



COVID-19 Guidance for Onboarding Migrant and Seasonal Farm Workers in Oregon

About this document

This guidance supplements business or industry-specific guidance for workplace safety and on-going risk mitigation for employees. This guidance is intended to provide support to employee hiring and is not intended to provide guidance on how to manage employees who become ill after starting work.

Employers of migrant and seasonal agricultural workers should have an onboarding risk mitigation plan to reduce the risk of spreading COVID-19 in the workplace. Onboarding risk mitigation plans do not need to be submitted for review or approval.

Migrant and Seasonal Farm Workers

Migrant and Seasonal Farm Workers (MSFW) are employees who perform labor or services on a seasonal basis in agriculture or food processing. Some areas that commonly hire these workers are landscaping, farming, fishing, food processing and meat packing. Guidance should be tailored appropriately to specific workplace settings to meet COVID-19 mitigation goals.

Migrant and Seasonal Farm Workers may:

- work alone or in a group, and the nature of the work may require that they are spread out or that they work closely together;
- be new employees or employees who regularly work for an industry every season;
- be residents of your community or travel from another part of the state, country, or the world to meet seasonal needs;
- be unfamiliar with the local language, culture, resources, and regulations; and/or
- come from locations with lower or higher COVID-19 burdens than the location of employment.

Considerations

1. Onboarding MSFW can occur both *before* the employee begins work and *at the time of their start*:

- Advise the incoming MSFW of current local COVID-19 community transmission status and regulations in case these affect the employee's desire to work or start date.

- Workers who develop fever, cough or shortness of breath, chills, muscle aches, headaches, runny nose, sore throat, loss of smell and taste, nausea, vomiting abdominal pain and diarrhea and have not sought medical care should be advised to be evaluated for COVID-19 and to isolate themselves as recommended by a provider. If the worker does not have a provider, they should be referred to the local public health authority or to call 211 to locate a provider. If they test positive for COVID-19, public health officials will contact them and advise further.
- Workers who have been asked by a public health official or a medical provider to isolate themselves because they have a confirmed or presumptive case of COVID-19 should be advised not to travel or report to work until they have been released from isolation. In most situations, isolation is recommended for 10 days.
- Workers who have been exposed and are under monitoring should complete their monitoring period in their jurisdiction, except as described below in “considerations for the first day of work.”
- Critical infrastructure employees who have been exposed but remain asymptomatic may work if, at the discretion of the local public health officer, they are able to do so with minimal risk of exposing others.

Critical infrastructure, as defined by USA Patriot Act of 2001 (42 U.S.C. 5195c(e)), includes any “systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.” This definition is appropriately broad to include a wide range of stakeholders who either directly or indirectly enable the functionality of infrastructure systems.

Consider requiring employees to:

- monitor their temperature and symptoms,
- wear a face covering at all times for at least 14 days after last exposure, and
- stay at least six feet away from others and wash their hands with soap and water for 20 seconds and/or use hand sanitizer frequently throughout the day.

Considerations for the first day of work:

- Develop a plan to test all incoming MSFW for COVID-19 within 72 hours of employment. Testing will help identify asymptomatic cases and address the need for isolation or working in a stable cohort.
- Ask all incoming employees questions about COVID-19 diagnoses, symptoms, and potential exposures to COVID-19. All employees, contractors, supervisors and foremen should be asked the same questions.
- The Americans with Disability Act (ADA) prohibits employers from conducting medical examinations (including the taking of temperatures) of applicants before a conditional offer of employment is made.

- If a conditional offer of employment has been made, the ADA permits employers to conduct a pre-employment medical examination (which could include taking temperature), provided that all employees in the same job category are treated the same.
 - Without requesting specific medical information, the employer can require that anyone remain at home or in employer-provided housing (ie not visit the work site) if they:
 - feel sick;
 - were recently exposed to someone who tested positive or who has presumptive COVID-19; or
 - is otherwise in a high-risk scenario (such as recent international travel).
 - Employers should communicate the following in the worker's preferred language:
 - the necessary health requirements to work on the farm
 - signs at facility entrances with instructions for individuals with a fever or symptoms on how to notify those in charge before they enter a farm facility.
 - Workers who have COVID-19 symptoms should not be allowed to work and should be advised to seek medical care.
 - For high-risk employees, offer duties that minimize their contact with others.
- 2. Assign incoming Migrant and Seasonal Farm Workers to duties that keep them separated from others for two weeks.**
 - 3. Group incoming migrant and seasonal employees who test positive and are asymptomatic for 10 days (e.g., assign them to one training team, to one dormitory, to eat in one group, etc.) when possible. Monitor for symptoms of COVID-19.**
 - 4. Provide employees training on COVID-19 symptoms, spread, and precautions.**
 - Employers should provide training in a way that is readily understandable by all employees, including in multiple languages as needed, on the following topics:
 - What COVID-19 is and how it is spread.
 - Symptoms of COVID-19 and when to seek care.
 - Preventing spread to others if one is sick.
 - Measures to prevent the spread of COVID-19 at the workplace.
 - What to do if another employee is sick.
 - Local and state regulations about COVID-19, including wearing of cloth face coverings.
 - Physical distancing measures are asked of everyone, and seasonal employees are not being singled out.

- Agricultural employers should consider using the following resources:
 - Oregon Health Authority COVID-19 webpage under “Agricultural Workers and Employers” <https://govstatus.egov.com/OR-OHA-COVID-19>
 - Coronavirus Disease (COVID-19) Interim Guidance for Agricultural Workers and Migrant and Seasonal Farm Workers <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2349.pdf>
 - Coronavirus disease (COVID-19) interim guidance for agricultural employers in Oregon <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2350.pdf>

Additional Resources:

Coronavirus website, Centers for Disease Control and Prevention (CDC):
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Symptoms of Coronavirus (CDC):
<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

Resources for Shared or Congregate Housing Facilities (CDC):
<https://www.cdc.gov/coronavirus/2019-ncov/community/sharedcongregate-house/index.html>

Resources for Businesses and Employers (CDC):
<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>

Guidance on Preparing Workplaces for COVID-19 (OSHA):
<https://www.osha.gov/Publications/OSHA3990.pdf>

Document Accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact Mavel Morales at 1-844-882-7889, 711 TTY or OHA.ADAModifications@dhsoha.state.or.us.

Thank you to Idaho Rebounds for allowing the State of Oregon to base this document on their work, “COVID-19 Guidance for Onboarding Seasonal Workers in Idaho”