
HOUSE BILL 1847

State of Washington

67th Legislature

2022 Regular Session

By Representatives Ortiz-Self, Berry, Davis, Santos, J. Johnson, Ramos, Callan, Chopp, Sells, Valdez, Pollet, Ramel, Macri, Harris-Talley, and Taylor

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1 AN ACT Relating to understanding the needs of farmworkers;
2 creating new sections; and providing expiration dates.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that
5 Washington is one of the largest exporters of food and agricultural
6 goods in the country. The legislature also recognizes that growing,
7 cultivating, and harvesting the food that we all consume is
8 significant and important work. The legislature also recognizes that
9 farmworkers are unique. Often, farmworkers must contend with dangers
10 in their work environment, such as pesticides, heat, heavy equipment,
11 and other elements, and deal with challenges such as inadequate
12 housing, minimal pay, and jobs of short duration.

13 (2) The legislature intends to assess the needs of farmworkers in
14 the state to help better serve and protect these unique workers we
15 all depend upon.

16 NEW SECTION. **Sec. 2.** (1)(a) The Washington institute for public
17 policy shall conduct a comprehensive study to assess specific needs,
18 as provided in subsection (2) of this section, of farmworkers in the
19 state in order to help policymakers determine whether those needs are

1 or are not being met by state administered programs, policies, and
2 statutes.

3 (b) The institute shall consult with farmworker advocacy
4 organizations, state agencies administering programs and policies
5 impacting farmworkers, and nonprofit organizations that work directly
6 with farmworkers.

7 (c) As part of its information gathering, the institute must hear
8 from farmworkers, either directly or through the nonprofit
9 organizations, regarding farmworkers' experiences and working
10 conditions. These personal, real-life experiences from farmworkers
11 must be based on informal interviews or surveys conducted by Latino
12 nonprofit organizations that have well-established connections and
13 relationships with farmworkers.

14 (2) The study must focus on needs related to:

15 (a) Health and safety in the workplace, including issues related
16 to heat, smoke, hazardous equipment, infectious diseases such as
17 COVID-19, and other factors related to workplace safety;

18 (b) Payment of wages, including farmworkers' access to systems to
19 address the nonpayment of wages and wage theft; and

20 (c) Preventing harassment and discrimination of, and retaliation
21 against, farmworkers for asserting their rights regarding health and
22 safety standards, wage and hour laws, and access to services.

23 (3) The study must include:

24 (a) An examination of how the relevant state agencies coordinate
25 with each other and federal agencies in administrating and enforcing
26 the various laws, policies, and programs, and of the agencies'
27 education and outreach to farmworkers regarding farmworkers' rights
28 and protections. The institute may assess agency coordination by,
29 among other things, conducting interviews or focus groups;

30 (b) A review of available data from, and research of, programs
31 that are intended to increase health and safety outcomes for
32 farmworkers and that are intended to provide farmworkers access to
33 services and benefits; and

34 (c) Options on ways to improve agency coordination and the
35 effectiveness of reviewed programs.

36 (4) The institute must submit a report of its study and
37 recommendations to the appropriate committees of the legislature by
38 December 1, 2023.

39 (5) This section expires December 1, 2024.

1 NEW SECTION. **Sec. 3.** (1) The joint legislative audit and review
2 committee shall conduct performance audits on the department of labor
3 and industries' administration of the following:

4 (a) Investigations and enforcement of wage and hour laws
5 applicable to farmworkers;

6 (b) Investigations and enforcement of workplace health and safety
7 standards applicable to farmworkers; and

8 (c) Investigations and enforcement of laws prohibiting
9 harassment, discrimination, and retaliation against farmworkers for,
10 among other things, asserting their rights regarding health and
11 safety standards and wage and hour laws.

12 (2) The performance audits shall assess how the agency is
13 administering the programs and enforcing the relevant laws. The
14 committee shall make recommendations to improve service delivery and
15 effectiveness in providing greater protections and meeting the needs
16 of farmworkers.

17 (3) The committee must submit a report to the appropriate
18 committees of the legislature by December 1, 2023.

19 (4) The joint legislative audit and review committee shall
20 conduct performance audits on the employment security department's
21 administration of the H-2A program.

22 (a) The performance audit shall assess how the agency is
23 administering the program and enforcing the relevant laws.

24 (b) The committee must submit a report to the appropriate
25 committees of the legislature by December 1, 2024.

26 (5) The joint legislative audit and review committee shall
27 conduct performance audits on the department of health's
28 administration of the laws and rules related to pesticide safety that
29 are intended to protect farmworkers from hazardous exposures.

30 (a) The performance audit shall assess how the agency is
31 administering the program and enforcing the relevant laws.

32 (b) The committee must submit a report to the appropriate
33 committees of the legislature by December 1, 2025.

34 (6) This section expires December 1, 2026.

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