



**AB 2043 (as amended): Agricultural Workplace Health and Safety Act**

**SUMMARY**

AB 2043, the Agricultural Workplace Health and Safety Act, will protect California's agricultural employees and keep the food supply chain safe, healthy, and functional by promulgating health and safety best practices in the workplace. Specifically, this urgency bill will ensure adequate Cal/OSHA enforcement of its own COVID-19 guidance, a robust outreach campaign to educate employers and employees related to workplace health and safety, and the tracking and reporting of employee complaints.

**BACKGROUND**

Agricultural employees are a vital part of our workforce, performing intense physical labor in close quarters to ensure that people in California and throughout the United States, have access to fresh, healthy food. Due to the critical role they play in our society, farmworkers have been classified as essential workers and are continuing to work throughout the COVID-19 pandemic, despite the risk of exposure at their workplaces.

At a time when people throughout the world are encouraged to stay home, and stay 6 feet away from others when out in public, our agricultural employees are still working shoulder to shoulder to pick and process produce. COVID-19 has created an unavoidable risk of illness that they now face daily. From shared transportation to tight working environments, the extremely close proximity to others in which agricultural employees find themselves daily means that they are at a higher risk for contracting COVID-19 than many others. While Latinos comprise only 38.9% of the population in California, the California Department of Public Health reports that they account for a full 54.8% of all COVID-19 cases. It is critical that we act swiftly to educate agricultural employers and employees about these risks and the steps they can take to protect themselves at work.

In an effort to protect agricultural employees against the spread of COVID-19, Cal/OSHA has issued guidance on best practices in the workplace. The guidance contains suggestions on employee training, good sanitation practices, and steps that employers

can take to prevent the spread of COVID-19, including physical distancing.

These guidelines are aimed at employers and may not be effectively disseminated to the workforce, let alone communicated to employees in a culturally competent way. Workers should also know who to contact to file a complaint if they feel that they are working in unsafe conditions, and, as part of the outreach to employees, they will be provided with contact information for Cal/OSHA. To maintain transparency, it is absolutely vital that the investigation information be made accessible to the public on the Division of Occupational Safety and Health (Division) website.

The COVID-19 pandemic has wreaked havoc on our state and caused untold disruptions to our daily lives. Throughout all of this, our agricultural employees continue to show up, putting their health and safety on the line, to maintain our access to nutritious food. Many workers are not aware that they are entitled to paid sick leave and workers' compensation should they become infected with COVID-19, and the outreach campaign will educate them on these COVID-19-related employment benefits. California's agricultural employees comprise a truly indispensable workforce, and we have to provide them with workplace protections and COVID-19 related education so that they can stay safe and healthy while working.

**SOLUTION**

AB 2043, the Agricultural Health and Safety Act, will:

- Direct the Division to immediately enforce the COVID-19 guidance already issued by Cal/OSHA, including:
  - Cal/OSHA Interim General Guidelines on Protecting Workers from COVID-19;
  - Safety and Health Guidance: COVID-19 Infection Prevention for Agricultural Employers and Employees;
  - COVID-19 Industry Guidance: Food Packing and Processing;
  - COVID-19 Industry Guidance: Agriculture and Livestock;
  - and any other COVID-19 related guidance or guidelines made available on the Division's website;



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- Fund a targeted, culturally competent outreach campaign, via public service announcements, workplace signs, and other communication methods, to educate agricultural employees directly about COVID-19 and the many steps they can take at work, and at home, to keep themselves safe and healthy. This campaign will also include reporting information for the Division, and information on COVID-19-related paid sick leave and workers compensation benefits.
- Direct the Division to compile and report, via its website, statistics and summary information relating to investigations involving agricultural workplaces.

Together, these important measures will promote health and safety best practices for agricultural employees and ensure that this essential workforce receives the education and resources it needs to remain safe in the workplace.

**SUPPORT**

- California Association of Winegrape Growers
- California Citrus Mutual
- California Climate & Agriculture Network (CALCAN)
- California Farmworker Foundation
- California Food & Farming Network
- California Health+ Advocates
- California Immigrant Policy Center
- California Labor Federation
- California Rural Legal Assistance Foundation, Inc.
- Californians for Pesticide Reform
- Catholic Charities Dioceses of California
- Center for Farmworker Families
- City of Salinas
- City of Watsonville
- Clean Water Action
- Community Agency for Resources Advocacy and Services
- Community Alliance with Family Farmers
- Community Bridges
- Community Water Center
- County of Monterey
- County of Santa Clara
- County of Santa Cruz
- County of Tulare
- Everyone’s Harvest

- Farmworker Institute of Education & Leadership Development
- Friends of the Earth
- Grower-Shipper Association of Central California
- La Cooperativa Campesina de California
- Latino Coalition for a Health California
- Leadership Counsel for Justice & Accountability
- League of California Cities
- Lideres Campesinas
- National Association of Social Workers, California Chapter
- Natural Resources Defense Council
- NextGen California
- Nutrition and Fitness Collaborative of the Central Coast
- Pesticide Action Network North America
- SURJ South County
- Teamsters Local 890
- Thriving Immigrants Collaborative
- United Food and Commercial Workers, Western States Council
- Watsonville Campesino Appreciation Caravan
- Women’s International League for Peace and Freedom

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