



## **Interim Guidance for Migrant Farmworkers and their Employees (October 8, 2020)**

**Guidelines for Migrant Farmworkers and their Employees:** COVID-19 can spread easily in settings where many people are in close proximity, such as the residential facilities that house migrant farmworkers. Farm owners, farm labor contractors, and all who provide housing for migrant workers should implement plans to:

- prevent exposure to the virus that causes COVID-19,
- provide care for individuals with suspected or confirmed COVID-19 infection, and
- prevent the further spread of the disease among their workers.

Farmworkers are a uniquely vulnerable population given the many barriers to healthcare access they experience, such as: language barriers, lack of independent transportation, lack of insurance, fear regarding immigration status, and unfamiliarity with local resources and systems. Agricultural workers are also at risk for chronic lung problems associated with exposure to common farming hazards such as pesticides and fungi found in crops, which might place them at higher risk of severe illness due to COVID-19.

**The key components of a prevention plan for migrant farmworkers include:**

1. minimizing the risk for exposure to the virus,
2. early detection of people with COVID-19 through symptom screening and testing, and
3. caring for individuals with COVID-19 while ensuring that they do not transmit the infection to anyone else.

The purpose of the following recommendations from the North Carolina Department of Health and Human Services is to prevent exposure to COVID-19 when possible, and protect the health of North Carolina's communities, which includes this important work force.

**Helpful definitions:**

**COVID-19** is the disease caused by the novel coronavirus SARS-CoV-2.

**Symptoms of COVID-19** include fever, shortness of breath or difficulty breathing, sore throat, headache, achy muscles, fatigue, cough, runny nose, nausea, vomiting, diarrhea and loss of appetite. One symptom very specific to COVID-19 is a new loss of taste or smell. It is important to note that many individuals with COVID-19 experience very mild symptoms or no symptoms.

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**Isolation** is separating people with confirmed COVID-19 or with signs or symptoms of infection from people who are not infected.

**Quarantine** is keeping people who have been exposed to an infection, but have no symptoms themselves, away from each other and other people. The recommended duration of quarantine is based on the amount of time it could take the illness to develop, called the incubation period.

The **incubation period** for COVID-19 ranges from 2-14 days after last close contact with someone with confirmed or suspected SARS-CoV-2 infection. (The current definition of close contact can be found on the CDC website [here](#)).

### **Be prepared, have a written plan**

Before migrant farmworkers are scheduled to arrive, develop a plan that includes: how you will minimize opportunities for transmission between new and current workers, such as testing and quarantining new workers on the farm; how you will monitor worker health and screen for COVID-19; what COVID-19 prevention measures you will use such as masks and decreased housing and transportation density; and how you will isolate and care for workers who test positive for the virus and/or have symptoms of COVID-19. You can access further [detailed guidance for COVID-19 infection prevention in congregate living settings here](#). Additional CDC guidance for agricultural workers can be accessed [here](#).

### **Ensure you have all important contacts and numbers**

- Make sure that you have emergency contact information for each worker who is willing to provide it. Obtaining more than one emergency contact name and number is recommended.
- Make sure that you have the phone number of your [local health department](#). OSHA requires “camp superintendents” to report immediately to the local health officer the name and address of any individual in the camp known or suspected of having a communicable disease (29 CFR 1910.142(l)(1)). The health department will help to guide you on your specific situation, including how and when to test farmworkers with symptoms and those that were exposed.
- Post important phone numbers and addresses in your camps
  - Post the phone number of your closest [Community Health Center or farmworker health clinic](#) so workers can call for health care services from their housing facility. Facilitate access to these services by ensuring access to a telephone and wireless internet.
  - Post your camp address so that workers can call 911 for emergency assistance.
  - Post the address and phone number of your local health department so workers can call for assistance.

- Post the phone number of the closest Farmworker Health Outreach worker so your workers can call for education and assistance. To find the name and number of the outreach worker, click [here](#).

### **Prepare for the arrival of workers**

#### Prepare additional housing for

- People who are asymptomatic but have been exposed to COVID-19. They should be housed individually or in groups as small as possible for 14 days. They should have separate bathroom, cooking and eating facilities from all others. For quarantine to be most effective in stopping the spread of infection, exposed individuals should not be housed together, but should be housed in individual rooms with private bathrooms. They should not share transportation or kitchens. If this is not possible, they should be housed in the smallest groups possible.
- People with symptoms of COVID-19 who are awaiting their test results. They should be housed individually or in groups as small as possible. If individual housing is not possible then they should be housed in a separate room with a separate bathroom from well people, people with confirmed COVID-19, and asymptomatic but COVID-19 exposed people. They should not share cooking or eating facilities with any of these groups.
- People with confirmed COVID-19, regardless of symptoms. They should only be housed with other people with confirmed COVID-19. They should have separate bathroom, cooking and eating facilities from all other workers.

The North Carolina FEMA-supported non-congregate sheltering program is a collaborative effort between counties and local partners to provide individual housing for infected people who need to isolate, and exposed people who need to quarantine but are unable to do so because they live in congregate settings, like migrant farmworker housing. Often this involves providing motel rooms as well as food and other needed assistance. Work with your local health department and local emergency management to determine available isolation and quarantine housing resources in your area. Information on non-congregate shelter in North Carolina can be found [here](#).

#### Prepare to receive new workers

- When newly arriving workers are joining workers already living in the housing, the newly arrived workers should be separated (quarantined) from the established workers for 14 days to minimize exposure in case one of the newly arrived workers is infected with COVID-19. If possible, these newly arrived workers should be housed individually. This prevents an infected worker (who may not have any symptoms) from exposing other newly arrived workers or the workers already on the farm.

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- Housing providers unable to provide individual rooms, bathrooms and eating facilities should house newly arrived workers in small groups, as small as possible, or utilize the non-congregate housing resources in their county.
  - Testing newly arrived workers for COVID on arrival and/or during quarantine can help to rapidly identify infections and prevent introduction of the virus into the camp.
- Provide washable cloth face coverings (at least five) to all workers. Workers should wear face coverings when they are outside of their room. Facilities should be provided to ensure that washable cloth face coverings are washed and dried after each use. You can request face coverings from NC Emergency Management services [here](#).
- Outline who will pay for and provide food, water, clean laundry, and medical supplies to workers in isolation or quarantine as they may be unable to provide for themselves during this time. Determine how these supports will be provided.
- Determine by whom and how transportation will be provided for ill workers who need medical evaluation or treatment. Consider how to protect the person transporting ill workers, including the use of face coverings by both driver and worker, leaving windows down for maximum airflow and maintaining as much distance as possible between the driver and the worker.
- Create a plan for what to do if many workers are sick at the same time. Identify critical jobs on the farm that would need to continue if many workers are sick (in isolation) or exposed (in quarantine). Plan who will care for those who are isolated and in quarantine and be ready to provide the caregivers with surgical masks and disposable gloves.
- Workers who have tested positive or who are sick cannot work. Workers who have had a close contact, but have not tested positive and are not sick may be able to work to support critical farm functions if basic safety measures can be met.
- Determine how the costs of testing and medical care will be covered. Identify the nearest healthcare facility that provides free or low-cost care to uninsured people. To find healthcare facilities, including Community Health Centers, that provide care for uninsured patients, click [here](#). Most Community Health Centers can provide telehealth evaluation, and many can provide COVID-19 testing free or at sliding scale fees. [Farmworker health clinics](#) provide bilingual outreach services to farmworkers and a range of health services. If you cannot find a free or low-cost facility in your area, contact your [local health department](#) for assistance.
- H2A workers have 60 days from entry into the country to sign up for affordable health insurance on the national marketplace. [Community Health Centers](#) have bilingual patient navigators that can assist them in signing up. Contact your closest center to get your H2A farmworkers enrolled in health insurance plans when they first arrive and before anyone becomes ill.

### Promote and model healthy habits

Educate workers about hand hygiene, respiratory etiquette and emergency response.

[Provide signs in English and Spanish](#) with information about when and how to properly wash hands, the need for physical distancing of at least 6 feet, how to put on and remove a face covering, and the need to cough and sneeze into an elbow instead of a hand to protect themselves and others from germs. Signs and other educational materials in English and Spanish are available at <https://covid19.ncdhhs.gov/materials-resources/prevent-and-protect-media-toolkit>.

Provide training for your workers in a language that they understand and that covers:

- How COVID-19 is transmitted
- The symptoms of the COVID-19, including that many people do not have symptoms
- The proper use of personal protective equipment
- How to notify the employer of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19
- How to report unsafe working conditions
- That employers cannot retaliate against workers for reporting unsafe working conditions

Ensure workers wear face coverings when they are outside of their rooms, including in common areas, on transportation, at work, or out in public.

Require farmworkers to wash hands before and after work, meals and bathroom breaks. Remind them to wash hands upon entering and exiting high-density areas such as stores, laundromats, buses and vans.

Screen farmworkers for symptoms daily using the [NC DHHS Symptom Screening Checklist](#) prior to transporting them to work.

Encourage workers to speak up regarding any COVID-19 related symptoms by telling them clearly that they will not face retaliation for reporting COVID-19 symptoms, seeking testing, seeking care, or bringing an unsafe living or working condition to your attention. Create a safe space for workers to report COVID-19 related symptoms by emphasizing the benefits of early detection and isolation rather than talking about the downsides of discovering that workers are sick.

If applicable, let workers know that they are eligible for up to 80 hours of paid leave if they have COVID-19 or are looking for medical services due to symptoms of COVID-19. Pay sick or symptomatic workers their paid leave when you pay their co-workers.

**Provide safe living spaces, transportation, and work environments**

- Provide socially distanced, outdoor, covered eating facilities to prevent spread of the virus while unmasked and eating.
- Clean and disinfect farmworker housing, bathrooms and transportation vehicles daily and ventilate housing and transportation vehicles as much as possible. This should not be the responsibility of the farmworkers, who may lack the information and supplies necessary to do this.
- Ventilate the rooms on regular intervals, as much as possible by using fans in the windows to pull air from outside.
- Transport farmworkers in ways that allow them to stay at least 6 feet apart on the bus, even though this may mean multiple trips are required. Disinfect the bus between trips.
- Arrange beds in farmworker housing at least six feet apart. Place the head of a bed across from the foot of the next bed. Do not use bunk beds.
- Consider cohorting your workers in groups as small as possible. This means that workers who are living together also travel and work together and have no contact or minimal contact with other cohorts of workers.
- Provide supplies to fight COVID-19 to each farmworker, like alcohol-based hand sanitizer containing at least 60% ethanol or 70% isopropanol per [CDC recommendations](#), tissues, lined trash cans, and [a disinfectant that is active against coronaviruses](#). Make sure that workers have access to these supplies at the worksite, in common areas, where they sleep, and where they eat. If necessary, create a daily schedule for sanitizing all common areas.
- Ensure that field sanitation supplies of soap, single-use paper towels, water, and disposable cups are well stocked in each field location.

**Newly arrived workers**

- Immediate testing of newly arrived farmworkers prior to contact with your existing employees is highly recommended. You can [find the closest testing center to you here](#). This is recommended even when the newly arrived farmworkers have no symptoms of COVID-19 infection. Many people who have COVID-19 have no symptoms but can still infect others.
- Because test results can be negative in people who are infected but do not yet have detectable levels of virus, keep newly arrived farmworkers separate from existing employees for **a 14-day quarantine period**. This is recommended even for those who have tested negative for the virus. They may continue to work, but should not share sleeping, kitchen, restroom or

transportation facilities with any other workers during this time. They should be screened daily for symptoms of the virus and be retested and isolated if they develop symptoms.

If possible, newly arrived workers should be housed individually. This prevents an infected worker from further exposing other newly arrived workers. Housing providers unable to provide individual rooms, bathrooms and eating facilities should house newly arrived workers in small groups, as small as possible, or utilize non-congregate housing resources in their [county](#).

### Workers with suspected COVID-19

Have the worker stop working immediately and isolate the person from other workers. People with these symptoms should not be working.

If there is an onsite room, bathroom, and/or kitchen facilities designated for ill workers, workers with suspected COVID-19 should be directed to those facilities at the time of symptom onset until appropriate isolation plans can be enacted. Many counties in North Carolina now have isolation housing for people unable to isolate at home. Work with your local health department and local emergency management to find out about non-congregate housing resources in your area.

Arrangements should be made for them to consult with a medical provider within 24 hours and to be tested. If the worker needs to be seen at a healthcare facility, call the medical provider in advance so healthcare workers can take appropriate precautionary measures. Tell the medical provider that this patient lives in a **congregate living situation**. The state has prioritized the testing for COVID-19 in patients living in congregate living situations such as farmworker camps.

- Workers who require non-emergency medical care should take a private vehicle to get to the medical provider. If they do not have their own vehicle, you should assist with transportation.
- No one other than the driver and the ill farmworker should ride in the car. The ill farmworker should sit as far behind the driver as possible, such as at the back of a multi-passenger van or bus.
- Circulate air by lowering windows as much as weather permits. The vehicle's ventilation system should be set to exchange fresh air from outside the vehicle.
- Have both people in the vehicle, including the patient, wear a face covering.

If the worker tests positive, they must be moved to isolation housing. All workers who test positive, even if they are asymptomatic, must be in isolation housing. **They must not work until released from isolation.**

Remember to provide identification documents to any worker being moved to alternate housing and to notify the NC Department of Labor of their move.

### **Workers with confirmed COVID-19**

Contact your local health department as required by OSHA.

**ALL workers with confirmed COVID-19 must remain in isolation until released by the local health departments. Workers in isolation may not work, even if they are asymptomatic.**

Public health officials such as local health department staff will provide further instructions about isolation and release from isolation. [Current CDC recommendations](#) are that non-hospitalized people sick with COVID-19 stay isolated until all of the following have been met:

- at least 10 days from the first symptom (or date of positive test if no symptoms are present), AND
- at least 24 hours from last fever (without use of fever lowering medications), AND
- improvement in all other symptoms.

Workers who require hospitalization may need to be isolated for a longer period of time. The local health department will determine when each worker can be released from isolation.

Make sure workers in isolation have enough food and water as they will not be able to go to the store. Ensure they can communicate with family members.

Check frequently on the ill worker in isolation to monitor for worsening symptoms. Some infected people will develop severe symptoms such as shortness of breath, chest pain, confusion or inability to walk unassisted that will require hospitalization. This can happen quite suddenly and be life-threatening.

Workers do not need to test negative prior to returning from work following appropriate isolation as workers may continue to test positive for up to three months after recovery even though they will no longer infect others.

### **Workers exposed to someone with COVID-19**

**All workers exposed to someone with COVID-19 must quarantine for 14 days and are recommended to be tested.**

- Your local health department can help you determine the best way to get all exposed workers tested.
- You can find [the closest testing facility near you here](#).

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- Exposed workers should ideally be separated from each other and from any other non-exposed workers for 14 days (e.g. sleep in an individual room, use an individual bathroom and cooking facility). This is very difficult to achieve in most farmworker camps and growers may need to access non-congregate housing resources in their county.
- If individual quarantine housing is not available for all workers, they should be housed in groups as small as possible. Workers at high risk of serious COVID-19 infection (over 65 years of age or with chronic illnesses such as hypertension, diabetes or obesity) should be housed individually for 14 days to decrease their risk of infection.
- All exposed workers should be tested as some of them may be positive and contagious, although only mildly symptomatic or asymptomatic. If they test positive, they must be moved to housing with others who have tested positive.
- Workers in quarantine must be monitored daily for symptoms. If they develop symptoms while in quarantine, they must be retested.
- Agriculture is considered a critical infrastructure industry. As such workers who are in quarantine and **remain asymptomatic** may be permitted to work if necessary for continuity of operations for critical farm functions as long as [all CDC criteria](#) can be met.

### Legal Considerations

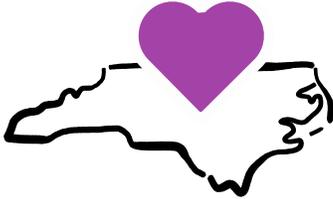
- Failure to provide separate housing for infected workers could reasonably be expected to cause death or serious harm to the uninfected workers, which violates the Migrant Housing Act of North Carolina requirement that housing providers immediately provide safe housing.
- Forcing or requiring an infected or exposed farmworker to return home prior to clearance for travel by the health department would present a public health risk and could be subject to prosecution pursuant to North Carolina's laws governing communicable disease control (G.S. 130A-25)
- If workers would like to make a CONFIDENTIAL complaint about unsafe working or migrant labor camp living conditions in English or Spanish, they can contact the NC Department of Labor at 1- 800-NC-LABOR.
- It is unlawful for employers and migrant housing providers to retaliate or to take any adverse employment action against any worker who files a complaint or who otherwise asserts their right to safe working and/or migrant housing conditions in NC under the NC Retaliation Employment Discrimination Act.

### Other Resources

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NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

- [NC DHHS COVID-19 Website](#)
- [CDC Coronavirus Website](#)
- [NC Environmental Cleaning Guidance](#)
- [North Carolina Department of Labor's Agricultural Safety and Health Bureau](#)



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