



Meeting Minutes: Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers

DATE: 1/10/2022

MINUTES PREPARED BY: CINTHIA MARTINEZ

Attendance

Committee Members

Present

Andrea Vaubel, Deputy Commissioner, Minnesota Department of Agriculture

Colin Laffey, Staff Attorney, Agricultural Worker Project, Southern Minnesota Regional Legal Services (SMRLS)

Emilia Gonzalez Avalos, Executive Director, Unidos MN

Erik Zabel, Epidemiologist Principal, Minnesota Department of Health

Jim Gleb, President, United Food and Commercial Workers (UFCW) Local 1189

Kiza Olson, CHS Administrator, Meeker-McLeod-Sibley Community Health Services

Nicole Blissenbach, Deputy Commissioner, Minnesota Department of Labor and Industry

Rodolfo Gutierrez, Executive Director, HACER

Sarah Berry, Public Health Director, Waseca County | CHS Administrator, Le Sueur – Waseca Community Health Board

Tamara Nelsen, Executive Director, Minnesota AgriGrowth Council

Absent

Dan Glessing, President, Minnesota Farm Bureau

Gary Wertish, President, Minnesota Farmers Union

Hamse Warfa, Deputy Commissioner, Minnesota Department of Employment and Economic Development

Rena Wong, Director of Organizing, United Food and Commercial Workers (UFCW) Local 663

Stephanie Low, Interim Executive Director/ Chief Medical Officer, Community Health Service Inc.

Staff Present: Ben Wood, Safety Consultant Principal, Minnesota's Workplace Safety Consultation

Unit; Carrie Rigdon, Operations and Planning Section Manager, Minnesota Department of Agriculture; Cinthia Martinez, CareerForce Office Coordinator, Minnesota Department of Employment and Economic Development; Jessica Grosz, Director of Labor Standards and Apprenticeship, Minnesota Department of Labor, and Industry; Lorrie Janatopoulos, CareerForce Director, Minnesota Department of Employment and Economic Development; Maureen Ramirez, Director of the Office of Economic Opportunity, Minnesota Department of Employment and Economic Development;

Guests Present

Michelle Manivel, Public Engagement Liaison, Office of Governor Tim Walz and Lieutenant Governor Peggy Flanagan

Joni Scheftel, DVM, MPH, State Public Health Veterinarian, Minnesota Department of Health

Matthew Lucas, Supervisor MNOSHA Workplace Safety Consultation, Department of Labor and Industry

Agenda

1:00 PM **Welcome**

1:05 PM **Guest Introductions**
1:10 PM **Approve Minutes & Agenda**
1:11 PM **Updates**
1:25 PM **MDH COVID-19 Update**
1:50 PM **DLI- OSHA Emergency Temporary Standard**
2:00 PM **Ongoing work of the AWWC**
2:25 PM **Public Comments**
2:27 PM **Final Thoughts & Next Steps**
2:30 PM **Adjourn**

Meeting notes

Guest Introductions

No members of the public introduced themselves.

Approve Minutes & Agenda

Approved.

Updates- DC Vaubel

Deputy Commissioner Hamse Warfa will be transitioning off the committee and has accepted the position of Senior Advisor to the State Department in the Biden-Harris Administration to advance the President's democracy and human rights agenda at home and abroad. Staff at DEED are excited to know the Biden-Harris administration recognizes his talent and hard work and will have a friend at the Secretary of State's office. DEED is working to appoint someone else for this committee.

Committee members did an incredible job preparing the report for the deadline on December 1st. The Committee and Support staff is currently working with the governor's office on a press release that will announce what is in the report and the work the committee has done. At the moment, this is still in the works with no updates.

Members of the committee and staff support got the opportunity to present the recommendations to the Governors' Senior staff. Lorrie Janatopoulos did an outstanding job. The senior staff were thankful and did have a lot of questions. Michelle, who is in this committee meeting, has been a significant help in facilitating the conversation with the governor's team. The next step will be to hear from them about what recommendations can move forward.

MDC COVID-19 Update

Joni Scheftel shared an update from MDH about Covid-19 (PowerPoint presentation is in the meeting documents)

DLI OSHA Emergency Temporary Standard

OSHA published the COVID-19 Vaccination and Testing Emergency Temporary standard (ETS) on November 5th, 2021 in the federal register. Minnesota is referred to a state plan state, which means we have an agreement with federal OSHA to enforce occupational safety and health standards in both the

public and private sector in Minnesota. MNOSHA needs to be at least as effective as federal OSHA on the standards that we enforce here in Minnesota and are required to implement any federal OSHA standards within 30 days.

On November 12th, the 5th circuit court of appeals granted a motion to stay the emergency temporary standard. Cases were filed all over the country challenging the ETS, and some alleging the ETS exceeded OSHA's authority and some saying the ETS did not go far enough to protect workers. Eventually those cases were consolidated into the 6th circuit. We are expecting a decision any day now. The supreme court will be deciding whether the ETS should continue while the litigation proceeds.

Next steps:

Minnesota adopted the ETS on January 3rd. All provisions, other than testing, required compliance Jan. 10. Testing for employees who have not received all doses required for a primary vaccination requires compliance Feb. 9. These dates are subject to change by judicial determination as the current litigation makes its way through the process.

Purpose: To establish minimum vaccination, vaccination verification, and face covering requirements to address the danger of Covid-19 in the workplace.

Key requirements:

- Applies to employers who have 100 or more employees. Private and public sectors.
- Needs to provide a policy on vaccination that needs to be one of two things; it can be mandatory vaccination policy or policy that has vaccinations with a testing option.
- Determination of employee vaccination status.
- Support for employee vaccinations (paid time and employer must provide PTO for vaccination side effects)
- Weekly testing for employees who are not fully vaccinated
- Notification of positive COVID-19 test and removal
- Face coverings for employees who are not fully vaccinated
- Information provided to employees
- Reporting COVID-19 hospitalizations and fatalities
- Availability of records

Ongoing Work of the AWWC

In considering a work plan for the next 6 months

Aside from the recommendations as we wait for the Governor's Office, are there things that the Committee would like to explore further

- Potential engagement sessions that include members from diverse stakeholders of this committee, employees, and employers to discuss their experiences.
- Housing issues that came up and exploring registration on housing, and what those inspections would look like for employer provided housing.
- Health insurance and immigration status.
- Importance of PTO for isolation and quarantine time.

Regarding legislative recommendations, questions or suggestions?

- Are there any resources to do surveying or research on some of the concerns brought up in the committee, to make sure the correct issues being attacked?
- Importance of employees knowing what is in the documents they are required to sign prior signing.

Public Comments

No one from the public commented.

Final Thoughts & Next Steps

- Looking over some of the suggestions made in this meeting
- Anticipation of receiving plan from the Governor's office on AWWC Recommendations
- Next meeting will take place on February 7th, 2022.

Adjourn