



July 31, 2020

Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 95814

Re: Working Together to Protect our State's Critical Agricultural Workforce, with Further Action Requested Relating to COVID-19 Testing, PPE, and Safe Housing

Dear Governor Newsom:

On behalf of the CA Latino Legislative Caucus, we write to you regarding the need to take immediate action to protect our most vulnerable essential workers. Recent reports of COVID-19 outbreaks linked to farms, packing sheds, and meatpacking plants across California make clear more must be done. We urge you to take further, immediate, statewide action in this area – particularly with respect to expanding and improving access to testing, ensuring access to personal protective equipment (PPE), and providing permanent safe housing solutions. We must move from a reactive approach where the State only steps-in after cases have spiked, as it did in Imperial County and now in the Central Valley, to a **proactive** one. **We need action before outbreaks occur, not after.**

The Latino Caucus, along with several of its individual members, has a long history of supporting farm and agricultural workers. We applaud your efforts to protect these uniquely vulnerable workers, given so many of them are members of our Latino community – including your recent announcement regarding the “Housing for the Harvest” program, the \$52M pledge to assist eight counties in the Central Valley to slow the spread of COVID-19, the establishment of the Disaster Relief Fund to assist undocumented immigrant workers, the extension of sick leave to two weeks for many food supply workers, the formation of the COVID-19 Testing Task Force and expansion of testing to underserved communities.

As part of your recent announcements relating to agricultural workers, you committed to working with the Legislature and key stakeholders to expand critical protections to ensure these essential workers are provided the comprehensive and long-term relief they need. We encourage you to work with our Caucus and Members, many of whom are carrying bills that would provide additional, necessary relief for this essential agricultural workforce.

Agricultural Workers, on the Front Lines of our Food Supply, Urgently Need Additional Relief

With the number of COVID-19 cases and hospitalizations rapidly increasing in our state, agricultural workers are uniquely vulnerable to the spread of the virus. Agricultural workers often live in crowded households, work shoulder-to-shoulder without PPE or adequate sanitation facilities, and commute to work on crowded buses. Acknowledging the unique issues these workers face, The Center for Disease Control and the U.S. Department of Labor recently warned that agriculture work sites, shared worker housing, and shared worker transportation vehicles present unique challenges for preventing and controlling the spread of COVID-19. Working and residing in these conditions means physical distancing and self-isolation is nearly impossible, and if contracted, COVID-19 can spread very quickly.

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Unsurprisingly, given all of these factors, agricultural workers – particularly Latino agricultural workers – have been disproportionately impacted by the virus. Altogether, Latinos make-up 39% of the State’s population but account for over 56% of the State’s positive COVID-19 cases. Without an intervention, these numbers could get much worse when one considers that farmworkers also have higher rates of co-morbidities for COVID-19, such as asthma, diabetes, obesity, heart disease, stress, and – ironically – hunger and malnutrition. Moreover, one quarter of farmworkers are 50 years old or older and face increased risk of serious complications.

Sadly, reports of outbreaks among agricultural workers are becoming all too frequent throughout our state, including 153 positive cases at a food processing plant in Los Angeles County, 176 cases at a farmworker housing complex in Ventura County, dozens of cases at a pistachio farm in Kern County, clusters among North Bay farmworkers, and outbreaks in produce packing houses in Santa Paula and Coachella. At this rate, COVID-19 spread among farm and agricultural workers will inevitably threaten our State’s food supply chain. The time for further action is now to adequately protect the health and safety of our agricultural workers for the duration of this crisis. We especially urge your attention to the following issues:

(1) Statewide, Expanded Access and Information Relating to COVID-19 Testing

First, we ask that testing efforts be accelerated and agricultural workers be better prioritized to access testing sites – not just in the Central Valley, but in all of the State’s agricultural regions. Many agricultural workers are unlikely to seek healthcare services due to their immigration status or the status of someone in their household. Accordingly, readily available and free COVID-19 testing at or near rural work sites is necessary. Wait times for appointments and turnaround time for test results must be reduced – including by more widely utilizing the rapid antigen test (with results available in less than an hour) instead of or in addition to the more common swab molecular test (with results sometimes taking a week or more). Additionally, given the nature of their work and living conditions, agricultural workers must be properly prioritized as “Tier 2” – allowing them increased access to testing along with other high-risk groups, like those working in nursing homes, homeless shelters, and prisons.

In order for outbreaks to be detected quickly and mitigated, all state agencies and counties that administer testing must be required to collect and report the occupations of persons testing positive for COVID-19. Currently, only Monterey County and Santa Cruz County regularly collect and post occupational data related to COVID-19 testing.

Finally, CalOSHA’s enforcements efforts must be greatly expanded well beyond the targeted, “strategic enforcement” announced this past week. Agricultural workers are historically, less inclined to make a complaint due to fears surrounding their immigration status or concerns about retaining their job. We need a system in place that protects workers by proactively investigating and seeking a remedy for workplace violations, due to COVID-19.

(2) Statewide, Expanded Access to Face Coverings and Other PPE

Agricultural workers in California continue to experience a widespread shortage of protective face coverings and other PPE. Late last month, farmworkers went on strike in Wasco demanding better sanitation measures, including access to free face coverings and gloves. It is vital that agricultural workers be prioritized in the state’s provision of protective equipment in order to reduce the possibility of the virus spreading further amongst other workers and their families. In particular, we urge your Administration to prioritize providing California’s essential food supply workers with PPE prior to sending stockpiles to other states. We cannot rely solely on employers, local governments, nonprofits, and employees themselves to provide adequate PPE, especially when the State has a surplus.

(3) Statewide, Expanded Access to Safe, Permanent Agricultural Housing

As in nursing homes and homeless facilities, once an outbreak occurs in an agricultural community, it is very difficult to contain. This situation is exacerbated by the fact that many agricultural workers live in overcrowded spaces. We believe your recently announced "Housing for the Harvest" program will be critical for providing temporary housing for sick or at-risk agricultural workers across the State, but more permanent solutions for safe housing are needed.

To ensure more agricultural workers have access to permanent and safe housing, we request a substantial expansion of the California Farmworker Housing Assistance Tax Credit. The current designation of \$500,000 for these credits is far too little to support the large number of projects needed to deliver new, permanent, and safe housing for our farm and other agricultural workers. This year's State Budget allocated a total of \$500 million to the broader State Low-Income Housing Tax Credit (LIHTC) Program, some of which must be prioritized for farmworker housing tax credits. An expansion of the California Farmworker Housing Assistance Tax Credit program, by at least \$25-million, will speed up projects already in the pipeline and incentivize new projects needed in light of the COVID-19 health crisis.

Now, more than ever, we must be steadfast in our commitment to slow the recent spike in COVID-19 cases, especially among the most vulnerable residents in our state. We need a **comprehensive, statewide approach** – with these programs immediately funded and expanded to all of our state's agricultural regions.

Agricultural workers are putting their health and lives on the line to keep us fed during this pandemic. We are confident that by working together, we can keep them safe. Thank you for your attention to these urgent issues. Please do not hesitate to call us, or our caucus staff, at (916) 651-1535 should you have any questions or need additional information.

Sincerely,



LORENA GONZALEZ
Chair, CA Latino Legislative Caucus
Assemblywoman, 80th District



MARIA ELENA DURAZO
Vice Chair, CA Latino Legislative Caucus
Senator, 24th District