



Summary of Rule: Employer-provided Housing Update

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Department of Consumer
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Employer-provided Housing Rule

Comprehensive package of reforms in ALH:

- Significant amendments to ALH rule
- Technical help to Oregon Department of Agriculture under \$5 million grant program established by legislature
- Commitment to support more funding for infrastructure improvements to ALH once \$5 million exhausted
- Increased interagency coordination on issues affecting agricultural workers

Employer-provided Housing Rule

As part of a legislative request for 2025-27:

- Creation of annual self-certification housing registration requirement for employers that includes photos, videos, or other evidence of continued compliance for certain provisions
- Establishment of seasonal ALH surveyor program (9 FTE):
 - 7 seasonal surveyors – deployed across Oregon to evaluate site conditions, attempt to gain compliance when noncompliant site conditions are identified, and refer site to enforcement for evaluation, if inspection needed
 - 1 surveyor manager
 - 1 safety compliance officer

Employer-provided Housing Rule

- **Effective dates:**

- **Blue** - March 31, 2025, unless otherwise noted
- **Yellow** - Jan. 1, 2026
- **Black** - Jan. 1, 2027
- **Pink** - Jan. 1, 2028

- **Changes from proposal to adoption:**

- **Green** - no substantive changes to provisions on the slide
- **Red** - substantive changes to a provision on the slide

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Registration:

No substantive changes from proposal, except effective dates

- Removed exception that housing provided for nonfood crops were not required to register – **Jan. 1, 2026**
- Water testing results must be submitted with registration: coliform bacteria (annual), nitrates (annual), and arsenic (initial registration after adoption) – **Jan. 1, 2026**
- Initial registration (after adoption) requires site to be free from all hazardous conditions

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Facility grounds:

One substantive change from proposal, adjusted effective date

- Remove livestock care exception; added carve-out to allow if housing contains (within the dwelling) all required: sinks, toilets, showers, sleeping areas, and indoor kitchens – **Jan. 1, 2028**
- Provide adequate exterior/walkway lighting to facilities
- Require secure storage of hazardous materials
- Structures must be free from nuisance materials

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Laundry:

No substantive changes from proposal, except effective dates

- Provide tubs and trays for laundry at 1:25 ratio, or 1:30 ratio if laundry machines are provided – **Jan. 1, 2026**
- Separate method for cleaning contaminated clothes from other clothes – **Jan. 1, 2026**

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Water:

No substantive changes from proposal, except effective dates, and added a note

- Post water testing results in language of occupants or pictograms
- Add arsenic and nitrates to well water testing frequency – **Jan. 1, 2026**
- Potable water requirements increased to account for other rules – heat illness/sanitation; added note that other potable water sources may satisfy this requirement (e.g., plumbed sinks)

Employer-provided Housing Rule

Concepts **NOT** in ALH rule for adoption :

Water:

- Did not change the water pressure requirement to 20 psi – must be no less than 15 psi as is current requirement

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Bathing Facilities:

No substantive changes from proposal, except effective dates, and added a note

- Shower area must have private changing room and adjusted effective – **Jan. 1, 2028**
- Shower stalls must lock – **Jan. 1, 2028**
- Added note to clarify that a single shower in a lockable room is acceptable

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Toilets:

No substantive changes from proposal, except effective dates

- Locate privies more than 200 feet from facilities – **Jan. 1, 2026**
- Privies do not count toward toilet ratios – **Jan. 1, 2026**
- Provide a handwashing facility with paper towels adjacent or a reasonable distance to portable or chemical toilets
- Toilets must have solid doors – **Jan. 1, 2027**
- A 1:10 toilet ratio for each gender, no less than two toilets if more than two of the same gender – **Jan. 1, 2027**

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Cooking and eating facilities when currently provided:

No substantive changes from proposal, except effective dates

- Provide adequate number of refrigerators capable of maintaining 40 degrees
- Provide protected food storage area
- People with known communicable disease must be barred from common use cooking facilities until the disease is no longer communicable
- When kitchens are already provided, any lesser requirements will sunset on **Dec. 31, 2027**, except as noted above

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Cooking and eating facilities must be provided:

No substantive changes from proposal, except effective dates

- Provide kitchens that are enclosed/indoors or screened – **Jan. 1, 2028**
- Provide protected food storage area – **Jan. 1, 2028**
- Provide adequate food storage area – **Jan. 1, 2028**
- Adequate number of refrigerators capable of maintaining 40 degrees – **Jan. 1, 2028**
- Plumbed sinks with hot and cold water must be provided near food preparation area – **Jan. 1, 2028**

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Cooking and eating facilities must be provided (continued):

No substantive changes from proposal, except effective dates

- Toilet sinks cannot count toward sink requirements in kitchens – **Jan. 1, 2028**
- Provide 2 cook burners per 8 occupants or 2 family units, whichever is more – **Jan. 1, 2028**
- Require gas burners to vent outside – **Jan. 1, 2027**

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Housing:

One substantive change from proposal, adjusted effective dates

- Provide at least 50 square feet per bed in sleeping rooms with bunk beds – **Jan. 1, 2028**; added exception to allow 40 square feet for families with children 17 and under with bunk beds
- Remove cots as an allowable bed type – **Jan. 1, 2026**
- Mattresses must be 4 inches thick – **Jan. 1, 2026**
- Ban fumigation with pesticides as a mechanism to clean mattresses – **Jan. 1, 2026**
- Provide cleanable mattress covers

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Housing (continued):

No substantive changes from proposal, except effective dates

- Must not require workers to sleep in same bed if that is not their preference
- Add safe access to the top bunk – **Jan. 1, 2026**
- Maintain indoor temp of 78 degrees in all sleeping areas when 80 degrees outside, or 15 degrees below outside temperature if at or above 95 degrees – **Jan. 1, 2027**
- Install carbon monoxide detectors – **Jan. 1, 2026**

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Housing (continued):

One substantive change from proposal, adjusted effective dates, added notes

- 15 cubic feet of storage provided for each occupant or family unit – **Jan. 1, 2026**
- Provide access to one electrical outlet per occupant in sleeping areas. Added two notes to provide clarification – **Jan. 1, 2027**
- Require adequate signage for driveways/units for emergency access – **Jan. 1, 2026**
- Lockable storage must be provided for personal effects – **Jan. 1, 2026**
- Use chemicals in accordance with label for insect/rodent control

Employer-provided Housing Rule

Effective date is **March 31, 2025**, unless otherwise noted:

Housing (continued):

One substantive change from proposal, adjusted effective dates

- Adjusted disease reporting to more general requirements of when to report to Oregon Health Authority or local county health authority
- Add “structurally sound” to existing housing requirement
- Notify of availability of space heater
- Expand list of what growers cannot charge occupants to include toilet paper, soap, laundry facilities, and cool potable water

Employer-provided Housing Rule

Next steps:

- Adopt rule
- Coordinate with Department of Agriculture with grant fund implementation
- Prepare supplemental materials and online references
- Train staff – update enforcement and consultation guidance
- Public training upon request
- Prepare for legislative funding request package

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Remove exception that housing provided for nonfood crops were not required to register (current registration applies only to crops harvested for food)	January 2025	January 2026
Submit water testing results to Oregon OSHA with annual registration application (no current requirement)	January 2025	January 2026
Require sites in initial registration to have no hazardous conditions (registration is currently provided when site is substantially in-compliance)	January 2025	March 31, 2025
Provide adequate exterior/walkway lighting to facilities (current requirement vague)	January 2025	March 31, 2025
Require secure storage of hazardous materials (no requirements in labor housing)	January 2025	March 31, 2025
Require structures to be free from nuisance materials (current requirement is specific to food waste and water hydrants)	January 2025	March 31, 2025
Remove livestock care exception (housing can currently be within 500 feet if occupants are tending or working with the livestock in question) 	January 2026	January 2028

 Indicates a substantive change from proposal to adoption

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Provide separate method for cleaning contaminated clothes from other clothes (no current requirements in labor housing)	January 2026	March 31, 2025
Post water testing results in language of occupants or pictograms (no current requirement)	January 2025	January 2026
Adds initial arsenic testing and annual nitrates testing to well water testing frequency for all wells provided as part of employee housing (no current requirement)	January 2025	January 2026
Make sure potable water requirements do not include requirements for other rules – heat illness/sanitation (no current requirement)	January 2025	March 31, 2025
Provide locking shower stalls (no current requirement)	January 2026	January 2028
Provide a private changing room for a shower area (no current requirement)	January 2027	January 2028
Provide a handwashing facility with paper towels adjacent or a reasonable distance to portable or chemical toilets (handwashing requirements are currently ambiguous for these specific types of toilets)	January 2025	March 31, 2025
Provide solid doors for toilets (solid door not required, curtains are allowed)	January 2025	January 2027

 Indicates a substantive change from proposal to adoption

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Locate privies (e.g., an outhouse) more than 200 feet from facilities (currently 100 feet from food or living area)	January 2026	March 31, 2025
Do not count privies toward toilet ratios (currently counted in toilet ratios)	January 2026	March 31, 2025
Require a 1:10 toilet ratio for each gender, no less than two toilets if more than two of the same gender (current ratio is 1:15 for each gender with no minimum)	January 2026	January 2027
Provide protected food storage area (no current requirement)	January 2025	March 31, 2025
When provided, refrigerators capable of maintaining 40 degrees (currently 41 degrees)	January 2025	March 31, 2025
Provide 2 cook burners per 8 occupants or 2 family units, whichever is more (current ratio is 2:10)	January 2025	January 2028
Explicitly require gas burners to vent outside (building codes apply, but this protection not explicitly listed)	January 2026	January 2027
Provide kitchens that are enclosed/ indoors or screened (kitchens are not currently required; when provided, certain provisions apply, but can be outside with no shelter or screen enclosures)	January 2027	January 2028


 Indicates a substantive change from proposal to adoption

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Provide plumbed sinks with hot and cold water near food preparation area (no current requirement)	January 2027	January 2028
Do not count kitchen sinks toward sink requirements in handwashing (sinks in toilet rooms and kitchens all currently count toward the same ratio)	January 2027	January 2028
Remove cots as an allowable bed type	January 2025	January 2026
Require mattresses to be 4 inches thick (currently, any mattress thickness or more than two-inch foam pad is allowed)	January 2025	January 2026
Ban fumigation with pesticides as a mechanism to clean mattresses (fumigating the mattress with pesticides is currently an option to clean)	January 2025	January 2026
Provide cleanable mattress covers (can currently fumigate uncovered pads or provide cleanable pad covers)	January 2025	March 31, 2025
Must not require workers to sleep in same bed if that is not their preference (currently silent on the topic)	January 2025	March 31, 2025
Add safe access to the top bunk such as ladders or stairs (no current requirement)	January 2025	January 2026
Install carbon monoxide detectors (no current requirement)	January 2025	January 2026

 Indicates a substantive change from proposal to adoption

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Ensure forks, driveways, buildings, and housing units are properly marked (no current requirement)	January 2025	January 2026
Use chemicals in accordance with label for insect/rodent control (other generic rules apply, but not in housing)	January 2025	March 31, 2025
Add “structurally sound” to existing housing requirement language (housing must currently be safe and in good repair)	January 2025	March 31, 2025
Align disease reporting with the Oregon Health Authority (currently aligned with disease reporting requirements in effect before 2008) 	January 2025	March 31, 2025
Notify of the availability of a space heater (no current requirement)	January 2025	March 31, 2025
Expand the list of what growers cannot charge occupants to include toilet paper, soap, laundry facilities, and cool water (pay-per-use toilets, pay-per use bathing facilities, or any other method of paying for individual service requirements are currently prohibited)	January 2025	March 31, 2025

 Indicates a substantive change from proposal to adoption

Employer-provided Housing Rule

Rule change	Timeline as proposed	Timeline as adopted
Maintain indoor temperature of 78 degrees in all sleeping areas when 80 degrees outside, or 15 degrees below outside temperature if at or above 95 degrees (cooling area for 50 percent of housing occupants is currently required)	January 2026	January 2027
Provide one electrical outlet per occupant in sleeping areas (current requirement is one outlet in living area, regardless of number of occupants) ★	January 2026	January 2027
Provide 15 cubic feet of storage for each occupant or family unit (storage allowance currently not specified; "suitable" only) ★	January 2026 (21 cubic feet as proposed)	January 2026 (15 cubic feet for adoption)
Provide lockable storage for personal effects (no current lockable storage requirements)	January 2026	March 31, 2025
Provide at least 50 square feet per bed in sleeping rooms with bunk beds (currently 40 square feet) ★	January 2027	January 2028

★ Indicates a substantive change from proposal to adoption

Questions?

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