

Oregon OSHA Agricultural Labor Housing Rule Advisory Committee Meeting Minutes August 26, 2021

Attendees:

Gary Robertson
Alta Schafer
Marissa
Stacey
Michael Wood
Kate Ryan
Matt Borman
Mike Omeg
Sarah Rew

Jenny Dresler
Jon Laraway
Renee Stapleton
Kate Suisman
Laurie Hoefer
Dora Totoian
Catie Theisen
Amanda Dalton
Barbara Hanley

Jeff Stone
Nargess Shadbeh
Julie Love
Ira Cuello-Martinez
Rosie
Nilda Martinez
Taylor Atkinson

The meeting was called to order by Gary Robertson (Oregon OSHA Technical Specialist). Self-introductions were made.

Discussion

Michael Wood welcomed everyone to the meeting. Gary Robertson has taken the lead for the rulemaking, and Sarah Rew is joining the rulemaking. She has experience in the field and inspection the labor housing and she is bi-lingual. Sarah Rew started with WCD and then joined Oregon OSHA and has done various jobs with us.

Update on Extreme Heat and Wild Fire Smoke:

Went into effect a couple of weeks ago.

Draft rule:

Discussed housing requirements that is written in draft (2)(a-c)

Comment. Member: Suggest delving into more.

A. A clean draft rule will be sent to the group and we would like feedback.

Comment. Member: The change proposed by other members and would have a substantial impact on the workers that would be able to be employed. The growers can't afford to build new housing to accommodate this.

Comment. Member added just to clarify, I am not saying employers should stop using hotels/motels but that those facilities should be better regulated.

Comment. Member: That is not how I read the exception. I don't think this is farmers trying to skirt the rules.

Comment. Member commented that it seems hard to put these out to every hotel and motel in the state.

Comment. Member: We are saying that when they are used they are better regulated and be safe for workers when they are used.

Comment. Oregon OSHA: Committed Relationship -- asked how this would be regulated. This is just a thought and not in the current rule. Thinks this was for sharing a mattress. A member would like to table this discussion.

Square Footage

Question. Member: Common use facilities, how big is the housing unit? Are we talking 20 people, or how many?

Comment. Member: The housing is not based off of the amount of people.

Gary explained the square footage requirements and how many people can live there based on square footage.

Comment. Member: Regarding (e) the housing site – Member said a lot of the time the area kids play is the area where the workers park.

Comment. Member: This is going to be more challenging and more costly the more you put in the size of recreation. The growers would have to choose between crops and recreation.

Comment. Member: We are tired of working around each other on this rule and we have been working on it for too long. “it is too challenging...” the purpose of this is to engage to improve housing to workers.

Comment. Member: Another member said a lot of things that confused me, about power and toilets. Some of the issues are in the non-registered housing. If it is not in the registered and unregulated, this is what I am confused on.

Slop Sink

Question. Member: What is a slop sink?

A. This is a laundry tub/ utility sink.

A. This language comes from Dept. of Labor Wage and Hour.

Handwashing

Comment. Member: 1-6 is variety of use, would like to have toilet, sinks separate from food preparation.

Comment. Member: It seems like the health reasons: sinks laundry vs cooking, should be separate.

Toilet: 1 per 15

Comment. Member: We would like to have 1 per 5. Use of portable toilets, these are more widely used. Flushable toilets would be more preferred.

Question. Member: Asked if there would be a need to use portable for a few weeks rather than flushable.

Air conditioners

Comment. Member: Thinks the inside air should have consistency. If it is 80 outside it should be 70 inside.

Comment. Member: The buildings have to be up to code, so I am confused on what the request is.

Comment. Member: There is housing out there that has a sizeable gap in the ceiling and the walls.

Question. Member: Can we take an inventory of the other requirements and then maybe have another meeting to discuss?

Question. Member: Will we have any rule in place by next summer?

A: It is our intention to have in place by next summer. We may need to adopt a standalone rule within our heat rule to address heat in the ALH.

A. We delayed this meeting from feedback from growers. Would like to have a meeting once a month, and have some finalization by late winter, or early spring.

Comment. Member: I appreciate you moving this along. And appreciate you are mindful of the harvesters.

Question. Member: The provisions of Kitchen is a huge interest to workers.

Comment. Member: 15psi, none of us would be happy to shower at 15psi and probably does need to be looked at.

Closing thoughts from Oregon OSHA. One of the realities is we all take it very seriously and I know that is a struggle in rulemaking groups and offer one another a certain amount of grace. Recognizing people will have deep feelings and we should be slow to anger. We need to recognize if we don't have candid conversations then we can't move forward.

Members were asked if mornings or afternoons work better for these meetings.

Email Gary Robertson or Sarah Rew with questions.

Next Meeting:

TBD –