

Michigan Agricultural Worker Protection During COVID-19

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Maintaining a safe and healthy work environment for agricultural employees is always a priority. To minimize the impact of COVID-19 in the workplace, Michigan Farm Bureau (MFB), Great Lakes Ag Labor Services (GLALS) and the Michigan Agricultural Cooperative Marketing Association (MACMA) are recommending following Michigan Department of Health and Human Services (MDHHS) emergency public health orders and Michigan Occupational Safety and Health Agency (MIOSHA) emergency rules and adopting enhanced measures to further protect worker health, safety and hygiene.

This advisory provides recommended practices and procedures during the COVID-19 pandemic.

These processes were compiled based on reviews of best practices offered by the Center for Disease Control (CDC) and World Health Organization (WHO), along with guidance from MDHHS and MIOSHA. Globally, we continue to learn more about how best to combat this pandemic. To that end, these guidelines will be regularly evaluated, updated, and distributed in English and Spanish. Posters and other printable information are available from the [CDC](#) and [MIOSHA](#).

MFB, GLALS and MACMA are supporting and encouraging the Michigan agricultural community to expeditiously implement these protective measures at their worksites.

General Business Guidelines

Gathering Restrictions

On Nov. 15, 2020 MDHHS issued its latest gathering restrictions. MDHHS has broad authority during an epidemic to prohibit the gathering of people for any purpose and may establish procedures to be followed during an epidemic to insure continuation of essential public health services and enforcement of health laws.

Gatherings are defined as any indoor or outdoor occurrence at which more than two persons from separate households meet. Gatherings of up to 10 people from two households are currently permitted inside a private residence, including farm worker housing. All indoor gatherings at non-residential locations are currently prohibited.

Up to 25 people are allowed at outdoor gatherings if there are not more than 20 people per 1,000 square feet or greater than 20% of seating capacity for businesses with fixed seating. All persons at gatherings must generally be wearing a face mask, with some limited exceptions. A business owner cannot assume that an individual not wearing a mask is permitted to do so, but rather must obtain a verbal indication that they meet one of the specified mask exceptions.

The gatherings prohibition does not apply to employment consistent with the MIOSHA emergency rule. All farm employers are covered by the MIOSHA emergency rule. Employers must follow the guidance presented in the following "Agricultural Worker Protection" section.

Where farms have packing/processing/retail operations there are additional requirements under both the MIOSHA emergency rule and the public health orders. Indoor dining is currently prohibited.

COVID-19 information for Michigan businesses can be found at:

- Latest workplace safety guidance at Michigan.gov/COVIDWorkplaceSafety
- [State of Michigan Coronavirus Webpage](#)
- [MIOSHA Emergency Rules](#)
- [DHHS Public Health Orders](#)

Agricultural Worker Protection

COVID-19 Preparedness and Response Plan

All Michigan employers are required to create a written COVID-19 preparedness and response plan, making it available to employees and their representatives. The foundation for this plan is a determination of exposure risk involved in the business's tasks and procedures. MIOSHA details specific risk categories based on exposure to infected persons or frequent close contact with coworkers or the general public. The COVID-19 preparedness and response plan will then include ways in which disease spread will be prevented, monitoring of employees for sickness, workplace controls, training and provision of personal protective equipment (PPE).

There are also additional specific requirements for some industries like retailers, greenhouses, and meat and poultry processing. Agricultural employers should review the guidance links below to create or update their preparedness and response plan. Employers of migrant or seasonal labor have testing requirements detailed in the final section of this advisory titled "Migrant and Seasonal Workers".

The following links contain helpful information in creating a plan:

- [Sample COVID-19 Preparedness and Response Plan](#) (for low-med risk employees)
- [CDC Agriculture Workers & Employers guidance](#)

Workplace Procedures

Implement workplace controls to help prevent the spread of infection. These include basic prevention measures, engineering and administrative controls, and PPE.

Basic infection prevention for workers, customers, and visitors must include the following:

- Promoting frequent hand washing and providing soap, running water and single use towels. If not immediately available, provide antiseptic hand sanitizers or alcohol-based hand towelettes containing at least 60 percent alcohol.
- Prohibit workers who are sick from reporting to work or direct them to work in an isolated location.
- Prohibit workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- Increase facility cleaning and disinfection on high-touch surfaces (e.g., door handles), paying special attention to parts, products, and shared equipment (e.g., tools, machinery, and vehicles).
- Establish procedures for disinfection of suspected or confirmed contact areas.
- Use EPA-approved disinfectants following label procedures.

Other proactive measures for agriculture include:

- Wash hands often with soap and water for at least 20 seconds.
- Provide reasonable access to permanent and/or temporary hand washing facilities equipped with soap, potable water, and clean, single-use towels increasing stations to reduce crowding.
- Use hand sanitizer containing at least 60% alcohol, rubbing hands until they are dry.
- Add sanitizing stations such as the point of entry to fields, clock in/out, and, if possible, provide individual containers to workers.
- Develop standard operating procedures (SOPs) for daily cleaning, sanitation, disinfection procedures for work site, high-touch areas such as tools, equipment, and vehicles following contact time recommendation while protecting against over exposure – assure food contact surface treatments are labeled for this use and workers follow any PPE requirements.
- Conduct targeted and more frequent cleaning and disinfecting of high-touch areas of shared spaces (e.g., time clocks, break areas, bathroom fixtures, vending machines, railings, door handles), for tools such as handheld hoes, rakes, crates, milking equipment (including electronic components), gates, saddles, and animal harnesses - cleaning and disinfecting between each employee use, if possible.
- Follow additional [CDC guidelines](#) on health and hygiene as they evolve.

Engineering and administrative workplace controls must include the following:

- Designate a COVID-19 worksite safety coordinator(s), being on the site at all times.
 - Coordinators are responsible for implementing, monitoring and reporting on COVID-19 related compliance and provide documented employee training on content and updates of the COVID-19 preparedness and response plan.
- Create social distancing throughout the operation for employees and customers, including:
 - Install physical barriers at points of contact.
 - Design activities so that employees and customers keep a minimum distance of 6 feet from others when possible. This includes during daily routines, harvesting and processing activities, checkout or service points, as well as during employee breaks.
 - Eliminate in-person meetings and group gatherings.
 - Additional proactive steps to create social distancing may include:
 - Limiting personal contact and grouping within the facility and worksites and limit the number of people using common facilities at any one time.
 - Considering staggering start times to reduce gatherings and the chance to share food or drinks between workers.
 - Encourage activities such as pre-assembly of cartons and pre-bagging when possible.
 - Install shields or barriers, such as plastic, between workers, when 6-foot distance is not possible.
 - Adding additional clock in/out stations (touch-free if available) or additional time for clocking in/out, if feasible.
 - Remove or rearrange chairs and tables or adding visual cue marks in employee break areas to support social distancing.
- Provide training on COVID-19 prevention using resources available from the CDC, MDHHS, MIOSHA and local health departments in appropriate language.
- Post informational posters about COVID-19.
- Industries specified by MDHHS (including retailers e.g. farm markets, seed sales) must post entry signs informing customers to wear masks, restricting entry to customers who are or have recently been sick.
- **The employer shall create a policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely.**

Utilization of PPE or devices must include the following:

- Provide appropriate personal protective equipment, following current MDHHS, MIOSHA and CDC guidance. Particularly for those doing sanitation and disinfection.
- Ensure that PPE is fitted, worn and maintained appropriately.
- All agricultural employers must at a minimum provide non-medical grade face coverings and require their use when a distance of 6 feet cannot be consistently maintained or at all times in shared indoor spaces.
 - When distance of 3 feet cannot be maintained, face shields should be considered.

Employee Screening and Monitoring

- Must at a minimum conduct a daily questionnaire about symptoms and exposure.
 - Symptoms include:
 - Any of the following: fever, uncontrolled cough, unusual shortness of breath
 - Two of the following: loss of taste or smell, muscle aches, sore throat, severe headache, diarrhea, vomiting or abdominal pain
 - “Close contact” (exposure) means someone who was within 6 feet of an infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to specimen collection) until the time the person is isolated.

- Consider a temperature screening, if possible.
- Isolate any employees known or suspected to have COVID-19 from other workers using measures such as, but not limited to:
 - Not allowing known or suspected cases to report to work.
 - Sending known or suspected cases away from the workplace.
 - Assigning known or suspected cases to work alone at a remote location as their health allows.
 - Direct employees to report any symptoms appearing during a shift.
- Employees may be allowed to return to work only after they are no longer infectious by current [CDC return procedure](#) and [FDA guidance](#). The local health department has ultimate authority to make this decision.

Facility Cleaning, Sanitizing and Disinfection

Adopt enhanced cleaning protocols to help prevent the spread of infection.

- Enhance workplace cleaning in all areas to at least daily for high-touch areas.
- Train workers on cleaning, sanitizing and disinfection practices, proper chemical use, and proper personal protection.
- Sanitize and disinfect frequently touched surfaces and spaces according to [CDC disinfection protocol](#), including:
 - Office, shipping/processing facilities, and other enclosed areas including door handles, light switches, bathroom areas, lunchroom table and chairs, kitchen areas, countertops, appliances, shared space and facilities, time clock areas, shared computers, tools and controls where people work multiple times throughout the day.
 - Frequently touched equipment, vehicles and work area surfaces used at the facility (e.g. steering wheels, controls, seats, sorting tables, staplers, data devices).
 - Drinking water coolers/dispensers for employees. Instruct workers to properly wash their hands before accessing the cooler using single-use cups under the EPA Worker Protection Standard. Provide adequate potable water for drinking and handwashing.
 - Ensure that all bathrooms (portable and fixed) are adequately stocked, serviced and disinfected.
 - Frequent [vehicle contact surfaces](#) such as stick shift, control levers, steering wheel, doors, seat belts, air conditioner and radio buttons, glove box, mirrors, armrests, and vehicle keys.
- Consider off-hour periods for whole area disinfection.

Notification, Reporting and Recordkeeping

If an employee tests positive for COVID-19, there is some immediate information that must be collected, and actions taken.

- Call the local health department immediately upon knowledge of a known case.
 - Do not disclose the employee name unless asked by the local health department or medical official.
 - Health authorities will provide recommendations regarding the next steps in terms of identifying/notifying employees and further protective measures.
 - The person, and the employer, should follow the direction and guidance of the local health department or health professional regarding specific isolation and quarantine requirements.
- Contact all co-workers, contractors or suppliers who may have had close contact within 24 hours.
- If an employee is in-patient hospitalized due to a work-related illness, employers must report to MIOSHA at 844-464-6742 within 24 hours.
- If an employee dies due to a work-related illness, employers must report to MIOSHA at 800-858-0397 within 8 hours.
 - For additional guidance on “work-related” see [MIOSHA Coronavirus Disease 2019 \(COVID-19\)–Interim Enforcement Plan](#) in resources below.

- Most agricultural employers must record work-related illness and injury on the [Log 300](#) and post the Summary Feb-Apr retaining the information for 5 years following the current year end.
- Employers and housing operators must notify the local health department and the MDHHS Office of Migrant Services at MDHHS-Migrant-Affairs@michigan.gov when a worker or resident tests positive for COVID-19 or is exposed.
- Maintain records of employee training, health screening and required notifications for one year.

Migrant and Seasonal Workers

On August 3, 2020 MDHHS issued additional [rules](#) applying specifically to covered agricultural employers with licensed migrant labor housing camps or those with over 20 employees (including at least 1 migrant or seasonal worker) onsite at a time. Covered agricultural employers include meat, poultry and egg processing facilities, greenhouses and any employer of migrant or seasonal workers. Migrant workers are those required to be absent from their residence overnight, while seasonal workers are employed on a temporary or seasonal basis.

- All covered agricultural employers must:
 - Develop a COVID-19 testing plan.
 - Complete baseline COVID-19 testing of all employees.
 - Any new employees must be tested before beginning work, upon exposure or developing symptoms.
 - A worker has the legal right to refuse testing. Prohibit in-person activities for any workers who refuse testing.
- All migrant labor housing operators must do the following:
 - Develop and post a COVID-19 testing plan, along with the MIOSHA complaint hotline number 800-866-4674
 - Complete baseline COVID-19 testing of all residents 18 years of age and older.
 - Test all new residents within 48 hours of arrival.
 - Provide separate housing for newly arriving residents for 14 days and conduct an additional test at the end of this quarantine period.
 - Conduct daily temperature checks of all residents.
 - Test any resident with symptoms, exposure or temperatures over 100.4 degrees F.
 - Have a designated housing unit for quarantine workers (including separate sleeping, living, bath and kitchen facilities).
 - Post the COVID testing plan and provide training.
- COVID-19 testing may be arranged by contacting MDHHS at MDHHS-Migrant-Affairs@michigan.gov.
- Agricultural operations utilizing migrant or seasonal labor may also proactively consider:
 - Assigning work crews by housing unit to minimize cross-over between groups.
 - Add housing cleaning, sanitation and disinfection procedures to your preparedness and response plan.
 - Consider in-camp laundry facilities.
- Consider gathering restrictions when transporting employees and make multiple trips as necessary.
- Maintain COVID-19 testing records for 1 year.