



COMMUNITY ALLIANCE
WITH FAMILY FARMERS

September 20, 2012

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: AB 2676 (Calderon) Agricultural Employee Safety—REQUEST FOR VETO

Dear Governor Brown:

The Community Alliance with Family Farmers (CAFF) is a statewide organization of farmers and non-farm Californians who support policies to enhance the long-term sustainability of California agriculture. Our members are very concerned about heat illness in agriculture but they fear the overly punitive and vague requirements targeting farmers in this bill.

The bill states that it is a misdemeanor for any person who directs or supervises an agricultural employee not to supply that employee with both continuous, ready access to an area of shade sufficient to allow the body to cool, and potable water that is suitably cool and available in quantities sufficient to allow the employee to drink one quart of water per hour throughout the employee's work shift. The bill specifies jail time and fines as penalties.

Current, existing regulations are quite specific in terms of temperatures, shade provisions and other health and safety procedures, yet even with that specificity, farmers face uncertainty. For example, some inspectors state that workers cannot wear dark clothing and others don't care. Proponents of the bill believe that current statutes are too vague for lawyers to prosecute farmers for heat illnesses or deaths of their workers. However, this bill just creates more vagueness by prescribing fines and jail time in cases where the water was simply considered not "suitably cool."

We believe that your administration is actively enforcing the heat regulations in agriculture, the industry is making rapid progress in this area, and this bill is unnecessarily punitive towards farmers.

Sincerely,

David Runsten
Policy Director

cc: Martha Guzman-Aceves, Deputy Legislative Secretary