

From: [Victor Rodriguez](#)
To: [DOH WSBOH Health Disparities Council](#)
Subject: Public Comment
Date: Thursday, January 25, 2024 11:49:16 AM
Attachments: [11th Annual FARMWORKER TRIBUNAL RULING Jan252024.docx.pdf](#)

External Email

I would like to submit this as public comment for your meeting Jan 30th.

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11th Annual FARMWORKER TRIBUNAL RULING

The Farmworker Tribunal brings attention to the truths judicial and political forums ignore and dismiss.

Farmworkers continue to gather in Olympia to demand support for their legislative priorities:

- Ensure the health and wellbeing of farmworkers is protected and nurtured.
- Secure capital, land and training to support farmworker economic development.
- Guarantee farmworkers have the ability to shape government decisions- nothing about us without us.

At the 11th Annual Farmworker Tribunal, Farmworkers presented powerful testimonies of their lived experience as workers covering diverse areas in a profit-driven agricultural industry.

Judges listened deeply to those testimonies, deliberated, and developed a set of denouncements and recommendations; these are a call to action for lawmakers, civil society, government, and social movements across WA and beyond.

Judges

Sybill Hyppolite

WSLC Government Affairs Director

Heather Day

Community Alliance for Global Justice

Jennyfer Mesa

Latinos en Spokane

Faviola Lopez

Community Partnerships UFCW Local-300



DENOUNCEMENTS

The 11th Annual Farmworker Tribunal Judges Denounce:

- The industrialization of agriculture that reduces workers to machines as climate change creates more dangerous working conditions
- Companies who dehumanize workers and retaliate against them for taking time off to care for their families, particularly women workers.
- The discrediting of farmworkers' skilled labor and expertise in the way data is collected and analyzed and testimony dismissed, and demand that they be respected, valued and nurtured.
- Attempts to undermine overtime pay mandated by SB-5172 in 2021, when it has just begun to be fully implemented as of January 1, 2024.
- Growers who leverage their positional power to use workers for their own political interests.
- The H2A program which pits workers against each other through the systems of racism and oppression, and call for a divestment from this system of subsidies and investments.
- Outdoor Heat Exposures rules under WAC 296-62-095 and 296-307-097 setting the threshold for protections at or above 90 degrees and demand it be reduced to 75 degrees. This is the threshold that Familias Unidas por la Justicia asked for in public testimony and sent to Labor and Industries as formal input in the rules process.
- A legislative process that is exclusive and intimidating by not providing interpretation and flexibility in time limits for testimony excludes the voices of farmworkers who are impacted by legislation being deliberated about their jobs.
- City, state and federal governments that continue to invest in broken and exploitative systems such as H2A.
- Lawmakers who legislate against people trying to support undocumented immigrants.



Recommendations

1. Washington State Legislators Support Community to Community Development and Familia Unidas por Justicia 2024 legislative priorities:
 - a. **Support HB 1940/SB 5778:** Banning captive audience meetings.
 - b. **Support HB 2114 and SB 5961:** Rent stabilization.
 - c. **Support SB 5109 and HB 1095:** Providing unemployment insurance for undocumented workers.
 - d. **Support HB2226:** Employment Security Department collecting data on the H-2A worker program.
2. Pass a bill that overrides the current heat rule lowering the threshold for protections to 75 degrees .
3. Protect overtime pay for farmworkers in WA State as mandated by the WA State Supreme Court in 2020 and as Legislated in ESSB-5172 in 2021 as a basic economic and racial equity right.
4. State agencies, including the Department of Ecology, Department of Health, the Department of Commerce, and the Department of Agriculture co-create policies and practices that protect workers from wildfire smoke and other climate-caused crises.
5. Demand that Dept of Labor and Industries opt in to the HEAL Act.
6. Invest in developing and scaling up Farmworker cooperatives.
7. Develop legislation to ensure Farmworkers basic needs are met including:
 - a. Pension, retirement fund
 - b. Medical insurance
 - c. Prevailing wage - protections for local farmworkers wages
 - d. Rent stabilization
 - e. Unemployment Insurance for undocumented workers
8. Support future Farmworkers Tribunals and promote this model to other communities.
9. Protect the existing right to organize as independent unions so workers can defend themselves.
10. Support Farmworkers' vision: Healthy workers create healthy food systems and healthy communities.
11. Demand that the agricultural industries change their production practices to meet the changing climate by following the policies created by the implementation of the HEAL Act.