

CERTIFICATION OF ENROLLMENT

SENATE BILL 6328

Chapter 23, Laws of 2002

57th Legislature
2002 Regular Session

CHERRY HARVEST TEMPORARY LABOR CAMP

EFFECTIVE DATE: 6/13/02

Passed by the Senate February 14, 2002
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 5, 2002
YEAS 96 NAYS 0

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6328** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 12, 2002

FILED

March 12, 2002 - 2:16 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6328

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senators Parlette, Gardner, Hale, Honeyford, Rasmussen and Oke

Read first time 01/15/2002. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to the definition of cherry harvest temporary labor
2 camp; and amending RCW 70.114A.110.

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

4 **Sec. 1.** RCW 70.114A.110 and 1999 c 374 s 5 are each amended to
5 read as follows:

6 (1) The department and the department of labor and industries are
7 directed to engage in joint rule making to establish standards for
8 cherry harvest temporary labor camps. These standards may include some
9 variation from standards that are necessary for longer occupancies,
10 provided they are as effective as the standards adopted under the
11 Washington industrial safety and health act, chapter 49.17 RCW. As
12 used in this section "cherry harvest temporary labor camp" means a
13 place where housing and related facilities are provided to agricultural
14 employees by agricultural employers for ~~((no more than twenty-one days~~
15 ~~in any one calendar year. Temporary labor camps licensed under this~~
16 ~~section may be occupied for more than twenty-one days if the following~~
17 ~~conditions are met: (a) The secretary or an authorized representative~~
18 ~~and the local health jurisdiction determine that the health and safety~~
19 ~~interests of the worker occupants would be better served by extending~~

1 ~~the occupancy than closing the camp at the end of the initial twenty-~~
2 ~~one day period; and (b) the operator requests an extension at least~~
3 ~~three days prior to the expiration of the initial twenty one day~~
4 ~~period. The extended occupancy shall not exceed seven days)) their use~~
5 while employed for the harvest of cherries. The housing and facilities
6 may be occupied by agricultural employees for a period not to exceed
7 one week before the commencement through one week following the
8 conclusion of the cherry crop harvest within the state.

9 (2) Facilities licensed under rules adopted under this section may
10 not be used to provide housing for agricultural employees who are
11 nonimmigrant aliens admitted to the United States for agricultural
12 labor or services of a temporary or seasonal nature under section
13 1101(a)(15)(H)(ii)(a) of the immigration and nationality act (8 U.S.C.
14 Sec. 1101(a)(15)(H)(ii)(a)).

15 (3) This section has no application to temporary worker housing
16 constructed in conformance with codes listed in RCW 19.27.031 or
17 70.114A.081.

Passed the Senate February 14, 2002.

Passed the House March 5, 2002.

Approved by the Governor March 12, 2002.

Filed in Office of Secretary of State March 12, 2002.