of August, Monterey County reported 1,250 infected agricultural workers, more than double the 605 reported on June 3.
- Monterey County growers are working closely with governmental and community-based organizations to defray the cost of quarantine housing, meals, and healthcare access for infected farmworkers.
- Information about the occupation of those infected with COVID-19 is often not available. On June 20, the occupation of 324 infected in Monterey County was unknown. Now that number is over 1,400.
- Concealed information about agricultural workers and COVID-19 (in other counties) prevents meaningful intervention.
- Contact tracers are difficult to find, who speak Mixteco, Zapoteco, Trique, and other indigenous languages, compared to contact tracers who speak English or Spanish.
- The method used to collect COVID-19 data affects how useful the data is.
- The data collected needs to be turned into meaningful action.
- Some employers are not complying with COVID-19 guidelines. Community-based organizations are helping with compliance.
- Farmworkers mistrust government; they fear reaching out for help, largely due to immigration issues.

Presentation by Nayamin Martinez, CCEJN

- Social distancing, fewer days per week, and alternating shifts have all contributed to income reduction per farmworker.
- One farm in Tulare went from 35 to 100 workers, resulting in fewer hours (from 9 hours per day down to 4), and thus reduced wages, per worker.
- Farmworkers have no access to financial safety nets. They are not eligible for unemployment or stimulus money. They also have to pay for their own transportation to and from work, and for childcare while at work.

- Lack of PPE (Personal Protective Equipment). The survey shows that only 46% of farmworkers are provided with masks. The number who have masks is fewer than that, if you include farmworkers who are employed through farm labor contractors (not direct employees of growers).
- Many farmworkers are ordered to work without masks or social distancing, or they will be laid off and replaced by someone else.
- Some growers are requiring farmworkers to pay for the masks that were given to the growers at no cost.
- Many growers are not complying with Cal/OSHA instructions, and there is insufficient governmental staff for enforcement.
- Growers provide informational materials in English and Spanish only. Information is not reaching indigenous-language workers in the fields.
- Some farmworkers who were hired since the pandemic began, are new to farm work. They are inexperienced, and often don't know their legal rights. Growers and resource organizations are not sure how to work with these inexperienced new farmworkers.
- New farmworkers are also being hired from other nations outside of the Western Hemisphere. They don't speak English, Spanish, or any of the indigenous languages. Informational materials about COVID-19, and about farmworker rights, are not available in their languages, either.

Presentation by Irene de Barraicua, Lideres Campesinas

- Farmworkers often don't speak up due to fears of job loss or deportation, but have become more vocal due to the impact of COVID-19.
- A big concern expressed by survey respondents, by fathers as well as by mothers, is the shortages of essential supplies (such as diapers) and services (such as childcare).
- Over half the survey respondents reported lack of access to healthcare. With no health insurance, out-of-pocket medical expenses can exceed a farmworker's annual income. Many farmworkers go into debt when they become ill (such as from COVID-19).
- COVID-19 testing is also finding pre-existing conditions for which farmworkers have no medical insurance coverage. One farmworker earning \$27,000 per year was found to have an ulcer, which cost \$56,000 to treat.
- Community-based organizations are advocating passage of laws providing healthcare for all.
- If testing for COVID-19 is positive (have to quarantine), farmworkers fear loss of income. They don't know that they are entitled to paid sick leave.

The following comments were received about the farmworker survey:

- On Sunday, August 9, 2020, Ed Kissam (of WKFamilyfund and The Sierra Health Foundation), submitted written comments about the Farmworker Survey, in advance of the August 11, 2020 Public Board Meeting.
- Mr. Kissam's written comments are included in **Appendix F**.
- **Board Member Barry Broad** asked several questions, which were answered by **Ildi Carlisle-Cummins and Nayamin Martinez**:

- *What percentage of employers are providing PPE?*

Only 54% of surveyed farmworkers report that their employers are providing adequate PPE.

Some farmworkers were given one mask at the start of the pandemic, and have never received any replacement PPE.

- *How many farmworkers have to buy their own masks?*

96% of farmworkers say they are wearing masks, and only 54% report that their employers are providing adequate masks.

However, the State, and community-based organizations (CBOs), are also providing masks. So we don't know what percentage of farmworkers are having to supply their own masks. And 4% have no masks.

Those who did not receive a mask from their employer, from the State, or from a CBO, are providing their own masks. These are either store-bought, hand-sewn, or a bandana. The last two options are less effective at controlling the spread of the virus.

- *Are any employers forbidding farmworkers from wearing masks?*

Statistic for this is not known. But it is known that some growers are not distributing masks that were provided by the State or by CBOs, to their farmworkers.

- *How many farmworkers are forced to work, even if they are infected?*

Some employers have demanded that farmworkers work when sick, or they will be fired or laid off. An exact number is not known. In one case, a farmworker was ordered back to work at the end of quarantine, although still weak from the effects of the virus *and* diabetes.

- **Board Member Cinthia Flores:** What non-financial assistance is given to farmworkers, to stop the spread of the virus?

Ildi Carlisle-Cummins and Irene de Barraicua:

Quantitative and qualitative data that was collected, is leading to targeted programs to control the spread of the virus. Specific issues being addressed include:

- Overcrowded farmworker housing. The Housing for the Harvest program is addressing isolation housing for COVID-19 patients.
- Crowded transportation of farmworkers between home and field.
- Providing wraparound services for quarantined farmworkers.
- Better use of facilities that are not being used to full capacity – such as the COVID-19 medical testing facility that was set-up in the former ARCO arena in Sacramento.

Some positive steps that are already being taken include:

- Monterey County is providing isolation housing, run by the grower-shipper association.
- Other counties are planning similar programs, modeled on Monterey County.
- CBOs are providing food and other services to farmworkers.
- CBOs are training and preparing contact tracers to work in agricultural communities.

- **Board Member Lightstone:** What is being done to make COVID-19 data for farmworkers more accessible in other counties, like Monterey County is already doing?

Dr. Don Villarejo:

- Legal opinions are still being debated about whether COVID-19 statistics for farmworkers are public records.
- The State Director of Public Health is involved in these discussions.

- Information is often hidden, to protect local economies, and to protect the reputations of big agricultural employers.
 - We need a plan for how to gather and publish COVID-19 information about farmworkers, and then to take action based on this data, without harming local economies, employer reputations, or a farmworker's employment status and income.
 - COVID-19 data often lacks ethnicity and employment information, which is needed to target resources to the most vulnerable populations.
 - Assembly Member Reyes has submitted a bill to the State Legislature that mandates data collection and reporting (including ethnic and employment data) across all counties, and health-risk notifications at the workplace, to the unions, and on the employer's web site. This bill, which would expire on 1/1/2023, is *AB685: COVID-19: imminent hazard to employees: exposure: notification: serious violations*, see https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB685.
- **Hugo Morales, Radio Bilingue:**
 - Radio Bilingue has also been discussing the inconsistent collection and reporting of COVID-19's impact on farmworkers, from county to county.
 - Fresno County has a weekly forum, with about 400 attendees, about COVID-19.
 - Fresno County officials stated that they have collected COVID-19 data, including ethnicity and occupation, but they lack the staff to organize the statistics.
 - Los Angeles County reported that 69% of COVID-19 deaths were Latinos and 20% were white. No occupational data.
- **Rafael Aguilera, California Workforce Development Board:**
 - The Workforce Development Board is focusing on High Road Training Partnerships – a collaboration between growers and farmworkers, to address the health and financial impacts of COVID-19.
 - High Road is always looking for positive examples of working together.
 - Grant money (from greenhouse-gas reduction funds, which are used to encourage environmentally safe practices) will be available over the next few months, to fund these types of cooperative efforts.
 - Growers, government, and CBOs should listen to farmworkers' ideas for best practices. About 60% of these ideas are employer oriented.
 - Employers and employees should cooperate (not be adversaries) to halt the spread of the virus.
 - There should be no retaliation, intimidation, threats, or fears.

B. Labor Panel

(1) United Farm Workers (UFW)

Presented by Lauro Barajas, Vice President

- Some employers are not complying with laws and guidelines.
 - There have been work stoppages at packinghouses and in the fields, over inadequate COVID-19 precautions, and insufficient time off to care for themselves and for family members who have the virus.
 - Five H2A workers, who were interviewed in July, reported that they were warned that two coworkers had the virus. To protect confidentiality, they were not told which two. However, they were also not told whether those workers were still working in the field, and if they were still an exposure risk.
 - These five also reported that only four shower stalls and four toilets are provided, for 16 workers. Workers don't know if a shower or toilet was used by somebody who was infected, or how well the facilities are cleaned between uses. They all touch the same handles to the room and to the stalls. This increases the risk of being exposed to COVID-19.
 - Other traditional health-risk issues also are still not being addressed: sanitary conditions, water, shade, and pesticide exposure.
 - Many farmworkers are losing money, because they have to stay home with children who are home from school. Workers either can't afford childcare (about \$100 per child), or no childcare is available.
 - Some farms have Do Not Enter signs for areas that might be contaminated, but farmworkers are working near the signs.
 - Some growers are not paying for two-week quarantine, and are not letting workers know that they are entitled to sick pay.
- On the positive side:
 - Instead of crowded buses, some farmworkers are being transported by cars (less risk of exposure).
 - Some farms have hired extra workers, whose job is to sanitize bathrooms and farm machinery/equipment at the end of each day.
 - Some farms have implemented staggered lunch hours, so that their cafeteria is not as crowded at any one time.
 - UFW has distributed 250,000 hot meals in six cities, provided by local restaurants, to farmworkers.
 - The example where unions are helping with enforcement of COVID-19 guidelines, is also encouraging some non-union farms to do better.

To ensure that all speakers were able to make their presentations, before their other time commitments called them away from this meeting, comments about this presentation (and about all subsequent presentations) were held over, until after all panel presentations were completed.

(2) United Food and Commercial Workers (UFCW)

Presented by Pete Maturino, Agricultural Director

- Due to COVID-19, and concerns about the safety of the state's food supply, more people are becoming involved in farmworker issues.
- Monterey* County is better than many counties, in terms of sharing information.
- The County Medical Officer in Monterey County has mandated face coverings. Most employers in Monterey County are complying with this mandate, as far as it goes. One employer refused to provide masks, and gave bandanas instead, even though bandanas are significantly less effective than masks. This incident demonstrates that the mandate is insufficient, because it doesn't specify what type of masks to provide. Often, farmworkers can't afford to buy their own masks, to replace inadequate masks. The mandate must be revised to specify that the employer must provide the masks, and what type of masks. And there needs to be more mandate-enforcement staff.
- Plexiglas partitions are used between workers at most Monterey County farms.
- Some farms are not doing a good job of social distancing. In many cases, rows are only two feet apart, and workers within each row are only one and a half feet apart.
- Growers are mostly complying; farm labor contractors often are not.
- State-funded vans carry 15 people to/from fields. Workers are not 6 feet apart in a van. They can spread infection to others in the van, and from there to others in each of the 15 families.
- Some farmworkers live two to three complete families per home or apartment, due to the expense. A single family can't afford an apartment in Salinas and other Monterey County communities. Crowded homes mean more risk of exposure.
- Santa Cruz, Hollister, and San Benito County homes are reaching \$2 to \$4 million. Homes are purchased by the wealthy from the San Francisco Bay Area. Farmworkers in Hollister can't afford to live in town. The result is longer commute to farms, using crowded buses, with more risk of exposure.
- CBOs provide social services to the 800,000 farmworkers in California. Distributing information to the public, non-profit organizations, and workers.

- Labor Commissioner and California Occupational Health and Safety Administration (Cal/OSHA) are also resources to help farmworkers.
- Common farmworker concerns about COVID-19:
 - Is a coworker infected?
 - Who will cover that person's work?
 - What is the risk of exposure if infected farmworkers don't stay home?
 - What is the risk of retaliation if they stay home because they are sick? Will they be fired or deported?
- On some farms, simply asking for COVID-19 information can get workers fired.
- Local workers have more issues than contracted H2A workers
- H2A workers do not have timely resources, because they are working at the farm for only a year before returning home. It takes time to get the resource.
- H2A workers are housed 7 to 10 in one hotel room (no social distancing).
- An H2A worker might be sent back to their home country if they get sick, so that the grower can avoid the expense of providing quarantine housing.
- Unions enforce labor contracts; now also have to help to enforce the law – such as 80 hours paid sick leave. Unions are also making sure that infected farmworkers do quarantine, and will return to work afterward (no retaliation for being sick).
- Employers know that their workers are sick, but they hide it, because it's bad publicity for the employer: people won't buy produce that might be tainted by COVID-19. Loss of sales means loss of jobs.
- Shorter work hours per farmworker, more workers so they can social distance. Now 1:00 pm end of first shift; was 6:00 pm before the pandemic.
- Cannabis growers often won't provide information to their workers, about worker rights and COVID-19 guidelines.
- Getting a virus test can take two weeks just to get in to take the test, and then 4-7 days more to get the results. A farmworker might not know that they are infected for 21 to 45 days. Meanwhile, they are spreading the disease to coworkers during that entire time. Farmworkers need to know sooner than this, if they have been exposed or infected (to protect themselves, family, and coworkers).
- About 28% of farmworkers are infected. Some workers take longer than the two-week quarantine to heal. Labor laws and union contracts have provisions that provide more time off, if more than the standard two weeks are needed, to return to health.
- Families of those who die from the virus often need a lawyer in order to collect workmen's compensation and other benefits owed to the family. Often, unions provide that legal assistance to farmworker families.

C. Employer Panel

(1) California Farm Bureau Federation

Presented by C. Bryan Little, Director of Labor Affairs

- Their organization is engaging in efforts to help industry and the workforce, to work through pandemic issues. They are distributing new guidelines as we all learn more about the virus.
- Machinery and housing weren't set up to accommodate social distancing.
- Shortages of masks and hand sanitizer. How to distribute water to workers in a safe way. Nobody was prepared for a pandemic.
- Need more space for social distancing while under shade.
- Restaurants and schools have closed, so they are not buying produce. Growers can't make up the decrease in sales by selling more produce to each shopper at a grocery store. Food is thrown out, and growers lose money.
- \$8.3 billion fewer sales in agriculture in 2020 than the \$45 billion in 2019, a 20% decrease.
- Growers want to continue to farm, and they also want to protect their labor force.
- California Farm Bureau Federation is sending and receiving much more email, as new information becomes available, and as more employers have more questions and more issues.
- Cal/OSHA, Centers for Disease Control (CDC), local health departments, etc., each have different rules and guidelines, and sometimes these guidelines conflict with each other.
- Outreach via radio to educate the workforce about hand sanitizer, masks, and social distancing. Workers also need to apply the same practices at home as at work.
- Surveys conducted in April and August, about how growers are being affected by COVID-19. Issues reported include:
 - Sanitizing of farm equipment and of Plexiglas shields.
 - Unavailability of masks and hand sanitizer.
 - Need for respirators to protect farmworkers from exposure to wildfire smoke. This shortage is due to use of respirators for COVID-19.
 - Agriculture is a vital industry. To continue to supply food for all of California, the industry needs to be able to protect its farmworkers

(3) Western Growers Association (WGA)

Presented by Matthew Allen, Director of Government Affairs

- COVID-19 affects growers and the local economy.
- Growers are trying to prepare for today, next week, and next month.
- Five key areas, from easy to difficult, where training and enforcement need to improve:
 1. Disinfect all common surfaces.
 2. Hand washing needs to be more often and for a longer duration.
 3. Physical distancing is difficult in the field – workers need to be spaced every second or third row.
 4. Face coverings (PPE) is critical. A portal (Safety Making California) was established in late June, between workforce groups and PPE providers.
 5. Need faster turn-around time for COVID-19 testing. Currently 8 to 12 days. Not sufficient for this type of industry.
- Wildfire smoke: Need to look into what other types of equipment are available and effective, to meet the need for both COVID-19 and smoke protection.

D. Community-Based Organizations

(1) California Rural League Assistance, Inc. (CRLA)

Presented by Estella M. Cisneros, Agricultural Worker Program Legal Director

- CRLA is a non-profit legal aid organization founded in 1966 to represent low-income rural communities.
- CRLA helps with legal issues related to employment, housing, immigration, and education.
- CRLA focuses on workplace health and safety for workers in farm fields, dairies, packing houses, and meat packing.
- Agricultural Worker Program (AWP) has offices in Stockton, Fresno, Salinas, Oxnard, and Coachella.
- The biggest COVID-19 issue: essential workers often have to choose between protecting their health or putting food on their table (risk of being fired or deported if they take a sick day).
- Social distancing is difficult to implement, especially in packinghouses and meat packing plants.

- Lack of understanding that PPE protects others, not just the person wearing it.
- If a farmworker needs to stay home to quarantine, or to care for family members who are infected, there needs to be assurance that they can return to work when they (or the cared-for family member) have recovered.
- Growers should be staggering work shift and lunch breaks for social distancing. Some employers are not following guidelines/directives.
- For H2A workers, the work-site, (multi-occupant) home, and transportation are all provided by the employer. Greater risk of spreading the virus.
- The moratorium on evictions expires next Friday. CRLA is expecting more legal cases involving evictions.
- Schools closed due to pandemic, but often there is no stable internet at home for school work. Farmworker parents often do not have needed skills for home schooling. No access for students with special educational needs.
- CRLA is helping with access to unemployment insurance.
- Farmworkers often don't know about their sick leave rights.
- Workers need information about where and how to connect with medical providers/ testing facilities.
- It's difficult to wait two weeks for test results, not knowing if they are contagious.
- Public Health Department, Cal/OSHA, and CBOs are working together in a coalition, to enforce farmworker rights at state and federal levels, and to overcome fear of retaliation.
- Need better transparency and clarity in other counties, modeled on Monterey County. Also at state and federal levels.

(2) Lideres Campesinas

Presented by A. Irene de Barraicua, Public Relations Communications Manager

This presentation is included in **Appendix G**.

- Lideres Campesinas is a network of women leaders for economic, social, and political change, from Napa/Sonoma to Coachella. Suguet Lopez is the Executive Director.
- Traditional issues they deal with include environment, labor conditions, domestic violence, civic engagement, and uplifting the voices of women. They have been working on making sure everyone is counted in the census, on contaminated water issues, and on pesticide exposure.
- They participate in town hall meetings for farmworkers, and reach out to farm workers in the fields, to discuss COVID-19 – both collecting and distributing information.

- Topics they hear a lot include how to prevent illness and injury, and the need for sufficient water, rest, shade, food, and sanitation.
- Department of Homeland Security designated farmworkers as essential, but Covid-19 guidelines are not being followed. Needs to be a regulation and enforced, not just a guideline.
- Lideres Campesinas is seeing an increased interest in farmworkers, because of concerns over the stability of the state's food supply, the financial health of the agricultural industry, and of local economies based on agriculture.
- One example of this increased interest is the July 21, 2020 episode of TV's **Frontline**, called *Covid's Hidden Toll*, see <https://www.pbs.org/wgbh/frontline/film/covids-hidden-toll/>
- Lideres Campesinas has a You Tube video about farmworkers and COVID-19, including farmworker testimonials that were also given to Governor Newsom.
- Farmworkers have always been essential to the welfare of our state and our economy. COVID-19 is increasing awareness of that.
- Inaccessibility of healthcare, and lack of health knowledge, among farmworkers. Farmworkers have no previous interaction with, or built-up trust with, healthcare workers. Many have undiagnosed pre-existing conditions.
- UFW, Dolores Huerta Foundation, and others are helping with rural food needs. Farmworkers are also volunteering to help with food and mask distribution.
- PPE donated by CBOs, to make up for lack of availability from state. 140,000 masks have been donated and distributed.
- Take It to the Fields initiative: backpack doctors and other healthcare professionals are ready and available for outreach to the fields. They bring COVID-19 tests to the farmworkers, who can't get to established testing facilities. Reassuring farmworkers that being tested won't put them in debt.
- Ventura County backpack doctor program is called Cultivating Health in Agriculture.
- Employers, employees, healthcare workers, attorneys, and advocates are forming agricultural advisory coalitions, especially in Monterey, Ventura, and Sonoma Counties. These coalitions are working together to break-down barriers to information and healthcare access, and directing farmworkers to resources

(3) Centro Binacional para el Desarrollo Indígena Oaxaqueño (CBDIO)

Presented by Oralia Maceda, co-Executive Director

- CBDIO has been in existence for 27 years, helping indigenous communities, and directing indigenous farmworkers to available resources.
- Their center is in Fresno, and they are also operating in Kern, Tulare, southern Monterey County, etc.
- Staff at their center speak several common indigenous languages.
- CBDIO conducted an analysis of community needs, at the start of the pandemic.
- Many farmworkers have only basic telephone service, and lack access to smart phones and internet, to obtain information.
- CBDIO is using text messages and WhatsApp to provide information. They are also broadcasting information on Mixteco Hour in Fresno.
- They are collaborating with town committees, who then spread information to the rest of their community by phone and other methods.
- COVID-19 information provided by CBDIO is reaching indigenous communities as far away as Washington, Oregon, Florida, and Nebraska, as well as in California.
- Federal budget cuts to Medicare and to food services have a strong impact on indigenous communities.
- Teachers at online virtual schools don't speak indigenous languages.
- Programs for children and immigrants have changed due to COVID-19.
- \$2 million has been distributed among indigenous populations in seven counties, who are not eligible for unemployment insurance payments and stimulus funds.
- Access to this money is often by internet or phone. Applicants are required to send proof of eligibility via text message. Indigenous communities often lack access to these technologies. CBDIO has been helping applicants to send this proof of eligibility via text messages.
- CBDIO is working with other organizations, and with mayors in rural communities, to reach the indigenous community in their languages. Also collaborating with speakers of other, non-indigenous languages.
- Lack of financial resources is the biggest obstacle to spreading information about COVID-19, legal rights, and available resources, into indigenous communities. Lack of finances is also an issue for indigenous populations to access these resources.
- CBDIO does outreach to workers in fields about how to use PPE, replacing masks that break while working, and using cloth (not paper) masks.
- One major challenge is developing the right strategies to spread the right information to the right people in the most effective way.

- CBDIO is advocating for universal medical insurance, better wages, and better treatment for all farmworkers. These are essential workers and have dignity and rights.
- Farmworkers who were exposed to COVID-19 or who test positive, need to be able to isolate without loss of pay, loss of jobs, or threat of deportation.

(4) Mixteco/Indígena Community Organizing Project (MICOP)

Presented by Arcenio Lopez, Executive Director

This presentation is included in **Appendix H**.

- MICOP provides information about COVID-19 on Radio Indígena, 94.1 FM.
- They are also using Facebook, WhatsApp, and videos to get information out to the community in indigenous languages.
- MICOP has reached 2.7 million people to inform them about stimulus checks, and about the 80 hours of paid leave time.
- Statistics: 50,000 indigenous population. 60% of them are essential workers in agriculture, but they don't have essential benefits.
- In the second week of June, positive test results for COVID-19 increased in Santa Barbara and Ventura counties.
- In many indigenous customs and culture, families are close and enjoy many parties (celebrations); they are not used to social distancing.
- Ignorance of the COVID-19 situation. Many lack access to information due to socio-economic factors.
- 77,000 people in Ventura County and 84,000 in Santa Barbara County have no health insurance.
- MICOP agency has transitioned to virtual only (offices are closed).
- Most of the current MICOP workload is either requests for latest COVID-19 information, or reports about violations of COVID-19 guidelines.
- MICOP is helping with distribution of food to the quarantined (exposed to the virus) and the isolated (tested positive and contagious).
- Currently there is no one central place to obtain all relevant information about all pandemic-related topics.
- No one agency is in charge of statewide enforcement of rules and guidelines around COVID-19.
- Labor laws and their enforcement are not the same before and after the start of the pandemic.

- Undocumented workers have higher rates of infection. They also fear retaliation (pay cuts, job loss, or deportation) for taking sick days, or for reporting violations of COVID-19 guidelines.
- There are not enough local resources for Contact tracing.
- Farmworkers don't feel safe sharing information that could be vital to stopping the spread of this virus. Farmworkers don't trust that they won't be fired or deported.
- Fear of stigma and blame over how friends, family, employers, and coworkers view those who are COVID-19 positive.
- For political and economic reasons, there hasn't been much honest public conversation about the virus and what it means.
- Farmworkers often don't understand what this pandemic means, how it affects them, and why gathering information from them is important. Also, there are language barriers preventing this type of two-way communication.
- Many farmworkers are not using available resources, and not quarantining, for fear of retaliation; they might be fired for seeking help or asking questions, or they might not be rehired when they recover.
- Fear of being blamed by coworkers, if their employer shuts down the entire operation for two weeks because one or more employees are sick.

E. Comments

Board Chair Hassid: Are farmworkers being reassured that they can trust Contact Tracers? For example, they will never be asked for immigration status or Social Security number.

Arcenio Lopez (MICOP):

- Fresno County is collaborating with local health departments on contact tracing.
- Staff of CBOs will be helping with contact tracing. Farmworkers and indigenous populations already have established relationships with CBOs, so there is more trust to give information to these organizations, than to a government agency.
- In one community, contact tracing is done by the local sheriff's department. There is no trust that the community can give information to the sheriff without being deported.
- Collaboration of multiple agencies and communities is essential, to stop the spread of the virus.
- MICOP is currently consulting with the Governor to establish a community-based (not governmental) contact tracing model that other states might also follow.
- Farmworkers themselves can also serve as contact tracers. They share community, culture, language, and trust with those who are being

interviewed. Limitation is that you must be a U.S. citizen to serve as a contact tracer.

- UC Davis is working to set-up rapid-turnaround testing of farmworkers for COVID-19, and more community-based contact tracing.

Irene de Barraicua: Growers sometimes shut down an entire operation when there is an outbreak. Farmworkers will not report being sick, so they aren't blamed for the shutdown that causes other workers to lose pay.

Arcenio Lopez: The 80-hour paid leave to quarantine, should not be counted against the time when farmworkers are considered to be a public charge. Farmworkers want to keep it confidential when they test positive, for fear of being fired, or not rehired after a two-week quarantine.

- There needs to be more broadcasting of informative Public Service Announcements (PSAs) about the rights of farmworkers and immigrants. Also on Facebook Live.
- There needs to be more training at work sites, about COVID-19, workers' rights, and immigrant rights. Training needs to be in the language of the worker.
- Need to overcome discrimination, racism, and language barriers that prevent supervisors from distributing vital information to indigenous farmworkers. Information is usually only in English and Spanish.

Board Member Flores: How effective are Facebook, web sites, and WhatsApp in reaching indigenous farmworkers?

Oralia Maceda:

- Community-Based Organizations (CBOs) have conducted outreach and analysis on this topic.
- Low-income farmworkers often don't have access to internet and cell phone applications.
- Many farmworkers have state-provided cell phones with only limited tools, such as the ability to call a doctor.
- Most have no email service – to obtain emails about COVID-19 or to obtain school-closure information and homework assignments for their children.
- CBOs have been conducting surveys by telephone, in indigenous languages. This is the only way to reach some farmworkers.

Board Member Broad: what types of masks are growers providing to farmworkers? He commented that N-95 is the most effective, and bandanas are the least effective, and that the type of mask is even more important in cases where the specific agricultural environment requires working less than 6 feet apart.

Estella Cisneros and Arcenio Lopez:

- Most growers are either providing no masks, or providing disposable paper masks. Some growers provide cloth masks; few, if any, provide N-95 masks.
- Washing stations are inadequate, and many restrooms are not clean. Many employers improve these conditions only when an employee issues a formal complaint to a government agency, such as Cal/OSHA.
- Another path to improvement is when a routine Cal/OSHA inspection results in a complaint filed to a local public health department.
- There is not enough inter-agency cooperation and coordination. State and federal coordination especially needs improvement.
- Referral to other agencies, when an issue is outside the agency's area of responsibility. These types of referrals have been made a priority in allocating funds in Governor Newsom's Fiscal Year 2020-21 budget.

Board Member Lightstone: What tools are recommended for government agencies (such as ALRB) to use, for the most effective outreach to farmworkers who have no smart phone?

Estella Cisneros:

- COVID-19 has forced a shift from in-person outreach at community events and health fairs. Now have to limit gatherings to small groups.
- Suggestions include:
 - Holding events outdoors, while using social distancing.
 - More use of TV and radio to air short spots about specific topics.
 - Using WhatsApp to reach H2A workers.
 - Leaflets and flyers placed at doctors' offices, stores, and other places where farmworkers are most likely to see them.
 - Maintain accessibility of agency offices to farmworkers.
- Census-takers are also handing-out COVID-19 information while collecting census data.

- Since July, CBOs have been working with Univision to produce one-minute informative videos about COVID-19 and related issues, in Spanish and in multiple indigenous languages. These spots air at various times throughout the afternoon and evening, when indigenous workers are most likely to be at home.
- Discussions are currently in progress with Telemundo, to replicate what is already being done with Univision.

Board Member Lightstone: Are farmworkers facing reduced work hours, and a shift away from being paid a piece rate, due to the COVID-19 pandemic?

Estella Cisneros: No, this hasn't been seen much.

Executive Secretary Avila-Gomez: We have a question from the online chat. What is CRLA using to hold employers accountable, and with what results? For example causes of action, type of claims, strategies, or approaches. Also, who has been your most meaningful enforcement arm among state regulators?

Estella Cisneros:

- Filing complaints with Cal/OSHA, local health departments, county agriculture commissioners, and the labor commissioner.
- At El Centro office, the local courthouse was still processing evictions, despite the statewide moratorium on evictions. CRLA worked with the court to ensure that they follow the new law.
- Issues about wages, health insurance, paid sick leave, unemployment, and referrals to clinics, educational services, and other services.
- Enforcement with employers who are not following new laws around COVID-19.
- CRLA is a law firm, but has not been involved in any new litigations around COVID-19 yet.
- Assisting families with housing and education issues, impact of COVID-19 on availability of direct services.

Annamarie Argumedo, ALRB staff: Years ago, I was a third-generation farmworker. Traditional issues that my parents, my grandparents, and I faced included lack of clean water, lack of clean restrooms, inadequate housing and schools, and lack of shady areas to eat meals without the sun beating down on them. Will this pandemic force a government mandate to fix these long-standing issues?

Ralph Lightstone and Estella Cisneros:

- Cal/OSHA water and shade standards are now mandatory and enforceable.
- Current COVID-19 rules from CDC are guidelines, not laws.
- Multiple agencies, at state, county, and municipal levels issue COVID-19 guidelines, and these guidelines are sometimes contradictory.
- Employers follow the guidelines only as much as they align with their existing Illness and Injury Prevention Plan (IIPP).

*Additional comments received via Zoom Chat are included in **Appendix I**.*

13. Announcements

- No public meeting will be held in September. However, the Board may meet on any day during the month to consider closed session items or to complete closed session deliberations begun at a previously noticed meeting. In addition, the Board may meet on any business day during the month where an emergency exists as defined by Government Code section 11125.5 or where other specific provisions of law require the Board to take immediate action.
- Public Board Meetings will be held in October and December, 2020. Dates and times to be determined.
- An ALRB Regional Director's Meeting will be held in October, 2020. Date and time to be determined.

14. Meeting adjourned at 2:20 p.m.

APPENDIX A:
EXECUTIVE SECRETARY'S REPORT

AGRICULTURAL LABOR RELATIONS BOARD
OFFICE OF THE EXECUTIVE SECRETARY
1325 J STREET, SUITE 1900
SACRAMENTO, CA 95814-2944
(916) 653-3699
FAX (916) 653-8750
Internet: www.alrb.ca.gov



ALRB PUBLIC MEETING EXECUTIVE OFFICER'S REPORT ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, AND HEARINGS

DATE: August 11, 2020
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Since the Board's last public meeting on June 23, 2020, the following has occurred.

A. ELECTIONS: NOTICES OF INTENT TO TAKE ACCESS (NA)

One notice of intent to take access (NA) was filed:

1. On July 20, 2020, an NA was filed by United Food & Commercial Workers Union, Local 324 at Seven Points Management, Inc. dba Walnut LLC in Long Beach, CA—a cannabis industry employer.

Case Name: Seven Points Management, Inc. dba Walnut LLC

Case Number: 2020-NA-001-SAL

Labor Organization: United Food & Commercial Workers Union Local 324

B. ELECTIONS: NOTICES OF INTENT TO ORGANIZE (NO)

No notices of intent to organize (NO's) were filed.

C. ELECTIONS: PETITIONS

No petitions for certification or decertification were filed.

D. COMPLAINTS

The General Counsel filed one complaint:

1. Chapala Berry Farms, Inc., Case No. 2018-CE-049-SAL, filed July 2, 2020 (raspberries; Santa Cruz County, California).

E. POST-COMPLAINT SETTLEMENTS

Parties settled one post-complaint matter prior to hearing:

1. *Pacific Fresh Produce, Inc.*, Case No. 2018-CE-009-SAL. The parties have entered into an informal bilateral settlement agreement (Notice to Take Hearing Off Calendar filed on July 30, 2020).

F. HEARINGS

No in-person or virtual hearings were held.

G. ALJ DECISIONS ISSUED

No ALJ decisions were issued.

H. BOARD DECISIONS

No Board Decisions were issued.

I. BOARD ADMINISTRATIVE ORDERS

No Board Administrative Orders were issued.

J. CASES PENDING BOARD DECISION OR ACTION

1. *Rincon Pacific, LLC*, Case No. 2014-CE-044-SAL, briefing completed on February 21, 2020; pending Board Decision.
2. *Smith Packing, Inc.*, Case No. 2018-CE-048-SAL, briefing completed June 15, 2020; pending Board Decision.
3. *United Farm Workers (Flores Ramirez)*, Case No. 2019-CL-005-SAL et al., briefing completed on July 17, 2020; pending Board Administrative Order.

APPENDIX B:
LITIGATION REPORT

AGRICULTURAL LABOR RELATIONS BOARD
OFFICE OF THE EXECUTIVE SECRETARY
1325 J STREET, SUITE 1900
SACRAMENTO, CA 95814-2944
(916) 653-3741
FAX (916) 653-8750
Internet: www.alrb.ca.gov



ALRB PUBLIC MEETING LITIGATION REPORT

DATE: August 10, 2020
TO: Agricultural Labor Relations Board
FROM: Todd M. Ratshin, Chief Board Counsel

This report discusses updates and developments that have occurred in litigation matters involving the Board since its June 23, 2020 meeting.

Petitions for Writ of Review of Unfair Labor Practice Decisions

California Appellate Courts

► ***Wonderful Orchards, LLC v. ALRB*, Fifth District Court of Appeal, [Case No. F081172](#)**

Summary: Petition for writ of review of the Board's decision in 46 ALRB No. 2, in which the Board found the employer unlawfully terminated a group of employees for engaging in protected concerted activity.

Status: Wonderful filed its opening brief on July 17. The Board's respondent's brief is due August 21. Wonderful's reply brief will be due 25 days after the Board's brief is filed.

► ***United Farm Workers of America v. ALRB*, Fifth District Court of Appeal, [Case No. F080469](#)**

Summary: Petition for writ of review of the Board's decisions in 45 ALRB Nos. 8 and 4, in which the Board found the United Farm Workers of America unlawfully threatened to picket Gerawan Farming, Inc. if it did not recognize and bargain with the union, which had been decertified as the employees' bargaining representative in the Board's decision in 44 ALRB No. 10.

Status: The UFW filed its opening brief on July 7. On July 23, the court approved a stipulated extension of time so that the Board's respondent's brief and Gerawan's opposition brief are due October 9. The UFW's reply brief will be due 25 days after the Board's and Gerawan's briefs are filed.

► ***P & M Vanderpoel Dairy v. ALRB*, Fifth District Court of Appeal, [Case No. F077513](#)**

Summary: Petition for writ of review of the Board's decision in 44 ALRB No. 4, involving an award of backpay to an unlawfully terminated employee.

Status: On May 8, the court issued an unpublished opinion affirming the Board's decision. No petition for review was filed in the California Supreme Court, and the appellate court issued its remittitur on July 8, 2020. This litigation now is final.

► ***Gerawan Farming, Inc.*, Fifth District Court of Appeal, [Case No. F077033](#)**

Summary: Petition for writ of review of the Board's decision in 44 ALRB No. 1, in which the Board found that Gerawan committed unfair labor practices by engaging in surface bargaining with the United Farm Workers of America and by insisting on the exclusion of workers employed by farm labor contractors from the terms of a collective bargaining agreement.

Status: The court issued an opinion on July 15, affirming the Board's unfair labor practice findings and bargaining makewhole remedy. (*Gerawan Farming, Inc. v. ALRB* (2020) 52 Cal.App.5th 141.) The opinion becomes final on August 14, and any petition for review in the California Supreme Court is due August 24.

Other Board Litigation

United States Supreme Court

► ***Cedar Point Nursery and Fowler Packing Co., Inc. v. Hassid, et al.*, U.S. Supreme Court, [Case No. 20-107](#)**

Summary: The growers seek review of the Ninth Circuit's opinion rejecting their argument the Board's access regulation (Cal. Code Regs., tit. 8, § 20900) violates the Fifth Amendment's Takings Clause. (*Cedar Point Nursery v. Shiroma* (9th Cir. 2019) 923 F.3d 524; see also *Cedar Point Nursery v. Shiroma* (9th Cir. 2020) 956 F.3d 1152 [order denying petition for rehearing en banc].)

Status: The growers filed a petition for writ of certiorari in the United States Supreme Court on July 29, 2020. On August 6, the growers filed a blanket consent to the filing of amicus briefs. The Board's response to the petition is due September 2.

APPENDIX C:
GENERAL COUNSEL REPORT

General Counsel (GC) report to Board – 8/11/2020 Public Board meeting

Outreach

Working on a coordinated project to develop more effective and strategic outreach and referrals to farmworkers with Labor and Workforce Development Agency (LWDA) and other departments, including Department of Industrial Relations (DIR), Cal-OSHA, and Employment Development Department (EDD).

Developing materials for farmworkers re. COVID 19-related resources such as right to sick leave, health and safety, disability, and Unemployment Insurance (UI) benefits. Working with other labor departments to assist with content to farmworkers and Indigenous language speakers.

Developing strategies for outreach to farmworkers through remote platforms – videos for social media.

Radio and TV interviews and presentations ongoing: Radio Bilingue, Univision, Radio Indigena through Facebook Live and others – in Spanish and Mixteco.

Hiring staff to assist with outreach, referral and coordination with sister labor depts.

Staff participating on a variety of regional and statewide task forces including Central Valley Task Force to address farmworker needs re. COVID.

Office operations

Regional offices are open (except Santa Rosa). We are staffing the offices on a rotating basis and meeting with workers. We will have our regional staff attend training on how to conduct work safely (masks, social distancing, etc.) when meeting with others in the field.

Santa Rosa office is open to the public by appointment only; farmworkers can also contact Santa Rosa staff by phone.

Positions

In addition to outreach positions (two outreach specialists and one manager), we have a Field Examiner II and attorney position open in Visalia. Open positions are posted on the ALRB web site.

Settlements

Milker working at Verwey Farms Dairy in Kings County alleged that he and five other workers were terminated after engaging in a work stoppage following their complaints about overtime pay and discrepancies in their paychecks. The General Counsel investigated, found reasonable cause that a violation of the Act occurred, and filed a complaint. The case settled prior to hearing for backpay in the amount of \$77,139 for the six workers, reading, posting and mailing (noticing of violation) and supervisor training.

Workers at Mattera Farming, a Pistachio farming company in Kern County, claimed that they were fired for complaining to foreman about not evenly applying a company policy about aiding employees to complete their work. The case settled pre-complaint and the Company has agreed to pay \$20,930 to the two workers, which includes backpay and frontpay, as well as reading and noticing to employees.

A worker harvesting and bunching herbs and vegetables for Pacific Fresh Produce in Oxnard alleged that he and wife complained about not being paid as promised, and that the company retaliated against them by assigning them undesirable work, issuing warnings, and terminating the worker. GC investigated, found reasonable cause that an unfair labor practice occurred, and issued a complaint. Hearing was scheduled to start today, but the case settled on July 27 for \$27,000 in economic losses paid to the two workers, reading and noticing to employees at the company and at the Farm Labor Contractor (FLC), and posting.

APPENDIX D:
ADMINISTRATIVE SERVICES REPORT

Administrative Services Division Update for August 11, 2020 Public Board Meeting

- FY 2019-20 ALRB Year-End Financial Statements were submitted to SCO on July 29, 2020
- For FY 2019-20 ALRB's \$11.3 million budget closed with a \$755k surplus
- Surplus was a direct result of Current Year Expenditure Reduction Budget Letter 20-11 Issued by the Department of Finance on April 30, 2020.
- Department of Finance announced a forthcoming Budget Letter will be released requiring all Departments to implement a 5% reduction in Operating Expenses for FY 2020-21
- ALRB received 3 Year Limited Term funding in a Budget Change Proposal effective July 1, 2020 in the amount of \$1,051,000. With this funding ALRB has posted recruitments for 2 Training and Community Engagement Specialists (Visalia and Salinas) at the AGPA level and 1.0 SSM I position to serve as the Outreach Program Manager and Communication Director.

APPENDIX E:
COVID-19 FARMWORKER STUDY

California Institute for Rural Studies (CIRS)



FARMWORKER STUDY

Photo credit: Hector Amezcua, CAES, UC Davis



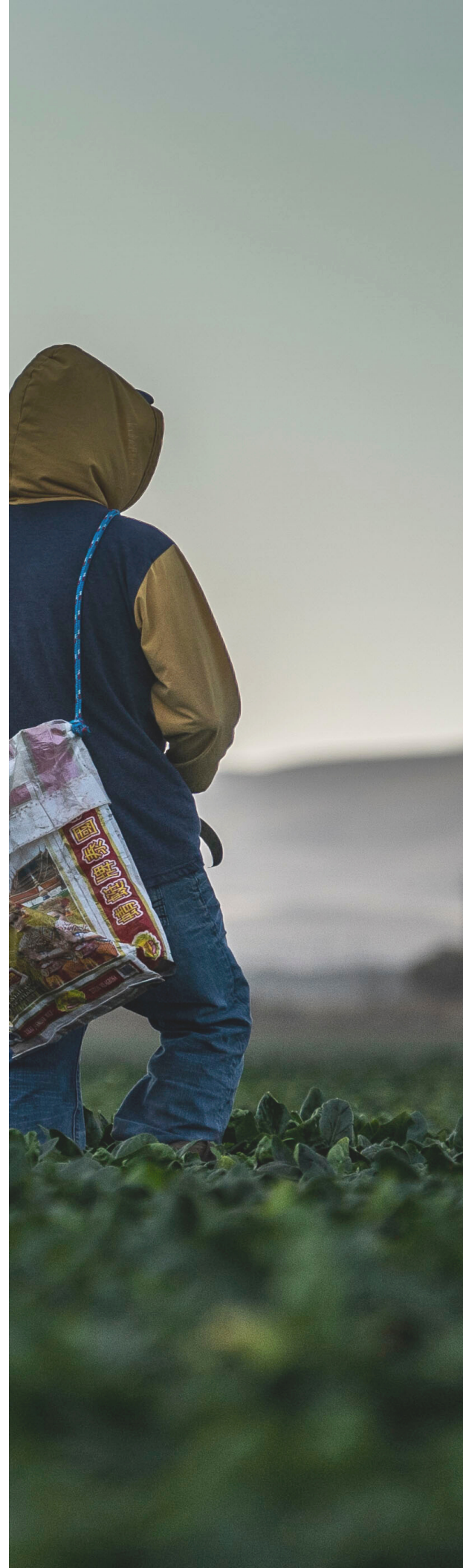
COFS

Covid-19 Farmworker Study

The COVID-19 Farmworker Study (COFS) will provide critical missing information on farmworkers' abilities to protect themselves and their families during the COVID-19 pandemic. The study brings together a collective of farmworker organizations, researchers and advocates to reveal information that can only be gathered directly from farmworkers who have been working during the COVID-19 pandemic.

We are using two research tools, a phone-based quantitative survey and an in-depth interview, to bring the voices of farmworkers into the public conversation about how to respond to the pandemic. COFS is also a tool for funneling resources (in the form of study funds) to farmworker organizations and to workers themselves.

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Survey Partners

This project is being developed by a broad coalition of researchers and farmworker organizers from across California, Oregon and Washington.



CALIFORNIA | ALIANZA ECOLOGISTA



CALIFORNIA | ALIANZA NACIONAL DE
CAMPELINAS



CALIFORNIA | CALIFORNIA INSTITUTE FOR
RURAL STUDIES



CALIFORNIA | CENTRAL CALIFORNIA
ENVIRONMENTAL JUSTICE NETWORK



CALIFORNIA | CENTRO BINACIONAL
PARA EL DESARROLLO INDÍGENA
OAXAQUEÑO



CALIFORNIA | COMITÉ CIVICO DEL VALLE

Survey Partners



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CALIFORNIA | THE FARMWORKER
CARE COALITION



CALIFORNIA | LIDERES CAMPESINAS



CALIFORNIA | THE WESTERN CENTER
FOR AG WORKER HEALTH AND SAFETY

AND A WIDE RANGE OF RESEARCHERS AND PARTNERS:

Dvera Saxton
Bonnie Bade
Don Villarejo
Rick Mines
Gail Wadsworth

Sarah Ramirez
Eric DeLeon
Joel Diringer
Susana Matias
Sara Blanco

Mily Treviño Saucedo
Noe Paramo
Lupe Martinez
Michelle Colato-Ochoa

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11th Hour Project

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VALLEY
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Agricultural Health and Safety**



FARMWORKER STUDY

July 2020 Preliminary Data COVID-19 Farmworker Study (COFS)

California employs an estimated 800,000 farmworkers. Most work at seasonal jobs—rarely holding full-time, year-round work—and earn an average annual income of less than \$18,000. An estimated 90% of California farmworkers were born in Mexico and approximately 60% are unauthorized to work in the United States. While all essential workers put themselves at risk when they show up for work during the COVID-19 pandemic, farmworkers face additional risks because they lack critical social safety net support afforded to other members of society.

The COVID-19 Farmworker Study highlights how the current pandemic has exacerbated existing vulnerabilities farmworker communities endure in their living, working, and health conditions. California's farmworkers need us now more than ever to identify disparities and risks and allocate resources to keep them, their families, and our communities healthy so they are able to continue their frontline work.

Farmworkers experience dramatic loss of work and income during the COVID-19 pandemic.

- **Data:** Nearly half of the survey respondents (46%) reported decreased farm work time and subsequent income losses during the pandemic.
- **Recommendation:** Provide expanded income and safety net support for farmworkers, regardless of documentation status.

Farmworkers lack healthcare access and experience fear using medical services.

- **Data:** Slightly more than half (54%) reported costs, lack of insurance, and or lack of sick leave as significant barriers that would prevent them from accessing healthcare even if they were ill.
- **Recommendation:** Expand health care access and coverage for farmworkers and other undocumented workers, including prioritized access to free COVID-19 testing.

Farmworkers are vigilant about COVID-19 prevention practices outside of the workplace.

- **Data:** Nearly all workers (90%) reported taking precautions to protect their families when they arrive home from work
- **Recommendation:** Provide extensive, culturally-relevant training and education to agricultural employers, supervisors, farmworkers (provided in indigenous languages) and trusted community-based organizations on workplace safety practices during COVID-19.

Farmworkers report low numbers of employers providing masks and face coverings.

- **Data:** Farmworkers reported that only 54% of worksites provided face-coverings.
- **Recommendation:** Ease the barriers for farmworkers to report COVID-19 related complaints and simplify access to support service; Mandate reporting and timely public release of data on COVID-19 cases by occupation and industry by both employers and county public health officials.

Farmworkers have valuable suggestions to improve workplace COVID-19 prevention efforts.

- **Data:** Farmworkers noted many opportunities for employers to improve workplace conditions for COVID-19 prevention.
- **Recommendation:** Strengthen Cal/OSHA enforcement & worksite auditing activities.
- **Involve workers in the development and implementation of workplace COVID-19 safety plans.**

Farmworkers are systematically excluded from important safety-net programs.

- **Data:** Farmworkers reported challenges to meet basic needs including the lack of childcare, food insecurity, exclusion from financial assistance programs.
- **Recommendation:** Involve trusted community-based organizations in the design and implementation of expanded safety-net programs for farmworkers, indigenous, and immigrant populations.



PRELIMINARY DATA BRIEF

July 27, 2020

HISTORIC PANDEMIC WORSENS VULNERABILITY OF ESSENTIAL WORKERS WHO FEED US ALL

The COVID-19 Farmworker Study (COFS) provides strong evidence that the current pandemic amplifies existing injustices that have long been endured by California farmworkers. Farmworkers and organizations that work with them have powerful and productive suggestions for improving the safety of workplaces and communities. Preliminary findings from data collected through surveys of farmworkers during the pandemic reveals the following:

1. Farmworkers experience dramatic loss of work and income during the COVID-19 pandemic.
2. Farmworkers lack healthcare access and experience fear using medical services.
3. Farmworkers are vigilant about COVID-19 prevention practices outside of the workplace.
4. Farmworkers report low numbers of employers providing masks and face coverings.
5. Farmworkers have valuable suggestions to improve workplace COVID-19 prevention efforts.
6. Farmworkers are systematically excluded from important safety-net programs, which heightens their vulnerabilities and those of their family members.

Recommendations by the COFS Team for swift policy action based on this critical data can be found at the end of this brief.

Introduction

During the current COVID-19 pandemic, all essential workers put themselves at risk when they show up for work in grocery stores, hospitals, packing houses, and agricultural fields. Farmworkers face additional risks because they lack critical social safety net support afforded to other members of society, despite working in one of the most dangerous industries in the country. The COVID-19 pandemic has exacerbated existing vulnerabilities farmworker communities endure in their living, working, and health conditions, as we describe here.

California employs an estimated 800,000 farmworkers¹. Most work at seasonal jobs—rarely holding full-time, year-round work—and earn an average annual income of less than \$18,000². An estimated 90% of California farmworkers were born in Mexico and approximately 60% are unauthorized to work in the United States³. According to the U.S. Department of Labor’s National Agricultural Worker Survey (NAWS), less than one-third of California crop workers have health insurance. Although there is a striking lack of data about farmworkers who identify as indigenous and who speak indigenous languages from Mexico, there is a large population of these workers in California.

Identifying disparities in risk is important for allocating resources to prevent, identify, and treat COVID-19–related illness for already vulnerable subgroups. The COVID-19 Farmworker Study (COFS) identifies risks for California’s vulnerable farmworker communities. COFS is a collaboration between community organizations and researchers across California, Washington, and Oregon facilitated by the California Institute for Rural Studies. The goal of COFS is to collect critical information about how the COVID-19 pandemic is affecting farmworkers.

Survey Methods

Over 900 phone surveys were conducted with farmworkers throughout California between May 19 and July 20, 2020 by a team of 60 surveyors managed by six community-based organizations with connections to farmworker communities: Alianza Ecologista, Central California Environmental Justice Network, Centro Binacional para el Desarrollo Indígena Oaxaqueña, Comité Cívico del Valle, Lideres Campesinas, and the Farmworker Care Coalition/Vista Community Clinic. Regional survey targets were established based on historic labor demand during the months of May and June⁴. Survey topics included COVID-19 prevention at the workplace, transportation to/from work, housing conditions, access to medical care, and economic difficulties. We report here on both quantitative and qualitative data collected in the survey. Community-based organizations contacted individuals in 21 counties to

¹ Martin PL, Hooker B, Akhtar M, Stockton M. How many workers are employed in California agriculture? *Calif Agric.* 2017;71(1):30–34. doi:10.3733/ca.2016a0011.

² Martin P, Hooker B, Stockton M. Employment and earnings of California farmworkers in 2015. *Calif Agric.* 2017;72(2):107–113. <http://calag.ucanr.edu/Archive/?article=ca.2017a0043>.

³ Carroll D California crop worker characteristics: preliminary 2015–2016 findings from the National Agricultural Workers Survey; 2017. Accessed date: November 26, 2019. <https://gifford.ucdavis.edu/events/>.

⁴ [Agricultural Employment in California](#)

invite them to participate if they worked in agriculture during the pandemic (defined by COFS as starting in California on March 15, 2020). Interviews were conducted in the language preferred by the respondent. Findings are reported using a partial data set cleaned and analyzed as of July 21, 2020; subsequent briefs will be based on the complete dataset.

Through close partnership between community-based organizations and academic and non-academic researchers, this rapid-response farmworker study was designed and launched, with over 900 surveys conducted, and initial data cleaning and analysis completed in three months. Meaningful collaboration between these partners was critical to connect with and give voice to those most affected and will be relevant for translation of findings into action at the local and regional level.

Participant Characteristics

Of the 745 surveyed farmworkers represented by the partial data set used for this data brief, 49% were men and 51% were women. The average median age was 38; 69% are married or in a marriage-like relationship; 65% have children 12 years old or younger. Over 50% of the farmworkers surveyed work in the San Joaquin Valley (Figure 1), which accounts for about 50%

of agricultural production in California and is the region with the largest number of farmworkers statewide. Throughout the state, nearly 60% of farmworkers reported working for a farm labor contractor (Figure 2). Eighteen percent of farmworkers completed the survey in a language indigenous to Mexico (e.g. Zapoteco, Mixteco, Triqui); almost all the remaining surveys (81%) were conducted in Spanish. Although we did not ask survey participants to identify themselves as indigenous, we know that many who responded to the survey in Spanish (particularly the 300 people surveyed by Centro Binacional para el Desarrollo Indígena Oaxaqueña) are likely to identify as indigenous.

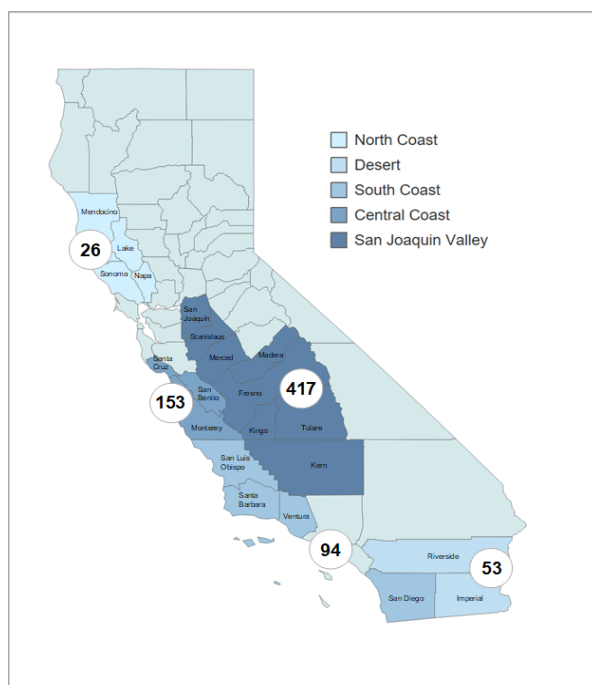


Figure 1. Respondents by Region⁵

⁵ <https://www.labormarketinfo.edd.ca.gov/file/agric/ca-ag-employ-map-2019.pdf>

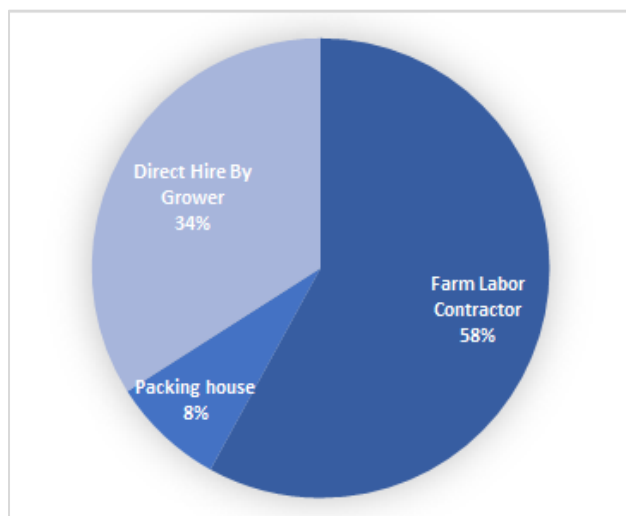


Figure 2. Respondents by Employer type

Key Findings

1. Farmworkers experience dramatic loss of work and income during the COVID-19 pandemic.

Low-income households have been associated with higher cases of COVID-19. Factors such as pre-existing health conditions, crowded living conditions, and exposure to air pollution, have been identified as risk factors that disproportionately affect low-income, disadvantaged populations⁶. COVID-19 has led to unprecedented job losses and has not spared farmworkers in an essential industry. Nearly half of the survey respondents (46%) reported decreased farm work time and subsequent income losses during the pandemic. Of those reporting a decrease or loss of work, 63% provided additional information on the cause. Reported reasons for lost work time included employer-based decisions (e.g. decreased market demand, COVID-19 workplace disinfecting and employee testing) and worker concerns (e.g. lack of childcare and fear of contracting the virus).

Workers who resumed work, even after initial losses of work and income, reported that they continued to experience inconsistencies or reductions in work time and income.

I don't know [why we lost work time], those were foreman decisions. They didn't explain why, but sometimes it was because they didn't need the fruit in the packing house.

Tulare County citrus worker

⁶ Rodriguez-Diaz CE, Guilamo-Ramos V, Mena L, Hall E, Honermann B, Crowley JS, Baral S, Prado GJ, Marzan-Rodriguez M, Beyrer C, Sullivan PS, Millett GA, Risk for COVID-19 infection and death among Latinos in the United States: Examining heterogeneity in transmission dynamics, *Annals of Epidemiology* (2020), doi: <https://doi.org/10.1016/j.annepidem.2020.07.007>

We were told by our employers we would have to wait to work because there are too many workers in one area. This was at the beginning of March through April, but now we are starting to work a few more hours.

Fresno County vineyard worker

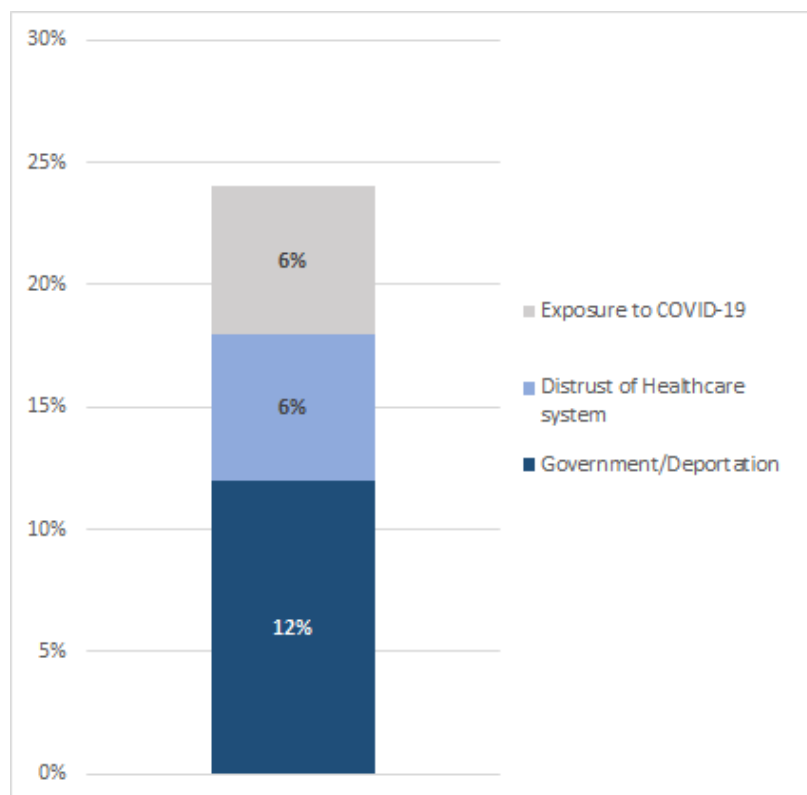
Despite fears around contracting COVID-19, some farmworkers reported having no choice but to continue working.

I stopped working at the beginning of the pandemic for my daughters. They didn't have anyone to take care of them and they didn't have school. I decided to stay home until things calmed down a little. It scared me to go to work because I didn't want my daughters to become infected. I'm returning to work out of necessity.

Tulare County field and packinghouse worker

2. Farmworkers lack healthcare access and experience fear using medical services.

Healthcare access is a critical starting point for responding to COVID-19. Yet, farmworkers report that their access to healthcare continues to be limited due to costs (e.g. loss of work, cost of care, no insurance) and fear of the government and medical systems. Slightly more than half (54%) of respondents reported costs, lack of insurance, and/or lack of sick leave as significant



barriers that would prevent them from accessing healthcare, even if they were ill. Almost one quarter (24%) of respondents mentioned fear as an impediment to seeking care, a problem which preceded and has been exacerbated by the pandemic. A small group of these respondents reported that their fear was related to possible COVID-19 exposure in a healthcare setting, but three times as many respondents attributed their fear to distrust of government agencies and mistrust of the healthcare system (Figure 3).

Figure 3. Fear was a barrier for nearly one-quarter of all respondents

Farmworkers are unlikely to have employer-sponsored insurance, but lack of insurance isn't the only barrier to receiving medical care. A range of federal, state, and healthcare system policies also make access to care unwelcoming and confusing. These barriers are heightened for those who are undocumented and may be more reluctant to seek health care for fear of being discovered and deported. Respondents shared details about how long-standing, structural barriers and systemic failures prevent them from achieving equitable access to healthcare.

I don't have insurance and it's very expensive to get treatment or be hospitalized. I don't have a large amount of income and in case of death by coronavirus the costs would be larger. This is a scary situation.

Coachella Valley farmworker

I would be afraid to go to the hospital with my daughters because I could be blamed for neglect if I didn't take them soon enough. Then, they would separate us and deport us.

Kern County orchard worker

3. Farmworkers are vigilant about COVID-19 prevention practices outside of the workplace.

Nearly all workers (90%) reported that COVID-19 had prompted them to change the ways they protect their families when they arrive home from work (e.g. washing hands, changing clothes, showering).

When I get out of work, I wash my hands. I go pick up my son and I wash my hands (again) and his hands before we get into the car. Once we arrive at home, my son and I remove our shirts, shoes, and socks outside. I put them inside a plastic bag and I wash them separately. Then we take a shower.

Kern County orchard worker

The survey data strongly show that workers are taking additional steps, including physical distancing and isolation practices, to reduce the spread of the virus among their families and community.

Everything changed, we can't go out anywhere, not even family gatherings.

Riverside County farmworker

My son stopped going to school and he's at home all day. I can't visit my family. I can't have a lot of contact with them. For my social life, I can't be out on the streets, at the stores, only the basic necessities. Many places are closed.

Monterey County farmworker

The pandemic impacted this year because none of the children can go to school and the children that graduated weren't able to celebrate. My children can't go outside, go to the park, outside to play because they can't gather together in groups of more than 10 people. This affects their health.

Santa Maria indigenous-language speaking farmworker

4. Farmworkers report low numbers of employers providing masks and face coverings.

While some agricultural employers are making efforts to protect workers, farmworkers reported that only slightly more than half (54%) of worksites provided face-coverings. A significant number (43%) of worksites did not provide face-coverings at all and a smaller number (4%) of worksites provided face coverings on a short-term basis or the masks provided did not meet the needs of the entire workforce (Figure 4). For example, numerous workers reported receiving masks once over several weeks or only once at the beginning of the pandemic, but additional ones had not been provided. This preliminary data brief may not reflect more recent efforts to provide face-coverings to farmworkers. However, this data points out inconsistencies in face-covering provision by employer type and low rates of distribution that deserve focused attention.

They gave masks out, but not enough for 80 people. They were only enough for 10 people.

Madera County Orchard worker

At the beginning they gave us a mask, but as of about a month ago, we haven't received any more.

Ventura County farmworker

Our survey also documented that 95% of farmworkers report wearing face coverings in the workplace, which indicates that workers purchase their own masks and provide their own face coverings.

Where I work, masks are not given out. They tell us that everyone has to take their own. They tell us that if we want to work, we have to have one or else there is no work. Out of necessity to work, we buy them. Sometimes they are not inexpensive or it's hard to find them.

Santa Maria indigenous-speaking farmworker

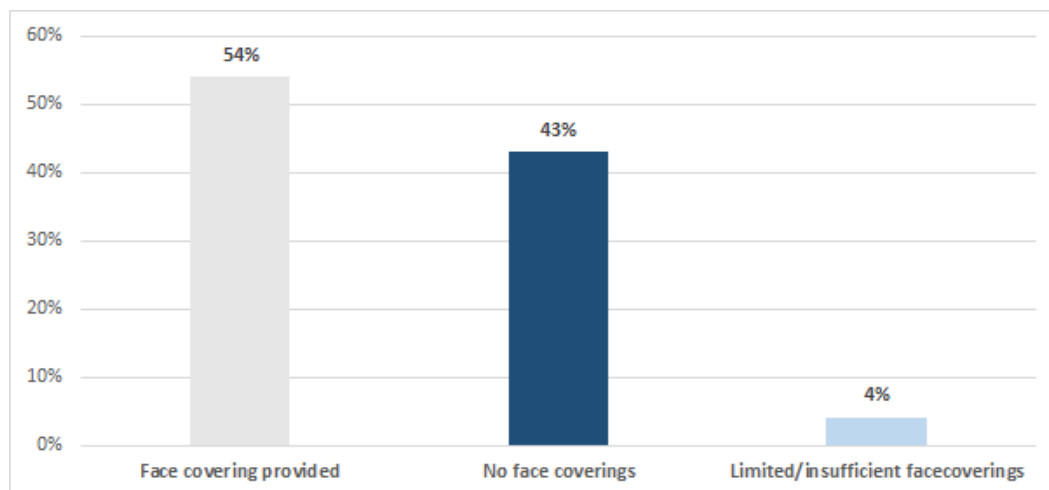


Figure 4. Face covering provision at worksite

Of the three types of employers, farm labor contractors were the least likely to provide these resources (Figure 5).

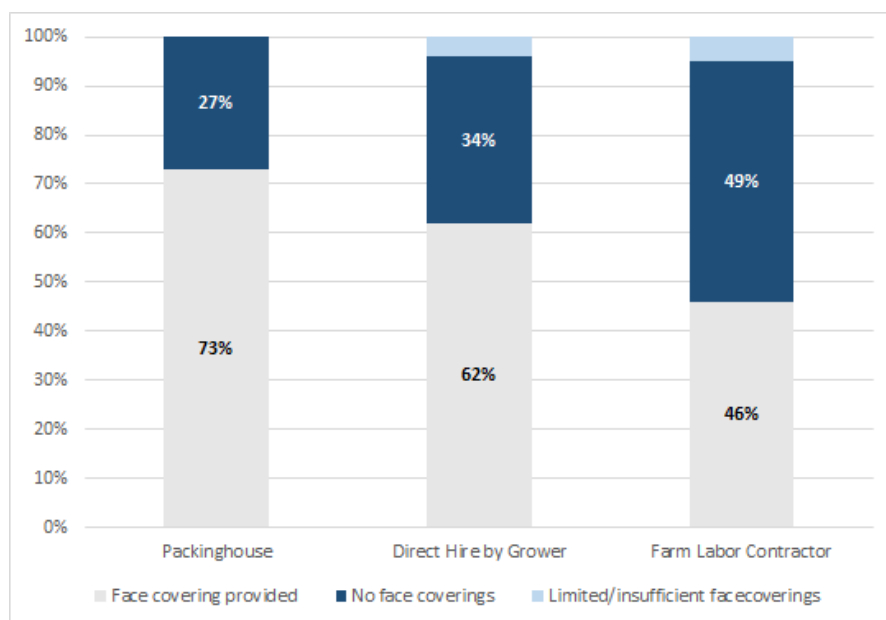


Figure 5. Face covering provision by employer type

5. Farmworkers have valuable suggestions to improve workplace COVID-19 prevention efforts.

Farmworkers suggested many ways that employers could improve workplace conditions for COVID-19 prevention, including improving cleaning and hygiene practices (13%), enforcing compliance of COVID-19 guidelines (18%), improving the workflow to maximize physical

distancing at work (24%), and providing PPE and COVID-19 information (25%) (Figure 6)⁷. The survey also found that farmworkers recognize that workplace safety requires collective effort to implement COVID-19 precautions that they can support with self-monitoring and peer pressure. While the large majority of suggestions were targeted at employer changes, it is clear that farmworkers understand that they also have a role to play in workplace safety. Thirty percent of respondents noted that their co-workers could improve their adherence to COVID-19 precautions. One third of respondents reported that their employers were taking all necessary precautions to prevent COVID-19 spread at work, or chose not to share recommendations.

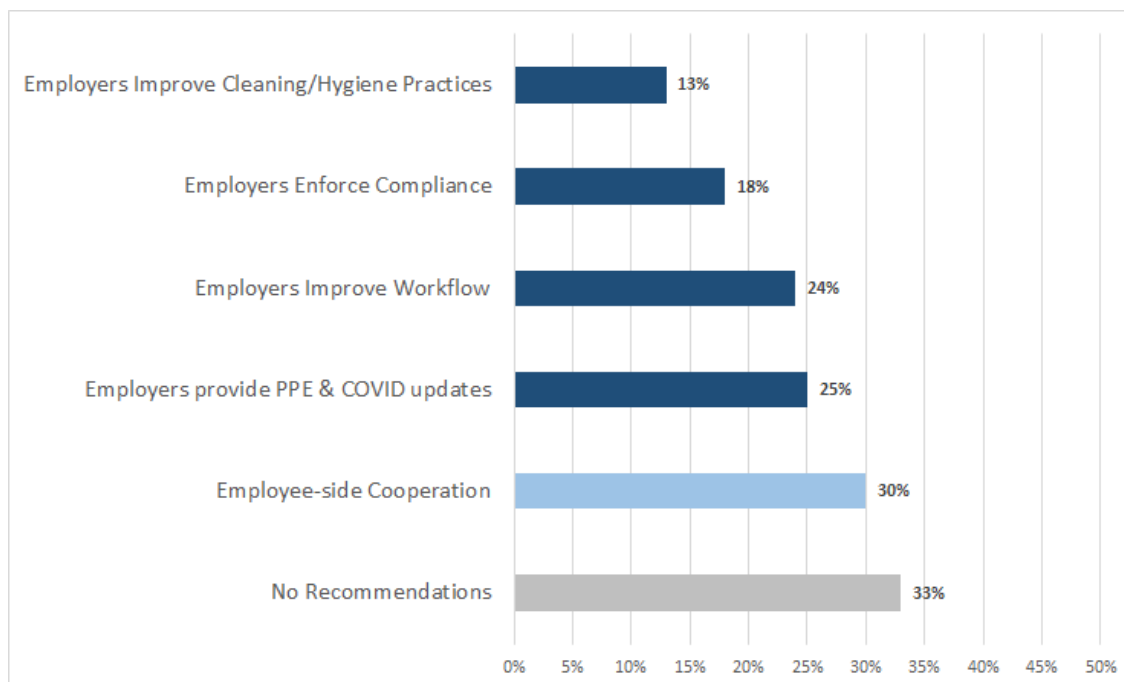


Figure 6. Farmworker workplace safety recommendations

Farmworkers shared experiences from worksites that were implementing promising safety practices which could be replicated at other sites.

When we empty the blueberry bins, someone is putting disinfectant on our hands. There is also a white streak that they put [on the ground] and we have to wait before we empty the bins since we can't crowd around like before. Another thing they do is that before going to work they take our temperature and if it is 2 or 3 degrees higher they no longer allow the person to enter work. As a precaution to other workers. The contractor tells us that if we feel bad that we better stay home because if we get to the job site they will

⁷ Several open-ended questions asked workers about COVID-19 precautions for the worksite. These questions included: "What changes can take place at work to ensure physical distancing?" "What safety measures can be made at your worksite?" "What other comments would you like to share about your worksite." The data from these three questions were combined and coded to create this chart. Of the 745 workers, 499 of them provided a total of 831 recommendations.

take our temperature and they will not let us into work. There is a lot of caution now at work.

Kern County farmworker

At work every day they talk with us about taking precautions against coronavirus. They remind us that if we feel sick or we have a fever we should stay home for a week. We have two shade shelters to prevent crowding, we work in separate rows so we can keep our distance. We have to wash our hands every time we exit and enter from a break, we take 4 breaks, we also have to wash our hands when we enter and exit the bathroom.

Tulare County farmworker

6. Farmworkers are systematically excluded from important safety-net programs, which heightens their vulnerabilities and those of their family members.

Farmworkers reported a range of challenges in their ability to meet basic needs including the lack of childcare, food insecurity, and exclusion from financial assistance programs.

The pandemic has made big impacts because our children aren't going to school and they are missing a lot. We have to buy more food and we don't receive any programs because we are undocumented and we don't qualify. Even with the State help, not all of us qualify... I'm undocumented, I don't qualify for any help, and I have a family that does need help, that worries me.

Santa Maria indigenous-speaking farmworker

We were out of work for two months and we were evicted and had to find another place to live. We visit churches to also receive food from some organizations. It's worrisome to have children studying at home because they can get behind and the cost of childcare has increased too.

San Joaquin County orchard worker

Recent analyses have documented that the farm workforce is aging⁸. While financial hardship is pervasive among Latino seniors, elder farmworkers are more likely to have limited English and have double the risk of chronic conditions. Moreover, undocumented seniors are ineligible

⁸ Marcelo Castillo and Skyler Simnitt, [Farm Labor](https://www.ers.usda.gov/topics/farm-economy/farm-labor/), USDA, Economic Research Service, April 2020
<https://www.ers.usda.gov/topics/farm-economy/farm-labor/>

for Social Security benefits which doubles their likelihood to live in poverty or make them reliant on day-to-day earnings⁹. The pandemic increased this vulnerability for these elder workers.

I want them to create a program that helps people over 60 since they do not receive any economic support in situations like this. Many people my age don't have the requirements to receive support from the federal government even in retirement. This pandemic has hurt my life a lot because I'm in debt with necessary expenses when I lost work time for 40 days.

Madera County grape & nut farmworker

Conclusion and Recommendations for Action

COFS data reveals that farmworkers are experiencing significant negative impacts from COVID-19 and that these impacts exacerbate long-standing vulnerabilities of this essential workforce. Farmworkers deserve support as they weather the challenges of the COVID-19 pandemic, including reduced employment hours, job loss, difficulty self-quarantining, bearing the burden of providing their own face-coverings, and the hardship of caring for family members who are ill or out of school. These supports should include direct payments, unemployment insurance, food assistance, housing support for COVID-19 isolation, counseling and other social services. Additionally, COFS proves the importance of engaging community-based organizations in farmworker-oriented research, study design, outreach, data collection and dissemination of findings, which is especially important during this historic pandemic.

The social and economic costs of doing nothing, making unfunded and unenforced recommendations, or issuing voluntary guidelines include adding significant burdens to an already vulnerable population and jeopardizing the foundation of our food system. We must make considerable investments and take rapid, proactive measures to protect farmworkers at their places of employment, en route to their jobs, and in their home communities. This action is necessary to ensure the viability of the food system all Californians depend on, the economic prosperity of the food and agricultural industry in California, as well as our ability to fight the pandemic by slowing community spread of COVID-19.

As the farmworker respondents to the COFS survey told us, meeting this challenge will take an unprecedented collaboration by all of us. We urge state, county and agricultural industry leaders, producers, and employers to carefully consider these preliminary COFS findings and implement the following recommendations drawn from them, in close consultation with farmworkers and community-based organizations.

⁹ Ayón C, Ramos Santiago J, López Torres AS. Latinx Undocumented Older Adults, Health Needs and Access to Healthcare. *Journal of Immigrant and Minority Health*. 2020;1. doi:10.1007/s10903-019-00966-7; National Hispanic Council on Aging, Status of Hispanic Older Adults: Stories from the field, Washington DC, Nov 2014; Gould, Elise and David Cooper. Economic Policy Institute. Financial Security of Elderly Americans At Risk. Washington DC. June 2013. <http://www.nhcoa.org/wp-content/uploads/2014/11/2014-Status-of-Hispanic-Older-Adults-Report.pdf>

- 1. Provide expanded income and safety net support for farmworkers, regardless of documentation status.**
- 2. Expand health care access and coverage for farmworkers and other undocumented workers, including prioritized access to free COVID-19 testing.**
- 3. Strengthen Cal/OSHA enforcement and worksite auditing activities, including random inspections.**
- 4. Ease the barriers for farmworkers to report COVID-19 related complaints and simplify access to support services.**
- 5. Involve workers in the development and implementation of workplace safety plans related to COVID-19.**
- 6. Mandate reporting and timely public release of data on COVID-19 cases by occupation and industry by both employers and county public health officials.**
- 7. Provide extensive, culturally-relevant training and education to agricultural employers, supervisors, farmworkers (provided in indigenous languages), and trusted community-based organizations on workplace safety practices during COVID-19.**
- 8. Involve trusted community-based organizations in the design and implementation of expanded safety-net programs for farmworkers, indigenous, and immigrant populations.**

Next Steps for COFS

Topic-specific data briefs will be released in the next two months and will be focused on workplace conditions, transportation to/from work, housing conditions, access to medical care, and other basic needs. Farmworker surveys in Washington and Oregon will begin shortly and will enhance our understanding of the experience of farmworkers in the west during the COVID-19 pandemic. A second phase of the study is underway in California and will further explore the social and economic effects of COVID-19 on farmworkers, their families, and communities.

Contact: Ildi Carlisle-Cummins (icarlisle-cummins@cirsinc.org)

Website: <http://covid19farmworkerstudy.org/>

About the COVID-19 Farmworker Study (COFS)

COFS is an extremely collaborative research project with participation from a wide group of community-based organizations, researchers and policy advocates. A full list of project partners and supporters is available at www.covid19farmworkerstudy.org. The study has been generously supported by the UC Davis Western Center for Agricultural Health and Safety, The California Endowment, The California Wellness Foundation, The 11th Hour Project of the Schmidt Family Foundation, and the San Joaquin Valley Health Fund and The Center at Sierra Health Foundation.

CIRS Research Report

Increased Risks and Fewer Jobs: Evidence of California Farmworker Vulnerability During the COVID-19 Pandemic

Don Villarejo, Ph.D.

California Institute for Rural Studies, Inc.

July 25, 2020

Abstract

New evidence indicates that agricultural workers have elevated vulnerability for contracting COVID-19 infection. As of June 30, 2020, California's Monterey County Agricultural Workers were more than **three times likely** to become infected by the virus than persons employed in the county's Non-Agricultural industries.

Agricultural workers in California now face a double threat: the COVID-19 virus and loss of employment owing to the collapse of foodservice demand. New Agricultural Employment findings reveal a steep 39% decline from 3-year average (2017-2019) of Monterey County Agricultural Employment during April, May & June 2020. The fall-off statewide during June 2020 was 23%, over 111,000 jobs lost.

From posted reports, confirmed COVID-19 cases in Monterey County, California, which include information about Industry of employment at the time of diagnosis, were combined with county-wide employment data. The cumulative total of confirmed cases during the pandemic, as reported on June 30, 2020, included 605 cases among workers in the Agricultural Industry, and 587 cases in Non-Agricultural Industries. But published reports indicate that average monthly employment was more than three times higher in Non-Agricultural Industries than in the Agricultural Industry for the period March 19 through June 30, 2020 (124,536 compared with 38,567). The prevalence of confirmed cases of COVID-19 infection among Agricultural Workers was **1,569 per 100,000 workers** on June 30, 2020. Among Non-Agricultural Workers, the prevalence was **471 per 100,000 workers**.

There were 324 confirmed cases classified as employment status "Unknown Industry or Under Investigation" on June 30, 2020. Thus, depending on how many of these cases of COVID-19 infections become re-classified to Agricultural Industry employment, Agricultural Workers were **at least 2.1 to as much as 5.1 times** greater risk of infection than Non-Agricultural Workers in Monterey County.

APPENDIX F:

COMMENTS ABOUT THE COVID-19 FARMWORKER STUDY

A document containing comments about the CIRS Farmworker Study was received in advance of the August Public Board meeting, on Sunday, August 9, 2020, from Ed Kissam of WKFamilyfund and The Sierra Health Foundation.



Ed Kissam Comments re COVID-19 Safety in the Agricultural Workplace for ALRB Hearing on 8-11-20

1. SCREENING FOR WORKPLACE SAFETY

Has the Western Growers' Association or the California Farm Bureau advised its members of the limitations of temperature-screening as a way to assure that agricultural workplaces are free of COVID-19+ workers? CDC estimates that about 40% of COVID-19 infected individuals are entirely asymptomatic. Others are highly infectious and pre-symptomatic for about 2-3 days before experiencing any symptoms of COVID-19. The current measures are useful but do not, by any means, guarantee workplace safety. Appropriate measures to respond to the very serious limitations of current screening practice would be:

- a) to advise workers and operations supervisors of the well-understood limitations of temperature-checking as a screening approach
- b) to provide training to workers on factors that constitute a "close contact" and query workers on arrival if they have been a close contact of someone known or presumed to have COVID-19,
- c) to institute repeated rapid-turnaround antigen testing of the workforce—ideally 2 times per week and mandatory for all workers (including supervisors and management)

(Citations available from Ed Kissam at edkissam@me.com on request).

2. ADOPT ONGOING REPETITIVE SCREENING OF AGRICULTURAL WORKFORCE USING COVID-19

ANTIGEN TESTING Additional screening is essential—due to the clear-cut limitations of current observational screening methodologies (temperature-checking, observing illness). Leading experts are now highlighting the advantages of antigen testing for schools and businesses. These arguments hold for adoption of antigen testing by agricultural employers—since farmworkers are in a high-risk category for SARS-CoV-2 infection due to a combination of inconsistent social distancing because it's difficult and crowded housing that leads to very high proportions of within-household infection.

Antigen tests cost about \$1-2 each for test materials and the point-of-care equipment is affordable for employers. Results are available in 15 minutes. Twice-a-week testing, say on Monday morning and on Friday afternoon, would cost less than \$5/week per worker. What models for cost-sharing seem promising? For example, public sector (state or county) covering cost of the point-of-care test device and employers cover cost of testing personnel and supplies? Or vice-versa?

See the following article from Science (American Association for Advancement of Science):



https://www.sciencemag.org/news/2020/08/radical-shift-testing-strategy-needed-reopen-schools-and-businesses-researchers-say?utm_campaign=news_daily_2020-08-04&et rid=558825031&et cid=3434962

Rapidly-growing support for antigen testing may improve supplies and decrease cost per test for antigen testing very soon. Seven states have already written to the federal government about availability.

3. OFFER EMPLOYER REIMBURSEMENT TO EMPLOYEES FOR COSTS OF WHOLE-HOUSEHOLD PCR TESTING FOR WORKERS WHO ARE IDENTIFIED AS COVID-19+ OR WHO ARE IN A HOUSEHOLD WITH A COVID-19+ PERSON.

Within-household COVID19 transmission in crowded farmworker housing is very high. Using National Agricultural Worker Survey data, I have estimated that within-household transmission of SARS-CoV-2 is likely to be 2.5 times higher than in the average U.S. household. Testing everyone in a farmworker household (where everyone can be presumed to be a “close contact” is judicious and will have particular benefits for workplace safety if the household member who is COVID-19+ is the child or spouse of an employee.

COVID-19 transmission is a 2-way street. Farmworkers infected in the workplace are very likely to infect most of their family members. And, vice-versa, a farmworker infected by a family member or friend, is likely to introduce SARS-CoV-2 into the workplace—in many cases before they even have symptoms that suggest they may have COVID-19.

4. OFFER FINANCIAL INCENTIVES FOR SELF-ISOLATION OR QUARANTINE AS APPROPRIATE.

Due to inadequate financial support for farmworkers who are asked to self-isolate or self-quarantine due to being COVID-19+ or being a contact of someone who is COVID-19+, a number of farmworkers (especially the asymptomatic contacts of COVID-19+ individuals—family members or co-workers) are reluctant to comply with medical/public health recommendations and, therefore, are likely to go on to infect others. San Francisco County and Alameda County are currently offering financial incentives. I have collaborated with a colleague, Dr. Dvera Saxton at CSU-Fresno, in recommending a “Quarantine Fund” for Fresno County. The costs of financial incentives to encourage quarantine or self-isolation are significant, but much lower than loss of an entire workforce for 2 weeks due to rampant infection at a worksite. One option might be public-private sector cost-sharing—have there been discussions about such an approach to cost sharing?

5. ESTABLISH AN AGRICULTURAL INDUSTRY COLLABORATIVE PROJECT TO SHARE “BEST PRACTICES” FOR COVID-19 WORKPLACE SAFETY AND REVIEW RAPIDLY-EMERGING INSIGHTS FROM EPIDEMIOLOGICAL RESEARCH AND CLINICAL LITERATURE.

I have critiqued CDC’s slow, bureaucratic, and scientifically-flawed guidance to agricultural employers (which failed to incorporate insights from its own teams of researchers and data analysts).



There are similar problems with “trickle-down” copies of generic, vague guidance based on the CDC/OSHA framework. CAL-OSHA, and CDFA have lagged well behind “the field” in learning about and disseminating new insights regarding SARS-CoV-2 transmission, assessing the implications for effective workplace strategy, and promoting still more refined practices for improving workplace safety.

My July, 2020, paper identifying the shortcomings of CDC guidance are available at the WKF Fund website: <http://www.wkfamilyfund.org> We believe that collaborative peer learning will be helpful. It is good to learn from CIRS’ COFS preliminary findings that some employers are working thoughtfully on practical strategies. Some informal information-sharing is surely underway but this should get more support.

6. ENCOURAGE PROACTIVE EMPLOYER CONTACT-TRACING EFFORTS TO IDENTIFY CLOSE CONTACTS OF COVID-19+ WORKERS.

Waiting for county public health departments to identify the “close contacts” of a COVID-19+ worker at a worksite is futile at this point in time and in the foreseeable future. Agricultural employers should be encouraged to engage in rapid contact-tracing when one of their workers is determined to have COVID-19 or even if they are presumed to be COVID-19+ (based on consultation with a health care provider even before receiving a COVID-19 test result confirmation).

Expert opinion (based on epidemiological modeling) stresses the crucial importance of decreasing time from infection to isolation. Delays in contact-tracing seriously degrade its utility as a tool to mitigate spread of COVID-19. Concerns about barriers to securing COVID-19 testing delays in turnaround time for COVID-19 test results have been widely publicized but there has not yet been enough attention to the delays in case investigation and contact-tracing that are needed to identify contacts and persuade them to quarantine themselves.

Current California Department of Public Health Guidance includes two important and practical recommendations to all employers:

- Develop mechanisms for tracking suspected and confirmed cases among employees.
- Employers should notify all employees who were potentially exposed to the individuals with COVID-19.

This advice is very forward-thinking and improves on previous guidance which was to wait for local health departments (LHDs) to initiate case investigation and contact tracing. It is obvious that county public health departments currently cannot do contact-tracing effectively in most agricultural counties. Fresno County, for example, reported more than 3,800 COVID-19 cases among the working age population 18-64 years of under investigation as of July 17. The backlog is surely worse now.

Although California Department of Public Health guidance to employers on communication with local public health departments focuses only on reporting to public health authorities, the primary strategic objective should, in fact, be to identify close contacts of infected workers as rapidly as possible and get



them to self-quarantine successfully. (See National Institutes of Health/Fogarty Center discussions re contract-tracing metrics on July 27, 2020).

To do this, there is an urgent need to strongly encourage rapid employer-initiated contact-tracing to identify co-workers who were potentially exposed--not to suppress information about infections in the workplace as some employers have tried to do (with disastrous consequences for their workforce and for their own businesses)!

Encouragement to be proactive will only be useful if practical guidance is provided to all agricultural employers will be required to provide employers the ability to do this.

This is not at all impractical. Johns Hopkins University provides a free, online 20-hour course in contact tracing that is available. The University of California San Francisco (UCSF) has also been providing training in contact-tracing but the state has been remarkably short-sighted in limiting enrollment to public sector employees. It is irresponsible of the State of California to not immediately extend training of contact-tracers to community-based organizations and to employers who commit to be proactive in conducting their own contact-tracing to reasonably identify (as abstractly suggested by CDPH guidance) all workers at a worksite where there is a COVID-19+ individual who have been significantly exposed—taking into account specific tasks and types of interaction among workers.

About the commenter Ed Kissam:

As part of the California state government partnership with GCIR and as part of the San Joaquin Valley Health Partnership at The Sierra Health Foundation. I was involved early on in some of the CIRS planning for the COFS research - and, of course, I am happy to see the attention you're giving to their preliminary findings.

We are also engaged in conversations with a broad range of stakeholders about COVID-19 and farmworkers and have been involved in planning an applied research initiative to improve farmworker access to COVID-19 testing in the San Joaquin Valley.

Ed Kissam
edkissam@me.com
(510) 482-9979 Oakland CURRENT LANDLINE
(760) 424-8316 Palm Springs

WKFamilyfund.org
CA Governor's Service Award-Best Foundation of 2018

APPENDIX G:
WHAT DOES LIDERES CAMPESINAS DO?

Líderes Campesinas



The mission of Líderes Campesinas is to strengthen the leadership of farmworker women and youth so that they can be agents of economic, social and political change and ensure their human rights.

Statewide Movement

" Campesinas Unidas del Amanecer al Atardecer "



Líderes Campesinas counts with more than 285 women and adolescents farmworkers in 14 organized communities.



Ventura

Coachella Youth

Coachella Valley

Madera

Fresno

Merced

Costa Central

Salinas

Sonoma/Napa

Sonoma

North Kern

Greenfield

South Kern

Soledad

Huron

ISSUES

- Environmental Factors
 - Labor Conditions
 - Violence Against Women and youth
 - Civic Engagement
- AND MORE

**Leadership
Community
Education/Outreach
Technical Assistance**



***March 2019 Members of Lideres Campesinas with Safe Ag Safe Schools (SASS)
members at Greenfields' City Council Vote on a pesticide free resolution***



March 2019 Lideres Campesinas Ventura Chapter and partners' Manifestation in Sacramento against the use of chlorpyrifos.



Outcomes

- Chlorpyrifos cancellation and participation on transition workgroup 2019
 - Resolution to stop use of Roundup 2019
- Worker Protections Standards update 2015
- Methyl Iodide Removal from Market 2010
 - Buffer Zones in California 2002



COVID-19

Líderes Campesinas



#ALWAYSESENTIAL
#SIEMPREESENCIAL

Nuestra Carta Al Gobernador

Our Letter to the Governor

Oprima a aqui para [español](#)

You can still co-sign [here](#) and work together on coalition-building



An urgent message from our farmworker family to yours
RE: HARVESTING IN A GLOBAL PANDEMIC

April 1st, 2020

Dear Mrs. Jennifer Newsom and Governor Gavin Newsom
and the State of California,

On behalf of agricultural workers and families in California,
we are presenting to you this urgent message in a time of

[http:// www.liderescampesinas.org/ corona-virus/ letter-to-the-governor/](http://www.liderescampesinas.org/corona-virus/letter-to-the-governor/)

Recommendations to the Governor

Concern 1: Inadequate health education on COVID-19

Recommendation 1: Health professionals conduct COVID-19 orientations on the fields

Concern 2: Inaccessibility to Healthcare

Recommendation 2: Healthcare for All

Concern 3: Essential Workers without Essential Human Rights

Recommendation 3: Alert law enforcement to be sensitive and cautious

Concern 4: No food or basic needs in stores

Recommendation 4: Essential Shopping Hours

Recommendations to the Governor

Concern 5: Foodbank Access

Recommendation 5: Food Banks to the Fields

Concern 6: Unhoused Farmworkers

Recommendation 6: Shelter for ALL

Concern 7: Ineligible for Unemployment/ Stimulus

Recommendation 7: Compensate all Workers

Concern 8: Crisis within a Crisis

Recommendation 8: Immediate State Funding

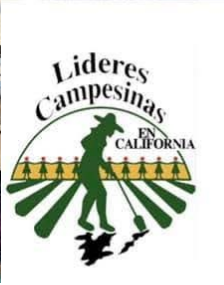
A photograph of three farmworkers standing in a field of young plants. They are all wearing white face masks and hats. The worker on the left is wearing a tan cap and a dark jacket. The worker in the middle is wearing a green cap and a light blue jacket. The worker on the right is wearing a red and white cap and a dark jacket. The background shows more plants and trees under a clear sky.

Farmworker Voices



<https://www.youtube.com/watch?v=u35MocylfHI>

Mask PPE Distribution



APPENDIX H:
COVID19 – CRISIS

Indigenous Migrant Community Perspective

Mixteco/Indígena Community Organizing Project (MICOP)

Initiative: Health Care to the fields / Testing



GUIDE TO CORONA VIRUS PRESENTATION TO AG. WORKERS

This guide was created with the goal of creating a list of talking points for residents, nurses, or health workers when they go to the field to give talks on the Corona Virus. The training is both to inform agricultural workers about the Corona Virus and help empower them to find ways to protect themselves and others in the workplace and at home. The emphasis is to focus participants to engage in questions and answers related to the pandemic. The guide below is also intended to discuss how the guidelines in the Advisory for Agricultural Worker Protection issued by the Monterey Ag Commissioner and Farm Bureau can be adapted to their work settings.

While agricultural workers may initially be hesitant to respond to or ask questions, encourage them to actively participate in the discussions. The pilot efforts demonstrated that the ag workers had many concrete recommendations and questions about COVID-19. The discussion needs to reflect realistic options consistent with available resources and manage expectations since some suggestions may not be realistic for the workers nor the ag companies to adopt. Nonetheless, without active worker involvement, support to take actions to contain the virus may be resisted. This approach is aimed at starting a process of engagement through which they take "ownership" themselves in the battle to combat the disease in the fields and in their lives.

NEW! Health Education Program created by the Farmworker Resource Program in partnership with VCMC

Cultivating Health in Agriculture

A Health Education Program

To support our agricultural community during this pandemic, the Ventura County Farmworker Resource Program in partnership with Ventura County Medical Center (VCMC) have created a health education program: **Cultivating Health in Agriculture**. Through this new program, a team of VCMC doctors are available to visit local farms to provide information that includes:

- How to recognize COVID-19 symptoms
- COVID-19 treatment recommendations
- Testing locations and hours
- How workers and families can stay safe
- Many other available resources

To schedule an on-site visit, call
805-385-1899
or email us at HSA-AGFRP@ventura.org




EXHIBIT A
Partnership between XXX
&
Ventura County Public Health (VCPH)
Memorandum of Understanding (MOU)
COVID-19 Community Awareness and Engagement Project
Contract Period: July 1, 2020-June 30, 2021

Description:

The purpose of this MOU is to provide proactive education and outreach efforts to mitigate COVID-19 spread in the areas that have a high incidence of testing positive for the virus.

Because COVID-19 is highly transmissible and can be spread by people who do not know they have the disease, risk of transmission within a community can be difficult to determine. Communities should assume some community transmission or spread is occurring.

Goals for Project:

VCPH will partner with existing community-based organizations that already carry out community engagement activities such as food pantries, food distribution, and those who work with youth and families. Using a Promotor/a/o Model, community-based organization must have demonstrated community engagement capabilities, information dissemination experience and established relationships and trust with key trusted formal and traditional leaders and those that represent marginalized groups.

The goal of this project is to increase awareness and educate the public in areas with local COVID-19 transmission to slow its spread and to protect all individuals, especially those at increased risk for severe illness and vulnerable populations.

Education and information is based on federal, state and local mandates and guidance. Key Messages are focused on community-wide behavioral change. The Centers for Disease Control recommends that: Individuals need to follow healthy hygiene practices including:

1. Stay at home when sick
2. Practice physical distancing to lower the risk of disease spread
3. Use a cloth face covering in community settings.
4. Wash hands with soap and water for at least 20 seconds

Objective:

Activities for this project are to be feasible, practical, and acceptable; they should be tailored to the needs of each community and implemented in a manner that minimizes both morbidity and mortality from COVID-19 and does not create or exacerbate any health disparities.

Breaking Barriers With Agricultural Employers/Reps



Ag Advisories for COVID-19



ADVISORY FOR AGRICULTURAL WORKER PROTECTION DURING COVID-19 CRISIS, REV. 7/13/20

Agriculture is part of Ventura County's critical infrastructure and farmworkers are working to keep our food supply safe and strong every day. It is crucial that everyone in the agricultural sector does their part to keep these essential workers healthy. Ventura County agricultural operations are already required to establish and implement an Injury and Illness Prevention Program (IIPP) to protect employees from all worksite hazards, including infectious diseases. Adherence to existing policies and additional COVID-19 prevention policies is vital. At a minimum, employers should comply with CAL-OSHA's COVID-prevention guidelines and daily checklist.

- o OSHA guidelines: <https://www.dir.ca.gov/dosh/Coronavirus/COVID-19-Infection-Prevention-in-Agriculture.pdf>
- o Daily Checklist: <https://www.dir.ca.gov/dosh/Coronavirus/COVID-19-General-Checklist-Employers.pdf>

Farmworkers and their families are vulnerable to COVID-19 due to a variety of long-standing issues such as crowded housing and language barriers.

These barriers and vulnerabilities make it vital to be responsive and aware of state guidance and local resources set forth in this advisory. This advisory includes enhanced measures to ensure employee health and safety. These protocols are voluntary, but employers are encouraged to implement them at their worksites.

MANAGEMENT RESPONSIBILITIES

- Create a Risk Assessment and Prevention Plan for your operation. Share it with your employees
 - o Find template here: <https://www.vcemergency.com/vc-reopens>
- Communicate with and support your employees
 - o Communicate these basic messages to employees simply, clearly and often: "Stay 6 ft Apart, Wear a Mask, Keep your Hands Clean, Don't Come to Work if You Feel Sick, Practice Social Distancing during Non-work hours"
- Be responsive to the personal needs of each employee
 - o Implement flexible sick leave and supportive policies and practices
 - Modify policies to ensure ill workers can stay home and are encouraged to take sick leave



DEPARTMENT OF AGRICULTURE AND MEASUREMENT STANDARDS

GLENN FANKHAUSER
Agricultural Commissioner
Sealer of Weights and Measures

1001 South Mount Vernon Avenue • Bakersfield, California 93307
Telephone 661-868-6300 • Fax 661-868-6301 • agcomm@kerncounty.com
website - www.kernag.com

ADVISORY AGRICULTURAL WORKER PROTECTION DURING COVID-19 CRISIS (REV. 06/09/20)

Agriculture is part of Kern County's critical infrastructure and farmworkers are carrying out essential functions to keep our food supply safe and strong every day. Agricultural operations adhere to stringent policies related to worker safety and hygiene and each person in the chain of development, growth and production is vital to this effort. **This advisory includes enhanced measures to ensure employee health and safety. These protocols are voluntary, but employers are encouraged to implement them at their worksites.**

EMPLOYEE TRAINING

Communicate with employees simply, clearly and often: "Stay 6 ft. apart, Keep your Hands Clean, Don't Come to Work if You Feel Sick."

- Employees should stay home if they have frequent cough, fever, shortness of breath, temporary loss of taste or smell or if they have been exposed to someone who has COVID-19.
- Employees should avoid sharing personal items with coworkers (i.e., food, dishes, cups, gloves, phones, etc.)
- Employees should cover coughs and sneezes.
 - o Cover their mouth and nose with a tissue or use the inside of their elbow.
 - o Throw used tissues in the trash.
 - o Immediately wash their hands with soap and water for at least 20 seconds. If soap and water are not readily available, clean hands with a hand sanitizer that contains least 60% alcohol.
- Employees should stay a minimum of 6 feet from other coworkers (social distancing) to avoid spreading illness during work activities, breaks, and lunch.
 - o If the employee is unable to maintain a 6-foot distance due to the job requirements, a mask should be used to minimize transmission or infection.
 - o Employees should keep masks with them at all times.
- Employees should wash/sanitize their hands with soap and water for at least 20 seconds multiple times daily, including before and after work, breaks, eating, and use of toilet facilities.
- Employees should avoid touching eyes, nose, and mouth with unwashed hands.
- Employees should sanitize tools, high-touch areas in vehicles, etc. before and after use.

SANITATION

- Have soap or disinfectant, potable water, and single-use disposable towels available at worksites and throughout facilities.
- Install handwashing stations and posters at farm entrances.
- Extend breaks or lunch if necessary, to allow time for handwashing.
- Facilities for hand washing should be within a 5-minute walk and should be checked for cleanliness throughout the workday.

ADVISORY FOR AGRICULTURAL WORKER PROTECTION DURING COVID-19 CRISIS ON THE CENTRAL COAST OF CALIFORNIA



County of Monterey



Monterey County
Agricultural
Commissioner



Monterey County
Farm Bureau



Grower-Shipper
Association of
Central California



Monterey County
Vintners & Growers
Association



Central Coast
Growers
Association



California
Strawberry
Commission

Maintaining safe and healthy work environments for our farmworkers and other Agricultural employees has always been a priority in the Agriculture industry. In order to prevent, decrease and lower the impact of COVID-19 in the workplace, Monterey County leadership and the Agricultural industry have added enhanced measures to this Advisory to further protect worker health, safety, and hygiene. We recognize that, as an essential industry, we need to continue to provide and maintain the food supply chain while protecting the health of our workers and the broader community.

The Monterey County Agriculture Commissioner's Office and Supervisors Luis Aljo and Christopher Lopez, along with Grower-Shipper Association of Central California, Monterey County Farm Bureau, Monterey County Vintners and Growers Association, Coastal Growers Association, and California Strawberry Commission created an *Advisory for Agriculture Worker Protection During COVID-19 Crisis* to better protect farm and cannabis workers in Monterey County and throughout the state during the Coronavirus pandemic.

These processes were compiled based on reviews of our existing, already stringent practices, aligned with the best practices offered by the Center for Disease Control (CDC), CA Department of Public Health (CDPH), World Health Organization, and public health departments. As a world, we continue to learn more about how best to combat this pandemic, to that end, these guidelines are regularly evaluated, updated, and distributed in both English and Spanish.

Through this Advisory, all these organizations are supporting and encouraging the community to expeditiously implement these protective measures at their worksites. The objectives communicated here are: preventing and reducing transmission among staff; protecting people who are at higher risk for adverse health complications; maintaining business operations; and, minimizing adverse effects on other entities in their supply chains.

EMPLOYEE HYGIENE

- Employee should wash/sanitize their hands with soap and water for at least 20 seconds multiple times daily, including before and after work, breaks, eating, and use of toilet facilities.
 - o If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol.
 - o Employees should avoid touching their eyes, nose, and mouth with unwashed hands.
 - o Employees should have soap or disinfectant, potable water, and single-use disposable towels available at worksites and throughout facilities.
- Employees should keep a minimum distance of 6 feet from co-workers when possible; this includes during breaks (social distancing).
- While not a replacement for other protective measures, such as frequent hand washing and social distancing, facial coverings are required as a protective safeguard to help reduce the risk of transmission or infection. Employees do not need to wear facial coverings when alone or when co-workers are not nearby.
- Employees should not share personal items with co-workers (i.e. food, dishes, cups, gloves, engaging in activities such as playing cards, etc.)
- Employees should cover coughs and sneezes, train them in the following CDC protocol:
 - o Cover their mouth and nose with a tissue or use the inside of their elbow.
 - o Throw used tissues in the trash.
 - o Immediately wash their hands according to the CDC hand washing protocol above.
- Reduce meetings and group gatherings to essential communication only and limit such meetings to no more than 10 people if possible; maintain 6-foot spacing during meetings.
- Limit personal contact and grouping with in the facility and worksites and limit the number of people using common facilities at any one time; maintain 6-foot spacing while in lines.
- Follow CDC guidelines on health and hygiene as they evolve.



Líderes Campesinas

www.liderescampesinas.org

Sign on to Líderes's letter to the Governor:

[http:// www.liderescampesinas.org/ corona-virus/ letter-to-the-governor/](http://www.liderescampesinas.org/corona-virus/letter-to-the-governor/)

Contact Information

OFFICE:

319 Lambert St, Suite D.
Oxnard CA, 93036
(805) 486-7776

Executive Director:

Suguet Lopez, (909) 730-0626
slopez@liderescampesinas.org

Public Relations/Covid Response:

Irene de Barraicua, (805)767-0000
irene@liderescampesinas.org
www.liderescampesinas.org



LÍDERES CAMPESINAS
MEDIOS SOCIALES/
SOCIAL MEDIA





COVID19 – CRISIS

Indigenous Migrant Community Perspective

*"To support, organize and empower
the indigenous migrant communities
in California's Central Coast"*

Radio
INDÍGENA
94.1 FM
KIND-LP

Arcenio J. López
Executive Director



Arcenio J. López
Executive Director

COVID19 - Impact

Impact in the organization

Indigenous Population

- Approx. 50,000 in Santa Barbara and Ventura Counties

MICOP

- Shifting priorities
- Transitioning to virtual platforms
 - How to deliver home visits, house meetings, community assemblies, leadership training
- Limited technology access in our community
- Interpreters requests decrease significantly and now only via phone interpretation
- Hard to make decisions (reopening, but when?)
- High demand in PSAs and videos production
- Lack of enforcement or compliance = high numbers of labor violations





Arcenio J. López
Executive Director

COVID19 - Response

Collaboratives Initiatives

- SB Immigrant Health Rapid Response Task Force
- MICOP/CAUSE Joint Statement COVID Outbreak among Farmworker [link](#)

COVID19 Positive Cases

- Case Management: Disability benefits and others
- Financial assistance
- Food
- Additional resources such as challenges with getting their 80hours benefit
- Testing sites

Outreach and Education – COVID Related resources

- Radio Indígena 94.1FM
- Facebook Live: 80hrs/COVIDsick day, safety recommendations
- Texting & Phone audios
- PSAs and Videos
 - Website [link](#)
 - Campesino Outreach and EDD [link](#)
 - Soundcloud [link](#)





Arcenio J. López
Executive Director

COVID19 – Response cont..

Partnership with other Radio Station Through CA

- Radio Campesina: Fresno, Tulare, Kern, Monterrey
- Radio KIQI 1010AM: San Francisco
- Radio KATD 990AM: Sacramento
- Radio KBBF 89.1FM: Santa Rosa CA
- Radio Oaxaca: San Barbara County

Disaster Relief Assistance for Immigrants (DRAI) \$2.7 M

- 8% in Central Coast to 5,500 individuals assisted

805UndocuFund – www.805undocufund.org

- Goal: \$8M
- 7,000 individuals in the waiting list





Arcenio J. López
Executive Director

COVID19 – Resources needed

Who does what?

- Resources are scattered vs centralized systems
- COVID19 and labor laws: Before and after C19 positive
 - 80hrs and other support for workers
 - Layoffs, retaliation, fear

805UndocuFund – www.805undocufund.org

- Goal: \$8M
- 7,000 individuals in the waiting list

Long-Term concerns

- Events and fundraisers have been cancelled
- Strategizing fundraising using online platforms
- Programs deliverable new strategies for program deliverable
- Donor fatigue
- Staff wellness
- Multiyear grants

THANK YOU!
GRACIAS!
XA'A BINDO!



COVID19 – CRISIS

Perspectiva Comunidad Migrante Indígena

*"Apoyar, Organizar y empoderar a la
comunidad migrante en la Costa
Central de California"*

Radio
INDÍGENA
94.1 FM
KIND-LP

Arcenio J. López
Director Ejecutivo



Arcenio J. López
Director Ejecutivo

COVID19 - Impacto

Impacto en MICOP

Población indígena

- Aprox. 50,000 en los Condados de Santa Bárbara y Ventura
- 60% trabajadores esenciales agricultura **SIN** beneficios esenciales
- Narrativa – “El incremento se debe a razones culturales” vs exclusión social y socioeconómicos
- Población sin seguro medico
 - *VC 77,000 (49,000 o 64% son indocumentados)
 - *SB 84,000 (30,000 o 35.7% son indocumentados)

MICOP

- Cambio en prioridades – COVID19 es primero
- Cambio a plataformas virtuales
 - No es posible hacer visitas casera, reuniones caseras, foros comunitarios, entrenamiento de liderazgo en persona, etc.
- El acceso limitado de tecnología de la comunidad
- Solicitudes de servicios de interpretación disminuyo significativamente. Ahora es solo por teléfono.
- Mucha demanda para producir de PSAs, y videos
- Alto numero de violaciones laborales (falta de reforzamiento o cumplimiento de la ley)
- Difícil de determinar cuando será la reapertura. Nuestra comunidad nos busca día a día...

* Source: Dietz M, Graham-Squire D, Becker T, Chen X, Eligible for Medi-Cal, Lucia L, and Jacobs K, Preliminary CalSIM v. 2.0 Regional 322,000, 11% Remaining Uninsured Projections, UC Berkeley Labor Center and UCLA Center for Health Policy Research, August 2016.





Arcenio J. López
Director Ejecutivo

COVID19 - Acción

Iniciativas de Colaboración

- Mesas de Trabajo - SB Inmigrante Health Rapid Response Task Force
- Declaración conjunta.- MICOP/CAUSE Joint Statement COVID Outbreak among Farmworker [link](#)

Trabajo con situaciones de casos con COVID19 Positivos

- Majo de casos: navegación de recursos: Beneficios de Deseabilidad y otros..
- Asistencia Financiera - Ayuda Humanitaria
- Comida
- Diseccionar las nuevas leyes laborales COVID19 ejemplo: 80 horas de C19 positive
- Sitios y citas con los sitios de examen C19

Alcance y Educación: Recursos relaciones a C19

- Radio Indígena 94.1FM
- Facebook Live: 80hrs/COVIDsick day, recomendaciones de seguridad
- Campañas de textos y audios (WhatsApp, messenger)
- PSAs and Videos
 - Sitio de internet MICOP [link](#)
 - Proyecto de alcance comunitario al campesino con EDD [link](#)
 - Soundcloud [link](#)





Arcenio J. López
Director Ejecutivo

COVID19 – Acción cont..

Red de comunicación con otras radios a través del estado de CA

- Radio Campesina: Fresno, Talaré, Kern, Monterrey
- Radio KIQI 1010AM: San Francisco
- Radio KATD 990AM: Sacramento
- Radio KBBF 89.1FM: Santa Rosa CA
- Radio Oaxaca: San Bárbara County

Asistencia a Inmigrantes en situación de Emergencia (DRAI) \$2.7 M

- 8% en Costa Central (5,500 individuos en SB y VC por MICOP)

805UndocuFund – www.805undocufund.org

- Meta: \$8M
- 7,000 individuos en lista de espera





Arcenio J. López
Director Ejecutivo

COVID19 – Necesidades Ahora!

Quien hace que?

- Recursos dispersados vs Recursos centralizados (educación vs cumplimiento)
- COVID19 y leyes laborales (en Casos de C19+ el Antes y el Después)
 - 80 horas C19 y otras protecciones
 - Miedo = Despidos, represalias

805UndocuFund – www.805undocufund.org

- Meta: \$8M
- 7,000 personas en la lista de espera

Preocupaciones a largo plazo

- Nuevas estrategias en Implementación y ejecución de programas
- Eventos de recaudación de fondos cancelados
- Recaudación de fondos usando plataformas virtual
- Becas multianuales
- Fatiga a donadores individuales
- Bienestar del equipo de trabajo de MICOP. Equipo sano trabajo con la comunidad a largo plazo

XA'A BINDO!

THANK YOU!
GRACIAS!



APPENDIX I:

ZOOM CHAT LOG

**FROM PUBLIC BOARD MEETING
AUGUST 11, 2020**

Log of Zoom Chat – ALRB Public Board Meeting – August 11, 2020

NOTE: All comments are exactly as typed into the Zoom chat log; unedited.

01:32:22 Hugo Morales: Hugo Morales, Radio Bilingue has been asking for occupation of those dying from COVID, the answer from the Fresno County Health Department said two months ago they don't have the personnel to gather the information. The county does have the information but they say they don't have anyone to pull that information together. The question has gone to the department weekly by Hugo Morales Radio Bilingue. Meantime the Fresno County sits on 80 million from the federal government for COVID.

01:40:52 Rosa.Serrato: Gracias Oralia.

01:49:53 Hugo Morales: Gracias Oralia, Irene, Nayamin - Ildi , Don Villarejo for the study and your presentations.

01:54:39 Rafael Aguilera: Hi everyone! Thank you for this crucial conversation.*shameless plug* I am with CA Workforce Development Board, High Road Training Partnerships. We are looking for employers and worker representative groups that are willing to work together to protect farmworkers from COVID by empowering worker voice and collaborative problem solving. If anyone on here is interested please email me at Rafael.aguilera@cwdb.ca.gov

01:57:46 Irene-Lideres Campesinas: Thank you Hugo!

02:00:04 Annamarie Argumedo: Question. How is the pandemic affecting the public government schools within the government housing for migrant workers children?

02:06:52 Hugo Morales: Radio Bilingue is doing COVID outreach to farmworkers 24/7 in the following counties in Spanish, Mixteco, Triqui: - The entire San Joaquin Valley, the central coast from Hollister and Santa Cruz County to San Luis Obispo, Santa Maria; the Coechalla Valley, Blythe, and Imperial Valley, Sonoma, Napa Counties, Mendocino Counties.

02:07:27 Ildi Carlisle-Cummins: Hugo— I'd love to talk about how we might partner to share out the results of our study with workers across the state in all languages

02:09:56 Barry Broad: Thank you all for your testimony and for the crucial work you are doing on behalf of farmworkers.

02:19:20 Marnie Navarro: Hugo - it's Marnie from Raices Cultura. I would love to converse about RB's farmworker outreach, especially the work in Coachella. Gracias!

02:26:02 Silas Shawver: If time permits I would be curious to know if labor reps have found a need to develop new strategies for communicating with workers during the Pandemic and if there any key lessons or recommendations from their experience for conducting trainings and passing on information.

02:34:30 Hugo Morales: Ildi, Marnie - let's connect by email. I welcome a partnership. My email is hugom@pacbell.net, my cel is 415 233 3254. Email is best; today I will travel after this meeting to my house in Sonoma County- Healdsburg from Fresno. So, best to communicate w email.

02:40:50 Ildi Carlisle-Cummins: Thank you all for the opportunity to present and be in conversation here! Unfortunately, I have to hop off now, but please feel free to reach out to me at icarlisle-cummins@cirsinc.org at any time.

02:50:35 Don Villarejo: Thanks to all participants in today's meeting and to the ALRB for arranging the panels. I can be reached at dqvillfarm@gmail.com at any time.

03:10:51 Alegría De La Cruz: What is (e.g. causes of action, types of claims, strategies or approaches) CRLA using to hold employers accountable and with what results? Who have been your most meaningful enforcement arm of state regulators?

03:14:40 Marnie Navarro: Will this recording be sent out to participants?

03:18:09 CSchneider: If the recording is being shared I would like forward it to the Governor's Central Valley COVID-19 Task Force.

03:59:09 Hugo Morales: The hour hour Mixteco show that Oralia mentioned reaches the central coast from Santa Maria in Santa Barbara County to Monterey County, San Luis Obispo, Santa Cruz County, San Benito County, - then Sonoma and Napa Counties, Mendocino County, Coachella Valley, Imperial Valley, the state of Oregon, Yakima Valley in the State of Washington were Mixtecos, Triqui, Zapotecos live and work and - San Quintin in Baja and our homeland - Oaxaca in La Mixteca - Hugo Morales ED Radio Bilingüe Mixteco.

03:59:22 Hugo Morales: La Hora Mixteca.

04:19:38 bfc: I understand Alameda County is funding some community-based contact tracers, through La Clinica de la Raza, I believe.

04:24:52 Irene-Lideres Campesinas: Thank you all!

04:33:18 Annamarie Argumedo: So, would it be safe to say that farmers should be mandated by the governor to provide to farmworkers (who are essential workers) Clean Drinking Water, Clean Out-Houses, and Tarps to sit under when taking their lunch

breaks since these basic needs have been a continuance issue for years especially during Covit times since Covet has created more issues?

04:39:18 Rafael Aguilera: Thanks all! this was great.

04:45:09 Annamarie Argumedo: Seems that the strategy to outreach need to change to reach the hispanic public using the platforms of Telemundo, Univision weekly for at least a half hour each day educating them.