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April 24, 2020

The Honorable Gavin Newsom
Governor of the State of California
1303 10th Street, Suite 1173
Sacramento, California 95815

Re: Request for COVID-19 Testing, PPE, and Temporary Housing for Farmworkers

Dear Governor Newsom:

Thank you for your leadership in taking decisive action to protect all Californians during the COVID-19 pandemic. I especially appreciate you responding to the concerns of the Latino Caucus and my colleagues in the Legislature¹ regarding the needs of essential food supply workers, including farm and other agricultural workers. The needs of these workers remain acute, and I hope to see further action from your Administration in this area – particularly with respect to access to testing, personal protective equipment, and temporary housing.

Farmworkers, on the Front Lines of our Food Supply, Urgently Need Additional Relief

Today, in my own District in and around Salinas, it was reported that at least forty-one agricultural workers have been diagnosed with COVID-19.² I fear this is just the beginning, and that – without further and immediate action – California will soon have large outbreaks debilitating to our food supply, similar to what has already been seen among agricultural workers in such places as South Dakota, Nebraska, and Pennsylvania.³ A COVID-19 outbreak among farm or agricultural workers could threaten our State's supply chain at a critical time.

¹ I call attention especially to the following: Letter to The Honorable Anthony Rendon from Asm. Eggman re: Update on Issues Related to COVID-19 (Mar. 26, 2020); Letter to The Honorable Gavin Newsom from the California Latino Legislative Caucus re: Support for the Undocumented During this COVID-19 Pandemic (Mar. 30, 2020); Proposal to Protect Farmworkers Including Undocumented Farmworkers During the COVID-19 Pandemic, Submitted by Sen. Monning and Sen. Durazo (Apr. 4, 2020); Letter to The Honorable Gavin Newsom from Asm. E. Garcia, Sen. Caballero, and Asm. R. Rivas re: Recommendations for immediate action to protect essential workers (Apr. 24, 2020).

² See, e.g., KION, County officials: 25% of COVID-19 cases in Monterey County come from agriculture industry (Apr. 24, 2020), available at <https://kion546.com/health/coronavirus/2020/04/24/county-officials-25-of-covid-19-cases-in-monterey-county-come-from-agriculture-industry/>.

³ See CNN, Trouble in farm country because of Covid-19 (Apr. 23, 2020), available at <https://www.cnn.com/2020/04/23/opinions/farm-workers-vulnerable-coronavirus-sepkowitz/index.html>.

Observed The Atlantic this week, also in Salinas, “maintaining social distancing on the job is near-impossible for farmworkers, especially in packing houses and the shared buses and carpools that many must take to the fields – and most farmworkers are not given personal protective gear.”⁴ Agricultural workers often live in crowded households, work shoulder-to-shoulder without PPE or adequate sanitation facilities, and commute to work on crowded buses. Even when sick, these workers can rarely self-isolate. A recent study in my District, which includes both the agricultural Salinas Valley and Pajaro Valley, found significant overcrowding in farmworker households, with an average household of 7 PPD (persons per dwelling) as compared to an overall 3.23 PPD in Monterey County and 2.60 in Santa Cruz County.⁵ Overcrowded housing conditions, in addition to often confined or similarly crowded working conditions, place these essential workers at greater risk for contracting COVID-19, especially since many lack reliable access to quality health care.

I applaud your recent executive orders that promise to mitigate some of these COVID-19 impacts for farmworkers, including the extension of sick leave to two weeks for many food supply workers, the establishment of a Disaster Relief Fund to assist immigrant workers, and the expansion of testing to underserved communities. But additional relief is urgently needed. Indeed, just this week, the County of Monterey sent your office a request for “immediate assistance” in securing Personal Protective Equipment (PPE) – including 180,000 facial coverings – and prioritizing COVID-19 testing and supplies for their farmworkers.⁶ “We are concerned that without State assistance to provide a significant amount of the PPE needed, and resources to expand COVID-19 testing,” wrote the County, “we will not be able to adequately reduce COVID-19 transmission risks among the vulnerable farmworker community.”

The time for further action is now, to adequately protect our farmworkers’ health and safety for the duration of this crisis. I especially urge your attention to the following issues:

(1) Farmworkers Urgently Need Expanded Access to COVID-19 Testing

Similar to congregate facilities for the homeless and nursing care facilities, once an outbreak occurs in a farmworker community, it will be difficult to contain. This situation is worsened by the fact that many farmworkers are unlikely to seek healthcare services because they are concerned about their immigration status or the status of someone in their household. For these reasons, readily available COVID-19 testing at or near rural work sites is necessary. Though your Administration recently announced plans to expand testing to underserved communities, including to rural areas with proximity to farmworkers, the total number of new test sites for the entire state is around 80.⁷ This amounts to little more than one new testing site per county. We

⁴ See The Atlantic, *Essential Workers Are Being Treated as Expendable* (Apr. 23, 2020), available at <https://www.theatlantic.com/ideas/archive/2020/04/farmworkers-are-being-treated-as-expendable/610288/>.

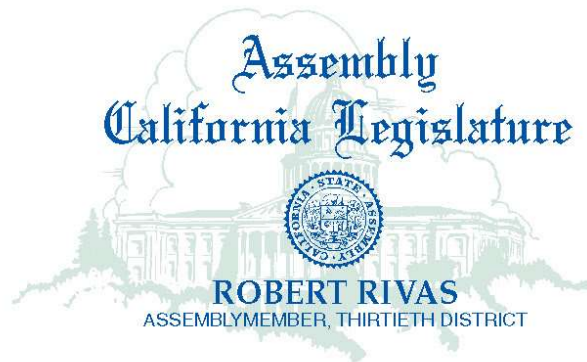
⁵ See California Institute for Rural Studies, *Farmworker Housing Study and Action Plan for Salinas and Pajaro Valley* (June 2018).

⁶ See Letter to The Honorable Gavin Newsom from Charles J. McKee, Monterey County Administrative Officer, re: Request for Immediate Assistance to Secure Personal Protective Equipment (PPE) and Supplies to Expand Testing for Our Essential Farmworkers Due to COVID-19 Pandemic (Apr. 17, 2020).

⁷ See Press Release, Governor Newsom Announces Plan to Resume Delayed Health Care that was Deferred as Hospitals Prepared for COVID-19 Surge (Apr. 22, 2020), available at <https://www.gov.ca.gov/2020/04/22/governor-newsom-announces-plan-to-resume-delayed-health-care-that-was-deferred-as-hospitals-prepared-for-covid-19-surge/>.

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need many more testing sites if we hope to mitigate the substantial risk of widespread exposure among agricultural workers.

(2) Farmworkers Lack Sufficient Supplies of Face Coverings and Other PPE

California continues to face a widespread shortage of protective face coverings and other PPE. It is vital that farmworkers, given the susceptibility of exposure in their homes and workplaces, be prioritized in the State's provision of such protective equipment in order to reduce the possibility of the virus spreading further amongst other workers and their families. These essential workers are continuing their duties of harvesting California's crops, often in large groups, increasing the chances of contracting COVID-19. This is why I am supporting the recent request made by Monterey County to your office, asking that a minimum of 180,000 face coverings be made available to farmworkers. But similar supplies are needed for agricultural workers throughout the State – from farmworkers in the fields, to packers in processing plants, and workers in meat processing plants.

(3) Farmworkers Don't Yet Have Access to Necessary Temporary Housing

Through an extension of "Project Roomkey," your Administration's initiative to secure hotel and motel rooms to protect homeless individuals from COVID-19,⁸ or of your similar program to find temporary housing for front-line health care workers,⁹ our State must initiate robust efforts to ensure that farmworkers also have access to temporary, safe housing. Given the cramped and crowded housing many farmworkers rely on, temporary housing accommodations will significantly decrease these workers' chance of exposure to COVID-19. Like our healthcare providers, farmworkers are providing an essential service during this pandemic. Like the homeless population, farmworkers are uniquely vulnerable. If our healthcare workers and our homeless population deserve temporary housing, certainly our hardworking farmworkers also deserve as much.

Farmworkers are putting their health and – indeed – lives on the line to help keep us fed during this pandemic. I am confident that by working together, however, we can take the additional steps necessary to keep them safe.

⁸ See Press Release, At Newly Converted Motel, Governor Newsom Launches Project Roomkey: A First-in-the-Nation Initiative to Secure Hotel & Motel Rooms to Protect Homeless Individuals from COVID-19 (Apr. 3, 2020), available at <https://www.gov.ca.gov/2020/04/03/at-newly-converted-motel-governor-newsom-launches-project-roomkey-a-first-in-the-nation-initiative-to-secure-hotel-motel-rooms-to-protect-homeless-individuals-from-covid-19/>.

⁹ See Press Release, Governor Newsom Announces New Program to Provide Front-Line Health Care Workers with Hotel Rooms (Apr. 9, 2020), available at <https://www.gov.ca.gov/2020/04/09/governor-newsom-announces-new-program-to-provide-front-line-health-care-workers-with-hotel-rooms/>.

Thank you for your attention to these urgent issues.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Rivas". The signature is written in a cursive style with a large initial "R" and a smaller "R" followed by a horizontal line.

ROBERT RIVAS
Assemblymember, 30th District

CC: The Honorable Anthony Rendon, Speaker, California State Assembly
The Honorable Toni Atkins, Pro Tem, California State Senate
Secretary Karen Ross, California Department of Food and Agriculture
Director Mark Ghilarducci, California Office of Emergency Services
Director Sonia Angell, California Department of Health
Chair Lorena Gonzalez, Latino Caucus, California Legislature
Appropriations Committee, California State Assembly
Vice-Chair Maria Elena Durazo, Latino Caucus, California Legislature
Chair Anthony Portantino, Appropriations Committee, California State Senate
Chair Cathleen Galgiani, Agriculture Committee, California State Senate
Senator Anna Caballero, California State Senate
Senator Bill Monning, California State Senate
Chair Susan Eggman, Agriculture Committee, California State Assembly
Assemblymember Eduardo Garcia, California State Assembly