



PHOTO COURTESY OF DINA AVILA

Farmworkers resided in this migrant labor camp in Washington County. Oregon has 330 registered work camps and as many as 200 illegal unregistered camps.

Plan to 'shelter in place' during pesticide use raises concerns

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The condition of housing that farmers provide or rent to migrant workers has long been a source of concern in Oregon, which is home to more migrant labor camps than any other state.

That's why a proposed rule under consideration by Occupational Safety and Health Administration that would allow workers and their families to hunker down in their residences while pesticides are sprayed on crops nearby is raising some eyebrows.

Critics say the description of buildings eligible for people to take shelter in is too ambiguous to adequately protect workers, who in some cases live in dilapidated structures.

As it's written, the law indicates that any "fully enclosed" space can be used as a shelter from pesticide spraying. "Fully enclosed," according to OSHA's proposal, means "that walls, ceilings, and floors of the spaces are tightly constructed to minimize the entry of outside air when doors and windows are closed."

Attorneys representing farmworkers are arguing that the definition should contain more specific parameters and that labor

camp housing codes should be improved simultaneously if housing is going to qualify as a protective space.

Additionally, because many camps have outdoor showers, play areas, and eating and cooking spaces, the attorneys say OSHA should examine whether there are options that would be more protective of workers and their families.

OSHA does not track the number of camps that have outdoor facilities or that sit adjacent to working fields, but agency spokesperson Aaron Corvin noted, "We would anticipate that many agricultural employers have housing facilities near crop areas where pesticides are applied."

There are 330 registered work camps in Oregon that are subject to OSHA inspections, however, it's been estimated there could be as many as 200 illegal unregistered camps where living conditions are poor.

Approximately 10,000 people live in Oregon's labor camps, including children.

At a September meeting in Pendleton, Oregon Law Center attorneys who represent farmworkers briefed members of the governor's Environmental Justice Task Force on OSHA's pre-draft proposal of agriculture worker protection rules.

The task force was established by the

Advocates for migrant farmworkers say a new worker protection rule under OSHA's consideration may cause more harm than good

Legislature to help protect minority and low-income populations from disproportionate environmental impacts.

The attorneys voiced concerns with the shelter-in-place rule, showing task force members photographs of rundown farmworker housing across Oregon, some with significant openings that would allow for substantial airflow.

OSHA Administrator Michael Wood phoned in to the meeting, and members of the task force asked him if OSHA could make a rule that would provide for a buffer zone to better protect living spaces from pesticide drift.

Wood said that was off the table.

"We cannot prohibit application of a legal product," he said, even if it means residential housing could be exposed.

Task force member Joel Iboa later argued that if Oregon can provide buffers around other types of residential housing, it should be able to protect farmworkers too.

"I see no difference between residential homes and farmworker housing," he said.

Pesticides have been shown to have negative health implications, especially in children and expectant mothers. While the

See OSHA, page 11