



# Santa Barbara County Farm Bureau

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

April 1, 2016

Santa Barbara County Board of Supervisors  
Attn: Honorable Peter Adam, Chair  
105 East Anapamu Street  
Santa Barbara, CA 93101

**RE: CAUSE Farmworkers Bill of Rights**

Dear Chairman Adam and Members of the Board,

On behalf of the Santa Barbara County Farm Bureau (SBCFB) and its 500 farmer and rancher members we respectfully request that you do not accept the Farm Workers Bill of Rights as presented by Cause (Central Coast Alliance United for a Sustainable Economy).

Farmers in Santa Barbara County work hard to create a safe, positive, and productive work environment for their employees. These men and women comply with more than 70 laws and regulations, taking steps to address heat illness prevention, sexual harassment prevention, nondiscrimination, pesticide safety, and overall farm safety. SBCFB does not believe that an additional layer of county regulations to an already comprehensive regulatory framework is necessary or that it would measurably improve working conditions for our farm labor force.

After reviewing the Farmworkers Bill of Rights as presented by CAUSE we feel the following concerns are currently being addressed through the existing regulatory framework as outlined below:

## **Curbing Extreme Overwork:**

- ***Protect pregnant women from pesticide exposure by mandating job status protected unpaid pregnancy leave:*** The state of California finds and declares that it is necessary and desirable to provide for the safe use of pesticides and for safe working conditions for ALL farmworkers, pest control applicators, and other persons handling, storing, or applying pesticides, or working in and about pesticide-treated areas.

All U.S. and California workers enjoy the protection of the federal Family and Medical Leave Act and the California Family Rights Act. FMLA and CFRA mandate 12 weeks of job-protected leave for all workers after the birth or adoption of a child. Additionally, California State Disability Insurance (SDI) provides partial wage-replacement insurance for workers who suffer a loss of wages due to a medically-disabling condition resulting from pregnancy or childbirth.

- **Require real rest breaks by defining breaks as beginning when a work reaches a break area...:** While the law does not specify that ordinary rest periods must be ten minutes net, the Heat Illness Prevention standard (HIP) does require net-10 minute rest periods every two hours whenever the temperature exceeds 95 degrees, as well as provision of water for all workers at all times and shade for all workers on a break a meal or rest break.

#### **Cracking down on Wage Theft:**

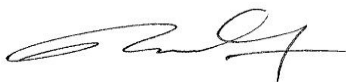
- Several recent laws passed by the Legislature are aimed by protecting workers from wage theft, including full disclosure to workers of their wages and deductions required on every paycheck stub, empowering the Labor Commissioner to enforce local wage laws, empowering the Labor Commissioner to place liens on the property of employers found to have not properly paid wages. Penalties under the Labor Code for failure to promptly pay wages are substantial, including as much as 30 days of a workers' pay over and above any unpaid wages, as well as other penalties ranging from \$1000 to \$5000, criminal prosecution, and civil liability under California's Private Attorneys' General Act (PAGA).

#### **Protecting Health & Safety:**

- **Provide grant funding for worker safety training:** California employers are required by state law to provide training for workers to perform their jobs safely, to provide training on heat illness under the HIP standard, and other specific task training like safe use of forklifts and tractors. The U.S. Department of Labor and numerous other organizations also provide grant funding for local private and charitable organizations to provide additional training, and many agricultural and other community-based organizations also provide training and health screening services for farmworkers, like cholesterol and blood pressure screening.
- **Inspect farms for clean bathrooms:** Cal/OSHA already vigorously enforces the Field Sanitation Standard, which calls for toilet facilities, wash water, soap and paper towels.
- **Aid victims of sexual assault:** California provides extensive protection to prevent sexual assault and to aid victims; all employers are required to provide sexual harassment training to supervisors every two years; farm labor contractors are required to training their supervisory personnel annually, and to train workers on their rights and protections from sexual harassment at least annually upon hire.

In closing, we appreciate your careful consideration of our request. As stated above, the agricultural community in Santa Barbara County are very appreciative of their employees and work hard to create a safe and positive work environment for them by working within the current regulatory framework.

Sincerely,



Russell Doty  
President