



FLOOC

Farm Labor Organizing Committee, AFL-CIO



Farmworker Response to COVID-19 in US

On March 16, right as the COVID-19 pandemic began to increase in visibility and public policy makers began to make recommendations for urgent action, our board and staff was returning from an annual membership assembly in Monterrey, Nuevo Leon, Mexico with 40 member-activists that work in NC on H2A visas in attendance.

Since then, we have made a conscious effort to invest all resources into revising scientific recommendations, staying up to speed on frequent changes, and speaking with members about concerns and possible action items. During this time, we communicated with hundreds of union members, growers' organizations, and allies in the labor community to review options and keep members up to date on developments. Union leadership made a conscious decision to avoid public proclamations and decide what the most effective concrete actions our union can take to assist farmworkers immediately during this crisis. During this time, we have received a lot of request for protocols or information on FLOC positions, so have decided to release the information we are sending to members and our general assessment of where we can make the biggest impact as a union, which fall under three key areas:

1. **Containment and safety:** Focusing on getting good information out to the membership and community, dispelling bad information, hearing from directly affected members about what needs are and reacting to them. Empowering members to avoid getting or spreading the illness and dealing with increased restriction of movement in a way that protects against unfair treatment by law enforcement to our community is key. Review with members physical preparedness in labor camps for quarantines and if no plan is available contact grower's representatives and the union as needed.
2. **Ensuring medical treatment:** Like most people around the world and even more severely than most, there is great concern over access, cost, and quality of health care and treatment if someone is sick. This has been a challenge to survey the constantly changing framework of clinics, hospitals, and other providers, discerning where these providers are equipped for providing care to those suspected of COVID-19 or otherwise in need of health care. We are focused on getting up to date information to members, ensuring members are empowered to get needed transportation from employers without fear of losing a job where needed, and making sure that government efforts to provide relief reach the farmworker community and avoid preventative costs. The agricultural workforce includes undocumented workers and in order to address worker's confidence in seeking treatment, Federal, State and Local government must cease all immigration apprehensions, raids and release those in detentions with monitoring who may have relatives that can facilitate stay at home policies.
3. **Financial Support:** Ensuring that historical exclusion of farmworkers doesn't continue through state and federal emergency planning, getting information about paid leave and unemployment insurance to members, and working with members whose potential medical bills and leave may be covered by workers' compensation insurance all will help protect members financially while encouraging testing and treatment as soon as possible.

Farmworkers are a key part of rural communities and removing barriers to their ability to deal with this crisis means protecting all regions of our Country. All of this is done understanding the very important differences among conditions and processes throughout different regions and at each individual farm. We understand that a failing labor-rights enforcement system is made much worse by this pandemic and highlights the need for farmworkers to be equipped to be their own inspectors and enforce their own protocol independent of government agencies.

Attached is our membership protocol we plan to enforce through a cooperative relationship and three-step grievance procedure where members have a collective bargaining agreement and through individualized and creative methods where members are working without one.

Guidance for members re COVID Protocol

*note, that changes will occur as things develop, so this is valid only until updated (published 3/28/20)

1. Upon arrival to the Mexican city with a US Consulate (usually Monterrey), you should not have to go to an interview and therefore do not need to have an overnight stay in Monterrey as long as you can arrive in time to meet with the agent at the agreed upon time. Communicate regularly with agent to ensure you have up to date information.
2. While on bus and away from home, follow protocol to avoid being infected (see attached flyer)
3. It is recommended to avoid bringing large suitcases and to pack food from home to the extent possible to avoid the need to visit crowded places to leave suitcase or to eat at restaurants.
4. Remember that FLOC negotiated a requirement that SENDA reimburse workers for 50% of their bus ticket price if the buses are not functioning. Take pictures and notify union via whatsapp ahead of time and ensure that you notify an NCGA representative of your request for a refund and document who you spoke with and what their answer is.
5. During the bus ride up, you are free to eat wherever you would like so long as you get off the bus where it stops and are back on the bus before it leaves. You should organize a group to ask the driver to stop at locations where there are less crowds and document his response. Document anything the driver does or says in response to these actions and report to union ASAP.
6. Upon arrival to Vass, try to maintain distance from others, six feet if you can, and wash ahnds and use hand sanitizer frequently.
7. At least until April 3, FLOC organizers can only visit farms on an emergency basis, so it is important that you and your coworkers provide up to date contact information and collaborate to use phone, texts, and video conferencing to stay up to date on the latest information. If you have Facebook account, please like the page Farm Labor Organizing Committee and Miembros de FLOC.
8. Upon arrival to your farm, the housing should have cleaning supplies, soap, and hand sanitizer and sufficient conditions to protect yourself against the virus. These should be re-stocked weekly or as needed. If it does not, notify the grower and/or contact FLOC.
9. During work hours, there needs to be soap, water, and paper towels to wash hands frequently. We recommend you take a hand washing break at least every hour or after touching commonly touched surfaces. If your employer does not allow this, document it and contact the union.
10. The grower should require and pay for someone to clean the bus and other commonly touched surfaces at least daily. If this is not happening, advise the employer of these recommendations by the State Government and/or contact the union.
11. When you go to buy groceries, it is recommended to limit the time out as much as possible and to collaborate with coworkers to limit the number of coworkers that go to the store.
12. If you or a coworker are feeling sick or see any of the symptoms of Corona Virus (see attached flyer), you should notify the employer immediately and ask for transportation to a medical care site. Employers are required by the union contract to provide transportation to medical appointments. Document any response and if it is unsatisfactory, contact the union.
13. New federal law requires that the employer pay each worker for up to 80 hours they miss from work due to illness related to the Corona Virus, including doctor visits, rest, testing, or quarantine. You should be paid the same amount as your coworkers who worked up to 80 hours.
14. Illness related to the Corona Virus may be covered by workers compensation insurance. It is very important you tell the doctor your living and working conditions in detail so that they can include whether or not these conditions contributed to your contraction of any illness in the doctor note. To ensure this goes smoothly, we recommend you speak with a union representative before your doctor appointment for additional guidance.
15. If someone is suspected of having Corona Virus, the grower and/or NCGA is responsible to ensure they have separate living facilities to make sure they don't infect other coworkers.
16. If you test positive for Corona Virus, the employer must notify the health department and provide you a living space in quarantine. As referenced above, this may be covered by workers compensation insurance so it is very important to be in constant communication with the union should you test positive to ensure you receive the required pay during time out of work.
17. If you test positive for the virus, you should not return to Mexico without authorization from a doctor.
18. Many counties and states are enacting stay at home orders. Generally, farmworkers are considered essential workers and generally excluded from those while working in agriculture. Traveling to the grocery store or pharmacy are also excluded. Contact the union for more information.
19. There have been shortages of certain things reported in stores. Call the union for info about support resources in your region.

Información para trabajadores de la NCGA con contrato sindical sobre la Corona Virus Protocolo

*OJO: Las cosas están cambiando día a día así que esta información es válida hasta nuevo aviso (publicado 3/29/20)

1. Cuando vas al Consulado a visar, no habra entrevista hasta nuevo aviso, así que no hay necesidad de quedar en un hotel siempre y cuando puedes llegar a tiempo para reunir con su agente para buscar la visa y subir al autobús. Quédese en contacto con el reclutador local para instrucciones.
2. Mientras que esta en su casa y en al autobús, siga las recomendaciones para evitar la virus (ve volante)
3. Recomendamos que no lleve equipaje grande y que lleve comida de su casa si se puede para minimizar la cantidad de comida que hay que comprar en la calle o en un restaurant y evitar lugares llenos de personas que pueden ser infectados.
4. Recuerde que existe un contrato entre FLOC y la NCGA para mejorar servicio de los autobuses de Senda. Si el servicio no es adecuado, Senda tiene que reembolsar la mitad del boleto. Tome fotos y busque testigos de los problemas en el autobús y mándelos adelantado al whatsapp de FLOC. Asegurese que reporte los problemas llegando a Vass y que anote el nombre del agente de NCGA.
5. Durante el viaje a NC, es libre de ir a comer donde guste cuando para el autobús, siempre y cuando este listo en el autobús antes de que sale de la parada. Organice a los compañeros para pedir que el chofer pare en lugares donde no hay mucha gente y documente como responde.
6. Llegando a Vass, trate de mantener su distancia de otros compañeros, 2 metros si se puede, y lava las manos y usa gel antibacterial frecuentemente.
7. Por lo menos hasta el 3 de Abril, el personal del sindicato solo puede visitar campos en situaciones de emergencia así que es muy importante que pase su información de contacto actualizada, para que podamos usar comunicación de whatsapp, llamadas, y textos para mantener a todos actualizados. Si tienes Facebook, dale like a la pagina [Farm Labor Organizing Committee](#) y si es miembro a [Miembros de FLOC](#).
8. Al llegar a su campo el rancharo debe proveer herramientas y materiales de limpieza como jabón, cloro, gel antibacterial en cantidades suficientes para que puedan limpiar y protegerse del virus.
9. Durante horas de trabajo, debe de proveer el rancharo jabón, agua, y toallas de papel para poder lavar las manos frecuentemente. Recomendamos que se lave las manos por lo menos cada hora y después de haber tocado cosas que los compañeros tocan frecuentemente.
10. El rancharo debe asignar y pagar a alguien que pueda limpiar el autobús y otros lugares de uso frecuente por lo menos diariamente. Si esto no está pasando, avisa al supervisor y a la unión si no se arregla.
11. Cuando van a hacer compras, deben evitar el tiempo que están en lugares públicos y se recomienda que colaboren con sus compañeros para que menos personas tengan que salir.
12. Si usted o sus compañeros se sienten enfermos o ven síntomas del Corona Virus (Vea el volante adjunto) debes notificar al empleador de inmediato y pide transporte para atención médica. Empleadores tienen obligación por el contrato sindical para proveer transporte gratis. Documenta cualquier respuesta insuficiente y contacte a la Unión.
13. Una Ley federal nueva que tomo efecto el 23 de marzo requiere que el empleador pague a un trabajador hasta 80 horas por ausencia relacionado al Corona Virus, incluyendo visita de doctor, Descanso, pruebas, o cuarentena. Debes recibir el mismo pago de sus compañeros por días que faltaste hasta 80 horas. El gobierno reembolsa este dinero al rancharo.
14. Enfermedad relacionada al Corona Virus puede ser cubierta por el seguro de compensación laboral. Es muy importante que le informe al médico de sus condiciones de trabajo y vivienda en detalle para que ellos pueden incluir esa información y decidir si eso contribuyo a su enfermedad y ponerlo en escrito. Par hay que asegurar que esto funcione, recomendamos que hable con un representante de FLOC antes de ir al doctor.
15. Si se sospecha que alguien tiene la Virus, el rancharo o NCGA tiene responsabilidad de asegurar que tienen Vivienda aparte para asegurar que no se infecte otra persona.
16. Si alguien sale positivo en un examen del Corona Virus, el empleador tiene que notificar al departamento de Salud y proveerle un lugar separado para vivir hasta que se mejore. Informe al sindicato para asegurar que todo se haga según protocolo.
17. Si esta enfermo, nunca debes regresar al campo antes de que le de una nota con diagnostico y ordenes del doctor.
18. En muchos condados y en el estado en general, hay ordenes de quedarse en casa para minimizar la propagación del virus. Trabajadores agrícolas están consideradas trabajadores esenciales y en el trascurso del trabajo están excluidas. Viajando al supermercado o farmacia también esta excluidas de esas órdenes. Llame a la Unión para más información.
19. En las tiendas existen algunos limites de despensas si sufre de acceso a comida o útiles de limpieza llame al sindicato para pedir información sobre recursos en sus regiones.