Supporting Migrant Seasonal Agricultural Workers: Housing and Workplace Best Practices (COVID-19) 2020

-created by Members of: WISCONSIN FARMWORKERS COALITION

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1. **Purpose:** Recommend best practices/ guidance on Housing and workplace safety.

Farming is an essential business operation and activity. Every year, Wisconsin employers recruit workers from around the country and around the world to come to Wisconsin to perform seasonal agricultural work. Wisconsin agricultural workers and operators generate necessary food supplies for the State of Wisconsin and our nation. COVID-19 can spread easily in settings with many people in close proximity including living and workplace facilities for migrant farm workers. Farm owners, managers, and farm labor contractors who provide employment and housing for workers should proactively implement plans to prevent exposure to the virus that causes COVID-19, care for individuals with COVID-19, and prevent the spread of the disease. Strict compliance to strong sanitary protocols and physical distancing practices will protect the health and safety of farmworkers and decrease operational impacts.

Farmworkers are particularly susceptible to getting and spreading COVID-19 due to workplace and living conditions. Additionally, individuals above the age of 65 and people with pre-existing medical conditions such as diabetes, chronic lung disease and chronic heart disease, or a compromised immune system (e.g., cancer, cancer treatment, or other immunosuppressant treatments) have a greater risk of severe illness from COVID-19. Agricultural workers with lung problems associated with exposure to common hazards such as pesticides and fungi found in crops, are also at special risk.

On April 14, 2020 Secretary-Designee of the WI Dept. of Health Services, Andrea Palm, issued WI Emergency Order #25 Additional Safety Measures Related to the Department of Workforce Development (DWD) and Migrant Labor Camps. The best practices in this document can be used to ensure implementation of the order and can be a continued practice upon expiration of Order #25. These practices also provide additional ways employers can protect the health and safety of farmworkers and decrease operational impacts. If followed, the recommendations from the WI Farmworker Coalition – Subcommittee on Housing and Workplace Safety will minimize farmworker exposure to COVID-19 and protect public health of the state.

The key components of a prevention plan for migrant farm workers include:

1) Proactively identifying the health risks faced by farmworkers and developing action steps to minimize the risk of exposure and spread of the virus,
2) Worker education to ensure understanding of best practices to reduce risk of transmission
3) Early detection and isolation of people with symptoms of COVID-19, and
4) Caring for individuals with COVID-19 to ensure that they do not spread the illness to others.

1.1 Plan and be Prepared

**Develop Plans and Best Practices**

- Implement WI Emergency Order #25, Additional Safety Measures Related to the Department of Workforce Development (DWD) and Migrant Labor Camps.
- Visibly display all guidelines in English and in the language of the camp occupants if other than English.
- Establish communication with local health departments. Identify who at the local health department will be your primary contact for COVID-19 concerns. Ask what resources your local health department may have available to support isolation and quarantine in the event that you would need additional space for this.
- Develop plan for alternate housing to comply with isolation and quarantine requirements.
- Communicate with your state housing inspector in order to request and arrange for advance inspection of any alternative housing.
- Develop plan to disinfect high-touch areas within the common area and facilities daily per CDC guidance: Plan for cleaning and disinfecting of work areas, common areas, and all bathrooms (workplace and housing).
- Develop plan for a COVID-19 screening process for employees upon arrival to migrant housing and worksite.
- Develop plan to allow employees to isolate in migrant housing and recuperate if they have symptoms of COVID-19.
- Communicate an employer’s COVID-19 prevention and care plan to workers at time of recruitment, in a way that is readily understandable by all workers. For workers recruited on or after March 12, 2020, the date Governor Evers declared a public health emergency, communicate prevention and care plan as soon as possible.
- Develop workplace plan for increased absenteeism. Disclose contingency plans to workers at the time of recruitment. For workers recruited on or after March 12, 2020, the date Governor Evers declared a public health emergency, communicate workplace contingency plans as soon as possible. Workplace contingency plan may include staggering work shifts, cross-training employees or hiring temporary workers.
- Do not dock pay from employees who call-in sick or do not work due to exhibiting COVID-19 symptoms.
- Verify anyone recruiting temporary workers knows to contact state migrant inspector to apply for a Farm Labor Contractor license prior hiring them to recruit farmworkers.
Housing workers with symptoms of COVID-19

- Workers exhibiting symptoms of COVID-19 (e.g., fever, cough, shortness of breath) shall be provided a separate, isolated living space.
- Ensure proper ventilation of rooms where persons with COVID-19 are housed.

Accessing healthcare and health departments

- Identify who at the local and health department will be your primary contact for COVID-19 concerns. Discuss and establish reporting procedures with local and state health department.
- Identify a list of healthcare facilities and healthcare providers near farmworker housing. It is important to find out if the local clinic has COVID-19 testing capacity and how patients can access tests (i.e., What is the cost if worker is uninsured, what are the requirements for accessing financial support programs offered through the facility and other options available).
- To view a list and map of healthcare facilities - Wisconsin Association of Free & Charitable Clinics: [http://www.wafcclinics.org/find-a-clinic.html](http://www.wafcclinics.org/find-a-clinic.html) or WI Community Health Centers: [https://www.wphca.org/page/FindHealthCenter](https://www.wphca.org/page/FindHealthCenter)
- If you cannot find a free or low-cost facility in your area, contact your local health department for advice [https://www.dhs.wisconsin.gov/lh-depts/counties.htm](https://www.dhs.wisconsin.gov/lh-depts/counties.htm)
- Communicate with identified healthcare provider(s) and/or facilities in order to identify and resolve any obstacles to worker treatment in advance of need.
- Provide health insurance to your employees and encourage your employees to sign-up for such insurance. Assist workers in applying for BadgerCare Plus medical insurance, if eligible. [https://access.wisconsin.gov/access/](https://access.wisconsin.gov/access/). Additional information is also available: [https://www.dhs.wisconsin.gov/publications/p1/p10179.pdf](https://www.dhs.wisconsin.gov/publications/p1/p10179.pdf)
- Offer paid sick time leave so that employees feel empowered to use sick leave if experiencing COVID 19 symptoms and can seek medical attention. (Related: many employers may be subject to the Families First Coronavirus Response Act, which requires certain employers to provide 80 hrs of paid sick leave to employees with COVID-19 symptoms.)
1.2 **Promote Healthy Habits**

**Communication measures**
- Inform workers about the steps being taken in the workplace and housing to establish social distancing and prevent the spread of the virus.
- Communicate to workers important safety messages/updates daily.
- Seek input from workers regarding additional measures that could be taken to ensure workplace and housing safety.
- Ensure workers will not face retaliation for making suggestions on health and safety or reporting unsafe housing or work conditions. Provide training to supervisors to prevent retaliation.
  - It is against the law for any employer to take any adverse action such as firing or threatening a worker for exercising safety and health rights such as raising safety and health concerns to their employer, participating in union activities concerning safety and health matters, filing a safety and health complaint or participating in an OSHA investigation. Workers have 30 days from the date of any such discriminatory action by the employer to file their complaint with OSHA.
- Visibly post anti-retaliation protections and phone numbers workers can use to report retaliation: OSHA (enforces Whistleblower Protection Law or the Department of Workforce Development: Bureau of Labor Standards or Department of Labor.

**Prevention**
- Promote preventative actions: use health messaging and materials developed by credible public health services, distributed in a language and format all employees will understand.
- Provide training on handwashing, social distancing, and identifying COVID-19 symptoms.
- Visibly post educational signage to encourage handwashing, social distancing, and awareness of COVID-19 symptoms in workplace and housing.
- Provide prevention supplies free of charge at your workplace and/or housing site: soap or alcohol-based hand sanitizers that contain at least 60% alcohol, tissues, trash baskets and surgical or cloth face coverings. Plan to have extra supplies on hand.
- Promote the use of cloth face coverings in all settings where physical distancing measures are difficult to maintain.
- Consider installing physical barriers between workers to minimize contact for those who must work in close proximity for extended periods of time.
Develop plan for washing and drying cloth face coverings after each use, per CDC guidelines.

Increase the number of washers and dryers available in each housing unit in order to allow the more frequent laundering of cloth face coverings. Do not charge workers to use washers and dryers.

Ensure supervisors lead by example.

**Education: Hygiene & Handwashing**

- The camp shall conspicuously display signs from DHS or CDC hand hygiene signs in English and in the language of camp occupants if other than English in the housing facilities: [https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html](https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html).
- Provide signs from DHS or CDC on protecting oneself and others from COVID-19 in workplace and housing.
- Provide information about social distancing in English and Spanish or other language as needed.
- Employees should avoid sharing personal items with coworkers (i.e., food, dishes, cups, gloves, engaging in activities such as playing cards etc.)
- Employees should sneeze or cough into tissues (and immediately discard the tissue) or their shoulder or elbows. They should wash their hands afterwards.
- Keep a minimum distance of six (6) feet from other coworkers (or any CDC updated social distancing protocol).
- Encourage employees to wash/sanitize their hands multiple times daily, including before and after work, breaks, eating, and use of toilet facilities.
- Place hand washing stations or hand sanitizer with at least 60% alcohol in cooking and eating facilities, sleeping facilities, in the field or in other food production, processing, transportation, cultivation, farming operation centers. Allow workers to use handwashing stations or hand sanitizer as frequently as desired.
  - Follow CDC guidelines for personal hygiene, including using an alcohol-based sanitizer that contains at least 60% alcohol or washing their hands with soap and water for at least 20 seconds.
  - Have soap and disinfectant, potable water, and single-use disposable towels available at worksites and throughout housing facilities.
- Reduce meetings and group gatherings to essential communication only and limit such meetings. If group meetings must occur, hold outside or in a space where people can observe social distancing of at least six (6) feet.
- Limit personal contact and grouping within the housing facility and worksites and limit the number of people using common facilities at any one time.
- The CDC has educational materials available in both English and Spanish: [https://www.cdc.gov/coronavirus/2019-ncov/communication/factsheets.html](https://www.cdc.gov/coronavirus/2019-ncov/communication/factsheets.html)
The Wi Dept of Health Services has Posters in English, Spanish, Hmong & Chinese Mandarin:  [https://www.dhs.wisconsin.gov/library/p-02592.htm](https://www.dhs.wisconsin.gov/library/p-02592.htm) or here [https://www.dhs.wisconsin.gov/covid-19/resources.htm](https://www.dhs.wisconsin.gov/covid-19/resources.htm)

WI Farmworker Coalition – Subcommittee on Outreach and Education will also identify other materials for worker education.

**Provide supplies**

- Provide access to cleaning supplies free of charge and support workers in maintaining a clean environment through training, signage, and providing increased time to clean and disinfect personal living spaces and shared common housing spaces.
- Provide access to all cleaning and disinfecting supplies at the worksite, all common areas, dormitory or sleeping quarters, and food preparation and eating areas.
- Provide free of charge a disinfectant that is active against coronaviruses to sanitize counters, bathrooms, and other areas [https://www.epa.gov/pesticide-registration/list-n-disinfectants-useagainst-sars-cov-2](https://www.epa.gov/pesticide-registration/list-n-disinfectants-useagainst-sars-cov-2). Provide training on how to safely use a disinfectant.

**1.3 Preventing the Spread of COVID-19**

**Screening procedures for incoming workers**

- Employees (including supervisors) that are sick, have symptoms related to COVID-19, or have a family member sick should be required to stay home and recuperate. Provide paid sick time to empower workers to take off time if they are ill. If the Families First Coronavirus Response Act applies to your company, educate workers on their rights to paid sick leave provided by the Act.
- Apply screening procedures prior to employees entering the facility daily: Measure employee's temperature (fever is 100.4 °F [38 °C]) or specifically ask if they have experienced a fever, cough or difficulty breathing. For specifics, please refer to CDC guidelines, found here: [https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html](https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html)
- Employees who have symptoms (i.e., fever, cough, or shortness of breath) should notify supervisor, not allowed onto the jobsite, and should be isolated from other workers in both the facility, and in housing.
- Ask if they have traveled in the last 14 days or been in contact with someone who has been diagnosed with COVID-19. If so, separate them from other workers and isolate them in migrant housing.
WI Department of Health link to screening tool: https://www.wihealthconnect.com/

Employers should not terminate employment and send farmworkers who are sick with or have been exposed to COVID-19 while in Wisconsin back to their primary place of residence.

Worker exhibiting symptoms of COVID-19

- People with symptoms of COVID-19 should not be working.
- Workers exhibiting symptoms should be provided a mask and asked to wear it when leaving the room to assist with source control. Provide instructions to sick worker on how to contact their assigned emergency contact person to assist them. Masks should be provided to any caregivers of ill workers.
- Supervisors should notify management and follow established plan to notify the local health department.
- Arrange for sick workers to see or speak with a medical provider. Assist workers in communicating with the medical provider. Communicate with the medical provider in advance of any worker arriving to medical facility so healthcare workers can take appropriate precautionary measures.
- Employers shall ensure that workers exhibiting symptoms of COVID-19 are transported separately to their residences and other transportation provided by the employer is also separate from other workers not exhibiting symptoms. Workers with symptoms of COVID-19 should take a private vehicle to get to the medical provider. If they do not have their own vehicle or are too ill to drive, please assist with transportation. Have the patient sit as far away as possible from the driver and have the patient and driver wear a mask, if available, or a cloth face covering.
- All surfaces the sick worker came in contact with should be cleaned and disinfected.
- Notify all employees when a worker exhibits symptoms of COVID-19. Disclose to employees when a worker tests positive for COVID-19. Employers do not need to name sick or positive employees but should alert all workers so that workers can take precautionary measures.
- Workers at the workplace and housing facility who were in close contact with sick or COVID-19 positive worker should also be considered exposed and should be quarantined for 14 days.
- WI Dept of Health has guidance for those who have been in close contact with someone with COVID-19: https://www.dhs.wisconsin.gov/library/p-02598a.htm
- Sick employees should not return to work until the criteria to discontinue home isolation are met in consultation with healthcare providers and state and local health departments:
Non-test-based strategy:

- At least 3 days (72 hours) have passed since recovery defined as the resolution of fever without any fever reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); and
- At least 10 days have passed since symptoms first appeared.

**Isolation measures**

- Workers exhibiting symptoms of COVID-19 shall be provided a separate, isolated living space, unless the symptomatic worker resides in a one-family housing unit or in a family living unit that is part of a multifamily unit. If a camp operator is unable to effectively isolate workers within their current living space, workers with COVID-19 symptoms shall be isolated in a separate room or building from other workers.
- Food and water shall be provided to workers under isolation in order to minimize the need to leave isolation. Workers may not have any funds to buy their own food and will not have access to kitchens to prepare their own food while sick. Resources: Contact local food pantry to inquire about deliveries of emergency food supplies.
- A worker exhibiting symptoms of COVID-19 must immediately be assigned to a separate toilet room, if possible, or a separate toilet if a separate toilet room is not available.
- Provide paid sick time to empower workers to take off time if they are ill. If the Families First Coronavirus Response Act applies to your company, educate workers on their rights to paid sick leave provided by the Act.
- Monitor for worsening symptoms, as people who develop symptoms may become worse and require hospitalization. Assign a designated caregiver for each sick worker who will be on call and easily contactable. Provide workers with phone number(s) for the emergency contact person on call to assist them if symptoms worsen.
- Remain in communication with public health officials (e.g., local health department staff). Public health officials may provide further instructions about isolation and release from isolation.
- Create a plan for how to care for workers, especially if many workers are sick at the same time. Also develop workplace contingency plans for periods of reduced labor. Slow down production lines so workers can stay 6 feet away from each other.
- Review CDC Checklist for Homeless Shelters and/or Universities for guidance on preventing/managing an outbreak in congregate living settings.

Handling a COVID-19 diagnosis:

- Instruct workers who had contact with the COVID-19 patient to self-monitor for symptoms of COVID-19 for 14 days. These exposed workers should be separated from non-exposed workers for 14 days (e.g., sleep in a separate room, work in a separate area). If they develop symptoms of COVID-19, follow your established procedure for isolation and care. Guidelines on what to do if you have been in close contact are available from WI Dept of Health Services at: [https://www.dhs.wisconsin.gov/library/p02598a.htm](https://www.dhs.wisconsin.gov/library/p02598a.htm)
- Information on what to do if you live with someone diagnosed with COVID-19 are available from WI Dept of Health Services at: [https://www.dhs.wisconsin.gov/library/p-02598.htm](https://www.dhs.wisconsin.gov/library/p-02598.htm)
- Provide separate sleeping quarters and bathroom for each individual with COVID-19. Clean and disinfect sleeping quarters and bathroom daily. Consider establishing designated times for showering for persons in isolation and establish a disinfection protocol to avoid exposure risk.
- If an individual sharing a bathroom becomes symptomatic of COVID-19, all others sharing a bathroom should be considered exposed.
- Cleaning and disinfecting supplies should be provided free of charge.
- Food and water shall be provided to workers under isolation. Also plan to provide worker with any necessary medication.
- Do doing laundry for sick employee.
- Employers should not terminate employment and send farmworkers, who are sick with and have been exposed to COVID-19 while in Wisconsin, back to their primary place of residence. Employers should follow all WI Migrant Law and H-2A regulations.
- Develop plan for contacting the employee’s family and identify a method to stay in contact with them virtually.

Housing:

- Separate beds by at least six (6) feet apart to comply with the social distancing requirement. Workers should also sleep head to toe.
- Sleeping and living areas should have proper ventilation. ASHRAE standards and recommendations for living quarters can be found here: [https://www.ashrae.org/file%20library/technical%20resources/covid-19/residential_a3.pdf](https://www.ashrae.org/file%20library/technical%20resources/covid-19/residential_a3.pdf) Immediately separate any individuals with symptoms of COVID-19.
Individuals with COVID-19 symptoms should be isolated and have their meals brought to them to eat separately in their isolation quarters.

Increase number of meal shifts to decrease number of people eating in same space at one time. Clean and disinfect dining space after each meal shift.

Be diligent in following hygiene and food safety rules about keeping food covered and not sharing utensils or containers, washing hands before eating and handling shared object and cleaning kitchen and dining areas between use.

Encourage employees to follow social distancing practices in common areas.

**Transportation:**
- Disinfect vehicle before and after each use
- Employer shall ensure that workers engage in social distancing on all transportation of workers between work and their residences and other transportation provided by employer to allow workers to obtain necessary supplies and services, as defined in Emergency Order #12, and sit at least six (6) feet apart, even if this requires additional transport or reduces productivity. Employer may stagger start times or workdays to meet this requirement. Also provide and encourage the use of masks or cloth face coverings.
- Reduce the number of workers transported at a time: staggering shifts, multiple trips

**Cleaning & Disinfecting:**
- Train workers on the difference between cleaning and disinfecting.
- Train workers to safely use chemical disinfectants.
- Increase the frequency of your routine cleaning and disinfection program
- Emphasize the importance of cleaning and disinfecting frequently touched objects and surfaces: bathrooms, water coolers, faucet handles, door knobs, light switches, countertops, equipment, phones, etc.
- Use Environment Protection Agency (EPA) registered disinfectant to clean and disinfect. [https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2](https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2)

**Distributing information to growers:**
- Request that DWD share information via email to all Migrant/Seasonal and H-2A employers and Farm Labor Contractors/ Recruiters registered with the State.
- Request that all partners share information via email with their appropriate distribution lists.
- Distribute information to growers' associations.
- Share information with employers and workers while conducting outreach visits.
- Refer to ideas from the "Communications" sub-committee.
2. Resources

- WI Dept of Public Health Coronavirus Website: [https://www.dhs.wisconsin.gov/covid-19/index.htm](https://www.dhs.wisconsin.gov/covid-19/index.htm)
- Wisconsin Health Connect on behalf of Dept of Health Services - Screening for COVID-19: [https://www.wihealthconnect.com/](https://www.wihealthconnect.com/)
- WI Dept of Health Services (DHS) What should I do if someone in my home is sick from COVID-19: [https://www.dhs.wisconsin.gov/library/p-02598.htm](https://www.dhs.wisconsin.gov/library/p-02598.htm)
- WI Dept of Health Services (DHS) What should I do if I had close contact with someone who has COVID-19: [https://www.dhs.wisconsin.gov/library/p-02598a.htm](https://www.dhs.wisconsin.gov/library/p-02598a.htm)
- Western Center for Agricultural Health & Safety: [https://aghealth.ucdavis.edu/covid19#resources](https://aghealth.ucdavis.edu/covid19#resources)
agog WA State Dept of Health: Workplace and Employer Resources & Recommendations: https://www.doh.wa.gov/Coronavirus/Workplace
agog NC DHS COVID-19 Videos in English & Spanish: https://www.youtube.com/playlist?list=PLUadR7S9ykdIO5IWNW3yCJ8IBUGZ3c6qY
agog Indiana (IN) DHS Agricultural Labor Camp Inspection: https://www.in.gov/isdh/23276.htm
agog DWD Employment & Training COVID-19 and Job Center Services: https://dwd.wisconsin.gov/covid19/public/det.htm

Contact Information:

Department of Workforce Development – Migrant Seasonal Farmworker Services (MSFW):
Migrant inspector (State of WI - Migrant Labor Law: Migrant housing, field sanitation standards, work agreements)
Pedro Albiter
Ph: (608) 242-4905
Email: Pedro.Albiter@dwd.wisconsin.gov

Foreign Labor (H2A) Coordinator (US DOL - Foreign Labor Certification Program)
Rosa Ortega
Ph: (920) 948-4708
Email: Rosa.Ortega@dwd.wisconsin.gov

State Monitor Advocate
Angelica Vasquez
Ph: (608) 206-0487
Email: Angelica.Vasquez@dwd.wisconsin.gov

Retaliation:
OSHA – Whistleblower Protection Law
Ph: (414) 297-3315

Department of Workforce Development – Bureau of Labor Standards
Ph: (608) 266-3131

US Department of Labor
Ph: (866) 487-2365