

# HOUSE BILL REPORT

## HB 1127

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### As Reported by House Committee On:

Labor  
Appropriations

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

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

**Sponsors:** Representatives Chandler and Sells.

### Brief History:

#### Committee Activity:

Labor: 2/2/15, 2/17/15 [DPS];

Appropriations: 2/26/15, 2/27/15 [DPS(LAB)].

#### Brief Summary of Substitute Bill

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

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### HOUSE COMMITTEE ON LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; G. Hunt, Assistant Ranking Minority Member; McCabe, Moeller and Ormsby.

**Staff:** Trudes Tango (786-7384).

### Background:

The Department of Labor and Industries (Agency) is responsible for regulating safety in the workplace. The Agency creates educational materials, such as safety videos, and makes those available on its website. Some materials, such as videos on tractor safety and heat exposure, focus on the agricultural industry.

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*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.*

Five years ago, the Legislature appropriated money to implement a community agricultural worker safety grant to provide agricultural workers training related to farm skills, English as a second language, and other skills. The grant was administered by the Agency with the Department of Agriculture. Funding for that grant program was not renewed.

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**Summary of Substitute Bill:**

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

Subject to appropriated funds, 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 whose primary purpose is to provide services to Washington agricultural workers and who can carry out the objectives of the program. The Department must ensure that participation in training is voluntary. Training is intended to improve the employability of workers living in Washington and to improve skills of those who work on a permanent, local seasonal, or seasonal migrant basis, and who intend to return to Washington to work in agriculture.

The grant recipient must work with agricultural employee and employer organizations to:

- 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 outreach;
- 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 \$1 million per year. The provisions creating the grant program expire July 1, 2018.

**Substitute Bill Compared to Original Bill:**

The substitute bill added language regarding: (1) providing training to improve employability and skills of workers in Washington; (2) ensuring that training is voluntary; and (3) developing a plan to increase the number of workers through outreach (rather than a recruitment process).

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**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) The business of agriculture is going through dramatic changes in the workforce and in the work itself. Investing in the workforce will create stability and economic growth. This bill will help workers develop their skills and knowledge to turn their jobs into careers, and it will result in fewer injuries and accidents. Training should be provided by an organization that knows Washington's workforce and Washington's agriculture. To make the best use of limited funds, training should go to Washington farm workers, not workers under the H-2A program.

(Opposed) None.

**Persons Testifying:** Representative Chandler, prime sponsor; Gilbert Alanize, Sea Mar; Phillis Gutierrez Kenny; Indira Trejo, United Farm Workers; Sarah Leyner, Columbia Legal Services; and Mike Gempler, Washington Growers League.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle, Cody, Condotta, Dent, Dunshee, Fagan, Haler, Hansen, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, MacEwen, Magendanz, Pettigrew, Sawyer, Schmick, Senn, Springer, Stokesbary, Sullivan, Tharinger, Van Werven and Walkinshaw.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Buys, G. Hunt and Taylor.

**Staff:** Derek Rutter (786-7157).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor:**

No new changes were recommended.

**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) The Washington agricultural industry is large and diverse. It employs about 160,000 people. Much of the workforce is comprised of immigrants with just a few years of formal education and limited English skills. These factors pose a challenge to the industry in the context of fast-paced technological change. This program will provide safety training and increase farmworker skills in equipment operation, allowing farmworkers to achieve higher-paying and longer-lasting jobs. It will also provide agricultural employers with a larger pool of qualified employees as the industry is faced with complying with a growing body of regulations. The program will train an estimated 1,200 employees per year, and can be organized to charge employers for the cost of the training, further leveraging state money.

(In support with concerns) The injury and fatality rate for Washington farmworkers is too high; risks include ladder falls and tractor rollovers. However, there are limited funds available for safety training, and these funds should be prioritized for United States agricultural workers rather than temporary guest workers. Domestic workers have a stronger connection to our state and economy.

This program would enhance farmworker skills and save lives.

(Opposed) None.

**Persons Testifying:** (In support) Representative Chandler, prime sponsor; Mike Gempler, Washington Growers League; and Gilbert Alanize, Sea Mar.

(In support with concerns) Daniel Ford, Columbia Legal Services.

**Persons Signed In To Testify But Not Testifying:** None.