

HOUSE BILL REPORT

SB 6328

As Passed House:

March 5, 2002

Title: An act relating to the definition of cherry harvest temporary labor camp.

Brief Description: Changing the definition of cherry harvest temporary labor camp.

Sponsors: By Senators Parlette, Gardner, Hale, Honeyford, Rasmussen and Oke.

Brief History:

Committee Activity:

Commerce & Labor: 2/27/02, 2/28/02 [DP].

Floor Activity:

Passed House: 3/5/02, 96-0.

Brief Summary of Bill

- Allows cherry harvest temporary labor camps to be used for the period beginning one week before cherry harvest begins to one week after harvest ends in the state.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Clements, Ranking Minority Member; Chandler, Kenney, Lysen and McMorris.

Staff: Chris Cordes (786-7103).

Background:

Cherry harvest temporary labor camps are temporary housing camps that agricultural employers provide to their employees for a limited period. These cherry harvest temporary labor camps are regulated under rules adopted jointly by the Department of Labor and Industries and the Department of Health. The rules are allowed to differ from the standards that apply to temporary worker housing intended for longer occupancy, but must be as effective as the standards adopted under the Washington Industrial Safety and Health Act. The cherry harvest temporary labor camp rules govern various

requirements, including requirements for licensure, siting, water supply, electricity, washing and bathing facilities, toilet facilities, and cooking facilities. The rules permit tents to be used if the tents meet certain specifications.

Cherry harvest temporary labor camps are permitted for no more than 21 days in a calendar year, unless occupancy is extended after: (1) the secretary of the Department of Health and the local health jurisdiction determine that the health and safety interests of the occupants would be better served by extending occupancy than by closing the camp; and (2) the operator requests an extension at least three days prior to the expiration of the 21-day period. If granted, the extended occupancy period may not exceed seven days.

Summary of Bill:

The 28-day maximum period permitted for occupancy of cherry harvest temporary labor camps in a calendar year is deleted. Instead, these camps may be occupied by those employed in harvesting cherries for a period that begins one week before the cherry crop harvest commences and ends one week after the conclusion of the harvest within the state.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The temporary camps for cherry harvest work very well, but the 28-day limit is too short. The cherry harvest lasts longer now because of the various varieties grown and because orchards are now at different elevations. The local jurisdictions requested the bill because shutting down and moving the camps is expensive and it disrupts summer school programs and other services provided to the workers and their families. It seems like a better idea to find a good location for the camp and leave it there for the duration of the harvest. This benefits the workers who do not want to be uprooted after a few weeks. The 28-day limit was not based on any safety criteria, so changing the limit should not be a problem as long as the duration is within the allowable weather conditions.

Testimony Against: None.

Testified: Senator Parlette, prime sponsor; Jim Potts, Chelan County; and Dan Fazio, Growers Clearinghouse and Washington State Farm Bureau.