



Pre-Harvest Compliance Reminder

As you prepare for harvest season, please keep in mind that you should be prepared for compliance inspections for housing, heat illness, and field sanitation.

REMEMBER!

- ✓ Instruct all employees to **direct all visitors to a member of management or to the main office.**

Employees should be trained to “greet” visitors as soon as they’ve stepped onto your property and direct them to a member of management or the main office. Don’t let strangers wander around unnoticed or unchallenged.

- ✓ Employers should request the **scope of the inspection** during the opening conference.

It is NOT permissible for a compliance officer to skip the opening conference, let themselves onto your property and begin interviewing employees. Under OAR 437-001-0075, compliance officers must conduct an opening conference with the employer and “explain the purpose, nature, and intended scope of the inspection.” This includes:

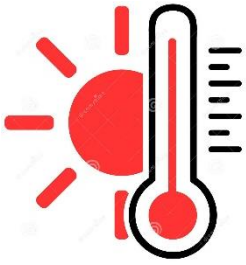
1. Reason for the inspection (complaint, accident, planned inspection, follow-up). The scope is limited to the issue that prompted the inspection, especially for complaints.
2. Work areas or activities involved – clarify which parts of the workplace or work tasks they will inspect.
3. Any specific hazards or standards of concern.

- ✓ **Stay with the enforcement officer** at all permissible times.

- If the employer is not present when the enforcement officer arrives, the enforcement officer should be notified that a company representative will be contacted and the inspection is NOT to begin until that person arrives.
- Enforcement officers will often consider a supervisory employee to be the representative, but it is NOT up to them to identify the employer representative. The employer has the right to decide who to designate as the representative for OR-OSHA inspections.
- Compliance officers are required to allow a “reasonable” amount of time for the company representative to arrive; generally, they allow up to 45 minutes.
- Observe the compliance officer carefully during the inspection; if you feel that he/she is veering outside the stated scope, you can – at any time – ask whether the scope is being expanded and on what basis. You can also withdraw consent for an inspection if it appears to go outside the stated scope and inform the compliance officer of the need to obtain a warrant to proceed.

- ✓ If at any time you are uncertain about the legality of something, you have the right to **request that the enforcement officer explain the legal basis for what they are inspecting.**

- “Which OAR standard applies here?” or “Can you point me to the specific rule you’re evaluating?”
- “Is this within the original scope you described, or are you expanding the inspection based on what you’ve observed? If so, what did you observe to expand the scope of the inspection?”



Heat Illness Prevention

Please review the attached summary of heat illness prevention rules and the heat in employer housing fact sheet for additional details.

Field Practices

80° F +	1. Access to shade. 2. Drinking water for employees (32 oz per employee per hour, cool temperature 35° - 77°).
90° F +	1. Access to shade 2. Drinking water for employees (32 oz per employee per hour, cool temperature 35° - 77°). 3. Communication so employees can contact supervisor when necessary. 4. Monitor employees for signs of heat illness (buddy system, regular communication with employees, or other means of communication). 5. Designate 1 or more employees to call for emergency medical services if necessary. 6. Additional rest breaks (following the schedule included in your written plan).

Written Plans

- Written heat illness prevention plan
- Emergency medical plan that includes heat illness prevention measure

Employee Training Records

- Annual training for all employees
- Written record of training kept for 1 year

REMEMBER!

Heat rules may be included in any **field sanitation** or **ALH** inspection you receive. Heat rules should **ONLY** be included in the scope of a field sanitation or ALH inspection IF the inspection occurs

- When the heat index is 80° F or higher, or
- When the inspection occurs between June 15 – September 30

For **field sanitation** inspections, the inspector will look for:

- ✓ Access to shade and cool water when the heat index is 80° F or higher.
- ✓ That employees are receiving the required breaks.
- ✓ That you have a system in place for monitoring employees for heat illness symptoms and calling for emergency services if needed.

For **ALH** inspections, the inspector will look for:

- ✓ Which methods you use to maintain the indoor temperature in sleeping or cooling areas.
- ✓ A temperature display in each housing unit.
- ✓ The Heat Risks in Housing notice posted in the language spoken by occupants.



Field Sanitation Inspections

Provide

- Drinking water and cups.
- Toilets (1 for every 20 workers) within 5-minute or ¼ mile walk.
- Hand-washing facilities (with soap, water and single-use towels) located next to toilet facilities.
- Covered garbage container for used single-use towels.

Train Employees

**** No written training records required for field sanitation ****

- Notify employees of location of toilet and handwashing facilities that they are allowed to use as frequently as needed.
- Drink water frequently, especially on hot days.
- Wash hands before and after using toilet.
- Wash hands before eating and smoking.

Written Notices

- Field Sanitation Notice (orange poster).
- “Safe Practices When Working Around Hazardous Ag Chemicals” Booklet provided to each employee (in printed or electronic versions).

¡Atención Trabajadores! Sanidad en el Campo.
Su empleador debe proveer:

Agua potable

- Disponible inmediatamente y en cantidad suficiente para todos.
- Fresca y en recipientes limpios.
- Suministrada por medio de una fuente de agua o recipientes personales o en vasos desechables.

Baños y lavabos

- Su patrón debe permitirle usar el baño cuando usted lo necesita.
- Los baños y lavabos deben estar adyacentes y localizados a menos de cinco minutos caminando.
- El baño debe estar:

WORKER HEALTH AND SAFETY
SEGURIDAD Y SALUD PARA EL TRABAJADOR

Safe Practices

When working around hazardous agricultural chemicals

Prácticas de Seguridad

Cuando se trabaja alrededor de químicos agrícolas peligrosos



Ag Labor Housing Inspections

2025 ALH Updates

- Mattresses must be in a fully enclosed cleanable cover.

2026 ALH Updates

- In common use facilities, paper towels must be provided near sink or basin. A container (with lid) for disposal must be provided.
- Annual registration must include water testing for nitrates, E. coli, and total coliform from an accredited lab. Initial registration must include arsenic testing. Water testing only applies to non-public water systems.
- Ensure that road forks and driveways between the public access road and housing site are properly marked, and that each building and unit used to house workers is properly marked.
- For water from non-public water systems, annual testing must be done; results of water analysis must be posted in language or workers or pictogram form.
- Provide laundry machines with plumbed hot and cold water in the combined ratio of 1 for each 30 occupants or each part of 30; or, provide laundry tubs or trays with plumbed hot and cold water in the combined ratio of 1 for each 25 occupants or each part of 25.
- All laundry facilities must provide for separate method for cleaning clothes that are contaminated with chemicals; some examples could include using multiple tubs, trays, or running clothes in separate wash cycles, or sending out the contaminated clothing for commercial laundry.
- Privies must be at least 200 feet from any living area or any facility where food is prepared/served (privies are not the same as portable/chemical toilets).
- Mattresses furnished by the operator must be at least 4 inches thick.
- When provided, bunks must include safe access to the upper bunk (stairs or ladder). Cots are no longer an allowable bed type.
- Provide at least 15 ft³ of storage per occupant or family unit; this can include wall cabinets, shelves, dressers, and similar provisions. A portion of this storage must be lockable and capable of securing small personal effects (wallet, ID, cell phone, etc.)
- While occupied, where workers sleep must have a working approved carbon monoxide detector installed in accordance with the manufacturer's instructions.

2027 ALH Updates

- At least one wall-type electrical outlet must be provided for every occupant in each room that is used for sleeping. **Power strips with circuit breaker** or fuse protection can be used to meet new requirement.
- Provide at least one toilet for every **10 occupants** (decreasing from 1 toilet for every 15 occupants).
Note: Portable/chemical toilets can be used to meet this ratio
- Provide a solid door so the toilet compartment is private; curtains no longer allowed.
- Do not use gas burners in living areas without adequate ventilation or range hoods vented to outside.
- When the heat index is 80-94°, sleeping rooms must maintain a temperature of 78° or less. When the heat index is 95°F +, sleeping rooms must be able to be maintained at a temperature at least 15°F lower than the outdoor heat index. (Example: when the outdoor heat index is 105°F, the indoor temperature must be maintained at or below 90°F.)



Requested Documents

*If you receive an inspection, **you will generally be asked to provide documentation** via email following the inspection. You will most likely be given a period of a few days to provide the documentation.*

Some of these documents are required under Oregon statute and OR-OSHA rules, but others are not and you are within your rights to challenge this request and not provide this documentation.

Note: The following information has been reviewed by legal counsel at Cummins, Goodman, Denley & Vickers, P.C.

REQUESTED DOCUMENTS MAY INCLUDE:

- ✓ **OSHA 300 Injury/Illness Logs and OSHA 300A Summary for the previous 3 years as well as anything listed for the current year.**
 - OAR 437-001-0700 requires all employers to retain Forms 300/300A for a period of 5 years.
 - Employers are required to produce copies of these logs to OR-OSHA or other government representatives within 4 business hours of any request (but generally the agency will give you longer to provide it).
- ✓ **Safety Meeting Minutes or Safety Committee Meeting Minutes for the past 6-12 months** (including topics reviewed and attendance).
 - OAR 437-004-0251 requires that safety meeting and/or safety committee records must include the meeting date, names of attendees, and topics discussed.
 - These records must be retained for at least 3 years.
- ✗ **An explanation of how Safety Meeting Minutes are disseminated to all employees, especially the labor housing occupants.**
 - There is nothing in the OR-OSHA rules that requires employers to disseminate safety meeting minutes and/or safety committee meeting records to all employees. Employers must “make the records available” to employees upon request.
 - The rules for Safety Meeting Minutes do not reference ag labor housing occupants, only employees. Employers are not required to share them out to labor housing occupants. Again, you are only required to make the records available to **employees** upon request.
- ✓ **Name of your workers comp. insurance carrier and policy number.**
 - ORS 656.017 requires employers to have workers compensation coverage, and OAR 437-001-0090 authorizes compliance officers to inspect all required records to verify compliance with statutory regulations, including verifying workers comp. coverage.
- ✓ **The number of employees your company has working in the state of Oregon.**
 - Under ORS 656.726 and 656.758 OR-OSHA is authorized to request this information.
 - Why do they request this information? → Some of the regulations have different requirements based on the size of the employer, and base penalties for violations differ depending on the size of the employer.

✗ **Information related to training that labor housing occupants receive (this may include safety awareness, new-hire orientations, annual training, etc.).**

- There is **no requirement in the ALH rules** that employers provide safety awareness, new-hire orientations, or annual training specifically to labor housing occupants.

✓ **Training and Postings for ALH Occupants**

- ✓ **Heat Illness Prevention for Housing Occupants Posting (in housing units or in central posting area)**
“Heat Risks in Housing” posting with emergency contact information filled in.

- ✓ **Worker Protection Standard / Application Exclusion Zone Training for Housing Occupants**
**** No training records required.**

Training for housing occupants must include the following

How to know if they must evacuate or if they are allowed to stay in the enclosed structure during the application.

How to prevent and reduce exposures and how to prevent contamination of personal and household items within the AEZ by storing them safely (including storing boots/shoes in a closeable storage area).

How long to use these protective measures, including how they can know when the equipment is in the AEZ and when the 15-minute waiting period has passed.

Instruct them to close windows, doors and air intakes during the time the application equipment is in the AEZ.

How to recognize and report suspected pesticide residues in enclosed structures or on personal items within the AEZ.

Where to find posted information:

Info on pending pesticide applications that could affect the housing.

Where to find detailed pesticide safety information, including names of products applied.

Site-specific information about how to prevent and reduce pesticide exposures.

How you will alert occupants of changing information about pending applications.

✗ **A copy of your written general safety policy and an explanation of how this information is disseminated to employees and how it is enforced.**

- There is no OR-OSHA rule that requires a “written general safety policy.”
- OAR 437-004-0240 requires employers to provide a basic safety orientation for **seasonal workers** (employed in a job tied to a certain time of year for not more than 10 months in a calendar year). This is a training requirement, but it does **NOT require a written policy or written training records**.

This orientation should include:

- Safety and health rules for their work.
- Procedures to contact supervisors or managers in case of accident/illness or safety concern.
- Procedures for treating sick or injured workers and for accessing emergency assistance.
- Location of posted health and safety Information.

✓ **Heat Illness Prevention Written Plan**

- Employers are required to maintain a written Heat Illness Prevention Plan and make it available to employees upon request.

✓ **Heat Illness Prevention Training Records for Employees**

- Under OAR 437-004-1131 (10), employers must have written or electronic training records for **ONLY** the most recent annual training.
- These records must be kept for 1 year. You should not be asked to provide heat illness training records from prior to 1 year.
- Training records must include the name of each employee trained, the date(s) of training, and the name of the person who conducted the training.

✗ **Heat Illness Prevention Training Records for Occupants at Your Labor Housing**

- Employers are **NOT** required to provide heat illness training to ALH occupants, only to employees.
- Heat Requirements for Ag Labor Housing
 - When heat index is 80° F+, sleeping rooms must maintain a temperature of 78° or lower, OR you must provide a cooling area for occupants.
 - Provide a thermometer in each housing unit that displays ambient temperature.
 - Post “Heat Risks in Housing” notice (must include emergency contact information)
 - Occupants must have access to a working telephone at all times. Cellphones may be used if reception in the area is reliable.

✗ **A copy of any presentation, training materials, documents, etc. used to provide Heat Illness Prevention training to your employees.**

- There is **NO** requirement to maintain a copy of the presentation, training materials, documents, etc. used to provide heat illness training.
- The **ONLY** record you are required to maintain and provide to OR-OSHA is the record that the training occurred (name of each employee trained, date(s) of training, and name of the person who conducted the training).

✓ **A copy of your Emergency Medical Plan**

- Your Emergency Medical Plan should be written and retained for your records, and it should be posted for employees.
- Train employees about your emergency medical plan and their responsibilities during an emergency.

If the local emergency response system is reliable and capable of handling injuries/illness that is likely to occur at your worksite, then your Emergency Medical Plan should include:	If the local emergency response system is NOT adequate and you rely on someone trained in first aid on-site , then your plan must contain emergency action instructions for employees, including:
✓ The emergency phone number. ✓ The site address to direct EMS to the correct location. ✓ Emergency action instructions for employees, including how to report the location of an emergency and instructions for when to call 911. ✓ Heat illness prevention (see below).	✓ The names, locations, and phone number of people trained and authorized to give first aid and other treatment. ✓ Any special instructions about communications to contact emergency medical services or those trained in first aid (like 2-way radios, telephones, or other emergency communications). ✓ A plan for transportation to the ambulance or nearest suitable medical facility. ✓ Heat illness prevention (see below).

Heat Illness Prevention: All **emergency medical plans** should address heat illness prevention, including the following:

- ✓ Common heat illness symptoms to look for in employees.
- ✓ How to respond to signs and symptoms of possible heat illness: first aid measures for heat illness and how to contact emergency medical services in the event of heat illness (call 911 or contact the onsite first aid person).
- ✓ If a supervisor observes signs or an employee reports symptoms of heat illness, the employee must be relieved from duty and provided with sufficient means to reduce body temperature (examples: cooling blankets, cooling vests, fans, etc.)
- ✓ If the signs or symptoms are indicators of severe heat illness (decreased level of consciousness, staggering, vomiting, disorientation, irrational behavior or convulsions), immediately implement emergency response procedures.
- ✓ An employee exhibiting symptoms of heat illness must be monitored and must not be left alone or sent home without being offered onsite first aid and/or being provided with emergency medical services in accordance with employer's procedures.
- ✓ Contact emergency medical services if necessary, and if instructed to do so by medical professionals, transport employees to a place where they can be reached by an emergency medical provider.
- ✓ Ensure that, in the event of an emergency, clear and precise direction to the worksite is provided for first responders to quickly navigate to the location of the affected worker.

Need assistance with any of these documents?

Many resources are available on the CGFG website in the regulatory compliance section, including templates for written heat illness prevention plans, required postings, summaries of OR-OSHA rules, and training resources.

Or, contact Columbia Gorge Fruit Growers for assistance.