JAY INSLEE
Governor

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PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATIONS 20-05, 20-25 et seq. and 20-57

20-57.1
Concerning the Health of Agricultural Workers

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06 through 20-53 and 20-55 through 20-67, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations, including issuance of Proclamations 20-25 et seq.; and

WHEREAS, under Proclamations 20-25 et seq. *Stay Home – Stay Healthy*, I deemed the agricultural industry, including fruit, vegetable, nut, flower, grain, dairy, and livestock production, essential; and

WHEREAS, Washington is the nation's leading producer of hops, cherries, apples, and pears, including more than seventy percent of all hops and cherries, more than sixty percent of all apples, and nearly fifty percent of all pears; the nation's second highest producer of grapes, apricots, potatoes, onions, raspberries, and blueberries; and a top-ten highest producer of many other crops; and

WHEREAS, Washington's crops, produced by more than thirty thousand farms spanning nearly fifteen million acres, yield more than ten billion dollars in sales revenues each year and comprise twelve percent of Washington's economy; and

WHEREAS, tens of thousands of Washingtonians work outdoors tending and harvesting crops and are joined by tens of thousands of other individuals who travel to Washington State to assist, and tens of thousands more work indoors packing and shipping the crops; and

WHEREAS, immigrants make up a significant majority of the agricultural workforce, many of whom labor, live, and travel together, and without proper precautions, are vulnerable to increased exposure to COVID-19, jeopardizing their health, the health of their families and communities, and Washingtonians' access to an abundant supply of nutritious, locally grown foods; and

WHEREAS, Washington's agricultural communities now comprise a disproportionate number of new cases of COVID-19, and an effective testing strategy is essential to combating an unchecked spread of the virus amongst the workers; and

WHEREAS, isolating agricultural workers at employer-owned or contracted housing units presents unique challenges for adequately ensuring the well-being of COVID-19-positive workers, requiring a higher level of care than that provided to healthy workers; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person, which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State and is a significant health risk to all of our people, especially members of our most vulnerable populations; and

WHEREAS, on July 17, 2020, there were at least 45,067 cases of COVID-19 in Washington State, with 1,434 associated deaths; on August 1, 2020, there were at least 57,541 cases, with 1,592 associated deaths; and now, as of August 18, 2020, there are currently at least 68,264 cases of COVID-19 in Washington State with 1,809 associated deaths; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, and that Proclamation 20-05 and all amendments thereto remain in effect as otherwise amended and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), all provisions of Proclamations 20-25 et seq. shall remain in full force and effect, except for the specific conditions to such prohibitions set forth below.

FURTHERMORE, I hereby modify those provisions of Proclamation 20-25 et seq. applicable to essential workers and workplaces to prohibit any agricultural employer from continuing to operate beyond August 21, 2020, unless the employer complies with all provisions, including the amendments set forth by this Proclamation, of the Agriculture COVID-19 Requirements – Provisions for All Worksites and Work-Related Functions, that are incorporated by reference and linked here, which prohibition shall remain in effect throughout the duration of the State of Emergency.

FURTHERMORE, all agricultural employers are prohibited from failing to comply with any additional orders issued by the Washington State Secretary of Health.

For purposes of this Proclamation, agricultural employers include orchards, fields, dairies, and all other operations expressly identified in WAC 296-307-006; all fruit- and vegetable-packing warehouses whether owned by the grower or producer or not; and employer- or operator-provided transportation and housing. These requirements do not apply to meat or other food processing operations.

I again direct that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the Washington State Comprehensive Emergency Management Plan and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5) in addition to enforcement actions taken by the Washington State Department of Health and the Washington State Department of Labor & Industries' Division of Occupational Health and Safety.

Signed and sealed with the official seal of the state of Washington on this 19th day of August, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State