

# HOUSE BILL REPORT

## ESB 5723

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**As Reported by House Committee On:**  
Commerce & Labor

**Title:** An act relating to creating the community agricultural worker safety grant program.

**Brief Description:** Creating and funding the community agricultural worker safety grant program.

**Sponsors:** Senators Rasmussen, Clements, Hatfield, Roach, Shin, Morton, Kline, Schoesler, Haugen, Sheldon, Hargrove, Kohl-Welles, Fairley, Honeyford, Franklin, Keiser, Berkey, Kauffman, Kilmer, Jacobsen, Kastama, Benton, Zarelli and Parlette.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 3/27/07, 3/30/07 [DPA].

**Brief Summary of Engrossed Bill**  
**(As Amended by House Committee)**

- Requires the Washington State Department of Agriculture (WSDA), subject to the availability of appropriated amounts, to administer the Community Agricultural Worker Safety Grant Program.
- Requires the WSDA to use a competitive grant process to award a grant to a 501 (c)(3) entity to develop and provide training for the state's agricultural workers.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass as amended. Signed by 6 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Green, Moeller and Williams.

**Minority Report:** Do not pass. Signed by 1 member: Representative Chandler, Assistant Ranking Minority Member.

**Staff:** Sarah Beznoska (786-7109).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

According to the Washington State Department of Agriculture (WSDA), the WSDA carries out more than 25 distinct programs that support the agricultural community and promote consumer and environmental protection. These programs include Animal Health Services, Commodity Inspection, Food Safety and Consumer Services, Pesticide Management, and Plant Protection.

The Department of Labor and Industries (Department) administers and enforces the Washington Industrial Safety and Health Act (WISHA). The WISHA directs the Department to adopt rules governing safety and health standards for workplaces covered by the WISHA. Safety and health standards under the WISHA include standards applicable to the agricultural industry.

The Opportunities Industrialization Centers of America, Inc. is a national non-profit organization that operates through a national network of local affiliated organizations. The Opportunities Industrialization Center of Washington (Center) is affiliated with the Opportunities Industrialization Centers of America, Inc. The Center has locations in Mount Vernon, Moses Lake, Pasco, Sunnyside, Ellensburg, Roslyn, Seattle, Wenatchee, and Yakima which provide a variety of education, training, and employment support services.

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**Summary of Amended Bill:**

The Community Agriculture Worker Safety Grant Program is created within the WSDA. Subject to amounts appropriated for this specific purpose, the WSDA must establish a competitive grant process to award a grant to a 501(c)(3) non-profit organization. The grant recipient must develop and provide practical hands-on training for the state's agricultural workers.

In developing the training, the grant recipient must work with farmers, farm workers, and related organizations to develop training related to tractor and farm machinery skills and safety and pesticides. The grant recipient must work with community and technical colleges to develop training related to adult basic education, civics, English as a second language, commercial drivers' licensing, and other related topics. The stakeholders must not be compensated for participation.

The WSDA must monitor the effectiveness of any training developed and provided. The WSDA must report to the appropriate committees of the Legislature on or before December 1, 2008, on the following:

- the competitive grant process used;
- the grant recipient selected;
- any training developed and provided;
- the number of people trained; and
- any reduction in workplace injuries.

The grant recipient may receive up to \$250,000 per year.

The bill expires on July 1, 2009.

**Amended Bill Compared to Original Bill:**

The amended bill replaces the Engrossed Senate Bill. The amended bill requires a competitive grant program administered by the WSDA instead of identifying the Opportunities Industrialization Center of Washington as the grant recipient.

The amended bill specifically requires the grant recipient to work with specific stakeholders to develop training in certain subject matters.

The amended bill requires the Department to monitor the effectiveness of any training developed and provided and to report to the Legislature.

The amended bill changes the expiration date to July 1, 2009, instead of July 1, 2012.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

**Staff Summary of Public Testimony:**

(In support) The program at the Opportunities Industrialization Center of Washington (Center) works great in the field. This is a way to reach farm workers out on the farm. The program helps farm workers know what they are doing. This is more than just job skills; it includes civics and English as well.

Areas in eastern Washington are agriculturally based. As such, we depend on our workers. Currently, there is a worker shortage and this bill will help with that. This bill creates a small program, but a quality program.

The Center has a contract with the federal Department of Labor for English as a second language and has been recognized as one of the Department of Labor's best contractors in the country. This bill is an opportunity to expand the Center's services. This will enhance the skills of farm workers and give them safety, accident, and pesticide training. It will prepare workers to do their jobs more efficiently and allow them to do additional jobs on farms.

The Center has partnered with industry to make sure that workers are getting appropriate training. This bill would help more than 1,500 farm workers.

Last year was a historic situation in which trade groups worked with a non-profit to enhance the skills and life of farm workers. This program has proven that there is a lot that can be done for the workers. It is difficult to find workers with appropriate mechanical or pesticide

training. All existing pesticide training teaches people to do is pass the test. The Center provides the actual information about how to do the job. The Center's programs are hands-on and in the field. The programs are short and intense and provide a unique opportunity.

I teach programs for the Center. Tractor safety is an approximately four-and-a-half hour program of video and practical training and a test at the end. Pesticides is an hour-and-a-half program and the classes are done wherever they are needed. The classes are designed to prevent accidents, pesticides issues, and other issues.

This bill should stay with the WSDA because the WSDA has a lot of credibility with farm workers and has low overhead. Any agency that gets this money is strictly a conduit and the agency with lower overhead should be the administrator. The WSDA issues pesticide licenses and has training programs. The Department of Labor and Industries (Department) does a good job at what it does, but the Department is a policing agency.

(Information only) If directed to do so, the WSDA would be willing and able to take on the grant program. The WSDA would manage the grant program and provide accountability. The fiscal note does show some cost to the WSDA to administer the program.

(Opposed) None.

**Persons Testifying:** (In support) Senator Rasmussen, prime sponsor; Representative Skinner; Senator Clements; Gilbert Alaniz, Henry Beauchamp, and Ramon Tobias, Opportunities Industrialization Center of Washington; and Chris Cheney and Dan Fazio, Washington Farm Bureau.

(Information only) Mary Beth Lang, Washington State Department of Agriculture.

**Persons Signed In To Testify But Not Testifying:** None.