

HOUSE BILL REPORT

HB 1072

As Reported by House Committee On:
Labor & Workforce Development
Appropriations

Title: An act relating to the agricultural labor skills and safety grant program.

Brief Description: Creating the agricultural labor skills and safety grant program.

Sponsors: Representatives Chandler, Sells, Ormsby, Reykdal, Freeman, Fagan and Morrell.

Brief History:

Committee Activity:

Labor & Workforce Development: 1/23/13, 2/6/13 [DPS];
Appropriations: 1/23/14, 1/27/14 [DP2S(w/o sub LWD)].

Brief Summary of Second Substitute Bill

- Creates the Agricultural Labor Skills and Safety Grant Program, administered by the Department of Commerce.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Green, Holy, Moeller and Ormsby.

Minority Report: Without recommendation. Signed by 2 members: Representatives Condotta, Assistant Ranking Minority Member; Short.

Staff: Trudes Tango (786-7384).

Background:

The Department of Commerce administers a number of programs through its five operating divisions with the goal of "enhancing and promoting sustainable community and economic vitality in Washington."

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.

In recent years, Senate and House bills were introduced to create an agricultural training grant program. Those bills were not enacted; however, funding was provided in the state's operating budget for agricultural training.

In the 2007-09 Operating Budget, \$500,000 was appropriated from the State General Fund as pass through funding to the Opportunities Industrialization Center, a nonprofit organization, to provide training to agricultural workers related to farm skills, English as a second language, and other skills. In the 2009-11 Operating Budget, the Legislature appropriated \$500,000 (\$424,000 from the Accident Account and \$76,000 from the Medical Aid Account) for the implementation of a community agricultural worker safety grant. The Department of Labor and Industries was required to enter into an interagency agreement with the Department of Agriculture to implement the grant. The Legislature did not provide funding to the Department of Labor and Industries for that grant program in the 2011-13 Operating Budget.

Summary of Substitute Bill:

The Legislature recognizes that providing skills and safety training for agricultural workers helps ensure the workers' success and safety and the continued success of Washington's agricultural industry.

Subject to funds appropriated for this purpose, the Department of Commerce (Department) must create and administer the Agricultural Labor Skills and Safety Grant Program.

The Department must select one grant recipient that has a community-based organization with the ability to carry out the objectives of the program. The grant recipient must work with agricultural employee and agricultural employer organizations to provide workforce skills and safety training to agricultural workers. The grant recipient must:

- design and implement an agricultural skills program and provide health and safety training;
- develop a plan to increase the number of skilled agricultural workers through a recruitment process;
- evaluate trainings and service delivery strategies for agricultural workers and employers;
- partner with an agricultural employee and an agricultural employer organization that has focused on agricultural labor and employment issues and services for at least 10 years and has experience in providing training to agricultural employees; and
- use a training delivery system that is sensitive to the needs of agricultural employees and employers.

The grant recipient may receive up to \$750,000 per year. The provisions creating the grant program expire July 1, 2016.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) requires the grant recipient to work with agricultural employee and agricultural employer organizations in developing and implementing the training program and in conducting project evaluations; (2) provides that the grant recipient partner with an agricultural employee and an agricultural employer organization (rather than an agricultural association) and removes the requirement that the organization have focused *exclusively* on agricultural labor and employment issues; and (3) re-words language for clarity.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Agriculture is a \$40 billion industry in Washington. The Agricultural Vocational Institute that the Opportunities Industrialization Center ran for several years was very successful. The heart of the program is to give employees the chance to have a career. The industry has become increasingly sophisticated, with new technology and science. This program will give workers the opportunity to move up into the business of agriculture. Employers want to have confidence that the employees they are hiring can be left to handle expensive equipment without a lot of supervision. Employers want to know that workers can solve problems if something goes wrong with the equipment. Training would include first aid, work place safety, basic mechanics, and pesticide safety. Training would be out on the farms where employers and employees would participate. Employees will benefit because they will be more employable and can get higher wages and receive transferable skills. The industry benefits because they get adequate and skilled workers. Training will help reduce injuries and industrial insurance claims.

(In support with amendments) Agriculture ranks as one of the most hazardous industries in the state. Many workers die from work-related injuries. The bill needs to have language to make sure that farm workers themselves are involved in developing and evaluating the training. The bill should specify a funding source, preferably from the State General Fund. There needs to be flexibility in the bill and it should not just be limited to one grant recipient.

(Opposed) None.

Persons Testifying: (In support) Representative Chandler, prime sponsor; Rogelio Riojas and Gilbert Alaniz, Sea Mar Community Health Centers; and Michael Gempler, Washington Growers League.

(In support with amendments) Teresa Mosqueda, Washington State Labor Council; and Scott Dilley, Washington Farm Bureau.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Labor & Workforce Development. Signed by 26 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Ross, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle, Cody, Dunshee, Fagan, Green, Haigh, Haler, Harris, Hudgins, G. Hunt, S. Hunt, Jinkins, Kagi, Lytton, Morrell, Parker, Schmick, Seaquist, Springer, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 4 members: Representatives Buys, Christian, Dahlquist and Taylor.

Staff: Derek Rutter (786-7157).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor & Workforce Development:

The second substitute bill delays the expiration date of the program by one year to July 1, 2017.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Agriculture is a \$40 billion and top revenue-earning industry in Washington. It has also become increasingly sophisticated, utilizing new technology and science. This program will give workers the opportunity to move up into the business of agriculture, turning jobs into careers. Training would include first aid, work place safety, basic mechanics, and pesticide safety—training that could prevent the kinds of losses already experienced by the industry in the recent past. English language training would also be provided where needed, and the program could likely be adapted to accommodate English-speaking learners of Spanish, as well. Similar programs supported by the state in the past have served large communities, but new immigrants also require training.

(With concerns) In the past, money for this program's purpose has been provided from Workers' Compensation funds (administered by the Department of Labor & Industries). Further diversions from these funds would be inappropriate; this program should receive appropriations from the State General Fund.

(Opposed) None.

Persons Testifying: (In support) Representative Chandler, prime sponsor; Representative Sells; Maria Morfin; and Gilberto Alaniz and Phyllis Kenney, Sea Mar Community Health Centers.

(With concerns) Patrick Connor, National Federation of Independent Businesses.

Persons Signed In To Testify But Not Testifying: None.