



The Cultivator

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Official Newsletter for North Carolina Gold Star Growers

Volume 34

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Gold Stars Provide Incentives

Dear Mr. Smith:

You were selected as a Double Gold Star grower in 2012. Thank you for your efforts! We know that many housing improvements have been made, but would like to know from you which are the most important. Why do you think that the improvements you made create housing that is a safer and healthier place to live? ... If you could take a few minutes to answer the questions on the next page and send them back to me, you can help us improve the program and also to better know what has been done to improve migrant housing throughout the state of North Carolina. ... Thank you for your time and efforts to improve the housing here in our state. ...



Cherie Berry
Commissioner of Labor



Gold Star Grower
Agricultural Safety
and Health Bureau

Regina Cullen
Bureau Chief

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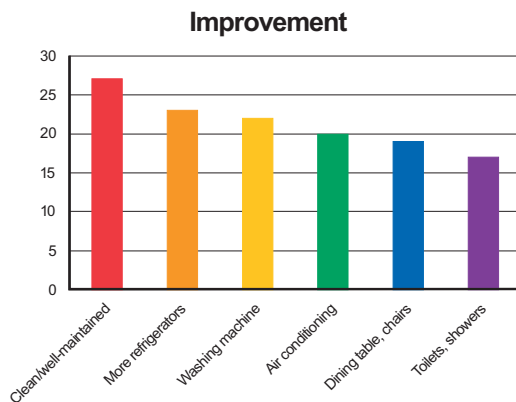
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On May 13, 2013, the Agricultural Safety and Health Bureau sent out 100 letters to those who had achieved Double Gold Star status in 2012. These individuals had exceeded the housing requirements for two consecutive years, and they were eligible to conduct their own housing inspection for one year if they attended the training luncheon that was held in January 2013. This opportunity would provide them with greater flexibility—no waiting for the inspector to call and make an appointment.

The bureau was interested in knowing exactly what had been done to improve the safety and health of the migrant housing. The inspection standards required by the Migrant Housing Act of North Carolina call for very basic housing provisions – for example, one toilet for every 15 workers and one shower for every 10. These standards can be found at www.nclabor.com/ash/ash_blue_book.pdf.

The Gold Star Growers exceed the minimum standards. They have decided what improvements are important for them and for their employees. Some of the employees have worked for more than 10 years with the same grower.

The bureau received 30 responses, and the chart shows what is most important to them.



The majority felt that a clean, well-maintained house is of primary importance. One grower commented, “We try to immediately take care of problems when they arise.” Another said, “They really appreciated all the work we did to our houses and the general maintenance we do to each house each year.” A third one said, “I take care of problems as soon as they let me. I don’t blame them for problems.”

Next in importance came additional refrigerators. The Migrant Housing Act requires that 0.75 cubic foot of refrigerator space be available for each resident. Many general refrigerator buying guides recommend a minimum of 2 cubic feet per person. Many of the Gold Star Growers have purchased additional refrigerators that exceed the minimum requirements of the act. Many farmworkers shop just once a week, but they still want fresh, healthy meals. “Extra space for cooking eating and extra refrigerator space” and “extra space to store their food” were frequently mentioned responses to the survey.

Most of the respondents provide washing machines and air conditioning. One grower commented, “Just keep it Gold. Have all necessities ... washer, dryer.” Another said, “The washing machine, air conditioning—all utilities are paid.” Many mentioned that the most important improvement for the workers was the air conditioning. Growers added that air conditioning was needed, “especially in mobile homes.” Another added, “They appreciate comfortable living conditions.”

Finally, the Gold Star Growers have the last word. “It is important to go above and beyond the minimum requirements for the benefit of employer and employees,” said one grower. Another grower said, “We do all we can to ensure a clean and safe environment for everyone. These workers are treated very well and respected for all they do for us. Many of them have been with us for over 10 years.”

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On-Farm Training Sessions

On May 14, a team of health and safety professionals traveled to Whiteville for an on-farm training session. Grower Mel Ray hosted the training, providing ample space for all learning stations under the roof of his large farm shop. Training began promptly at 9 a.m. and lasted until noon.



Agricultural safety officer Phillip Sykes teaches a training session on tobacco harvester safety at Mel Ray's Columbus County farm on May 14.

In addition to bureau staff members, employees of the U.S. Department of Labor's Wage and Hour Division and health professionals from the Office of Migrant Health took part in this training session. R.J. Reynolds sponsored the event and provided the lunch at the end of the three-hour training.

"The North Carolina Farmworker Health Program, within the Office of Rural Health and Community Care, has enjoyed the opportunity to partner with the Department of Labor, Cooperative Extension, and local community health programs to hold Farm Safety Days," said Elizabeth Freeman Lambar, program director. "It's a collaborative effort to promote safety on the farm to help ensure the well-being of those who work so hard to plant, cultivate and harvest the crops that we all rely on."

Topics addressed in the training included heat stress recognition and prevention; tobacco baler and harvester safety; housing and field sanitation standards; proper wage payment; farm labor contractor regulations; worker protection standard certification; and green tobacco sickness identification and prevention. Each team took a station, and the farmers and farmworkers moved from station to station. Each session lasted about 20 minutes.

About 80 individuals, both farmers and farmworkers, attended from area farms, including a number from South Carolina. The bureau conducted a similar training at Ray Casstevens' farm in Boonville on June 26.

"It is a great opportunity to instruct alongside the North Carolina Department of Labor's Agricultural Safety and Health Bureau Chief

Regina Cullen," said Richard Blaylock, district director of the USDOL's Wage and Hour Division office in Raleigh. "Her foresight into providing these 'on-farm trainings' has encouraged the regulated community to take a proactive interest in the area of agriculture labor law compliance. It is also a privilege to meet with farmers, workers, and farm labor contractors in an uninhibited and teachable environment that provides them with an opportunity to comfortably ask any and all questions of the trainers and instructors regarding compliance. Special thanks should be given to those farmers who lend their facilities for these trainings. The Department of Labor recognizes that there is cost to the farmers to attend these trainings. I sincerely hope that the time spent participating in these sessions are informative, engaging and well worth the cost."



Yaimara Esquivel discusses the requirements of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) at a training session in Whiteville on May 14. Esquivel is an investigator with the USDOL Wage and Hour Division.

The Agricultural Safety and Health Bureau has conducted nearly 20 on-site training sessions since 2008. They strive to conduct three on-farm training sessions during the summer, and each involves multiple growers and their farmworkers. Typically, 100 people are in attendance. All training is conducted in Spanish and English. Bureau staff prefers to work directly with farmers and farmworkers, to be able to respond to questions, and to discuss safety topics that are important to those who attend the sessions. Some PowerPoint presentations are used, highlighting the bureau's safety DVDs, and actual machinery is used as well to illustrate safety features and to discuss safe operation.

"When you can work with people face to face, you know when they understand—they ask questions and let you know if they're missing something," said Regina Cullen, ASH bureau chief. "I prefer to partner with other safety and health agencies such as USDOL and the Office of Migrant Health. Working as a team, we can cover a lot of ground in three hours!"



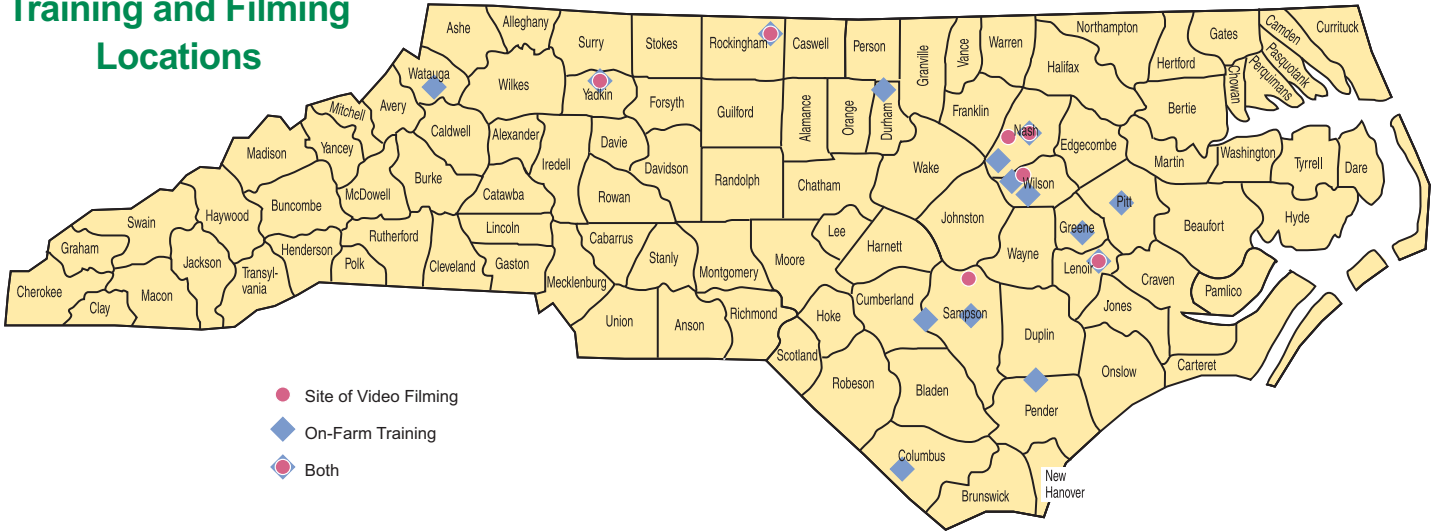
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Training and Filming Locations

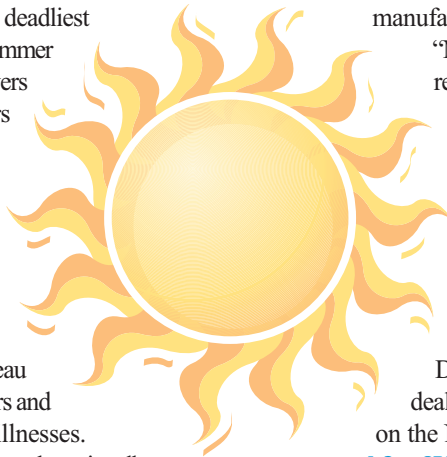


Protecting Farmworkers From Heat

N.C. Department of Labor officials warn those who work outdoors during July and August to prepare for one of the deadliest workplace hazards—hot and humid weather. As the summer heat approaches, the department is urging employers to take extra precautions to make sure their workers are protected.

“Workers who are out in the heat and sun face the constant danger of heat stress during our summer months,” said Regina Cullen, bureau chief of the NCDOL Agricultural Safety and Health Bureau. “Knowing the duress signs can save a worker’s life.”

The NCDOL Agricultural Safety and Health Bureau has led the department’s efforts to educate employers and workers about the deadly effects of heat-related illnesses. Farmworkers are the first who come to mind when there is talk



about the dangers of hot summer work, but construction workers and manufacturing workers are also at risk.

“Nothing is more important than our worker’s safety regardless of the time of year, but summer does present additional problems for our outside workers,” Labor Commissioner Cherie Berry said. “Please be mindful of the heat and take adequate precautions to protect your workers.”

The Labor Department has many publications available on heat stress available on its website: www.nclabor.com/osha/etta/A_to_Z_Topics/heat_stress.htm. In addition, the ASH Bureau’s DVD on hazards in agriculture contains a segment dealing with heat stress. The Spanish version is available on the NCDOL YouTube channel at www.youtube.com/watch?v=8VD1pEIPzgg.

DEADLY Mistakes

while harvesting sweet potatoes.

Investigative Findings: On the day of the accident, 132 migrant farmworkers were harvesting sweet potatoes in a 30-acre field. The farmworkers were divided into six groups, with one truck per group. The farmworkers were harvesting sweet potatoes on both sides of the truck, with two workers in front of the truck setting the pace of the work. When the truck was full, the driver started backing the truck out of the field so that he did not drive over unharvested sweet potatoes. Some workers stated that he honked the horn, while others stated that he verbally told the workers he was going to back up. However, two workers were still behind the truck harvesting sweet potatoes when he started backing up. One worker was struck by the truck and died as a result of his injuries.

Accident Event: On Nov. 12, 2012, a 41-year-old migrant farmworker died after being struck by a truck

Recommendations:

- ☠ Provide training for employees who work around trucks and moving equipment. Training should include vehicle backing safety, blind spots and safe work zones.
- ☠ Assign a spotter who is responsible for letting the driver know that it is safe to back up.
- ☠ Develop universal hand signals that are used between all drivers and spotters.
- ☠ If field trucks are equipped with back-up sensors, make sure they are working properly.
- ☠ Don’t assume that workers understand the risks associated with their job duties.
- ☠ When in doubt, don’t back up.

Gold Stars Provide Incentives

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Gold Star Grower Housing Program

The Gold Star Grower Housing Program recognizes growers who provide farmworker housing that meets and exceeds all of the requirements of the Migrant Housing Act of North Carolina.

How to Be a Gold Star Grower:

- ★ Register farmworker housing with the N.C. Department of Labor's Agricultural Safety and Health Bureau at least 45 days prior to occupancy.
- ★ Have the local health department inspect and approve the water and septic systems at least 45 days prior to occupancy.
- ★ Have your housing 100 percent in compliance at the time of the preoccupancy inspection. Take steps to improve your housing—go beyond the requirements—to ensure that your housing is a Gold Star site.
- ★ Ways to exceed the requirements include additional showers, toilets, living space; additional refrigerators; additional stoves; air conditioning; washing machines; clothes dryers; a dining table large enough for all; partitions between toilets in bathrooms; telephones; recreation areas such as soccer fields. Maintain the housing throughout the season. Each grower determines the best way to provide Gold Star housing.

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Top 5 Serious Hazards Cited by ASH Bureau in 2012

Standard	Number of Violations	Requirement	Total Penalties Issued	Average Penalty
1910.1200(e)(1)	26	Written hazard communication program required	\$9,870	\$264
1928.110(c)(2)(i)	14	Toilet and handwashing facilities required in field	\$9,205	\$657
N.C. Gen. Stat. 95.226(a)	13	Must register housing	\$20,085	\$1,545
1928.110(c)(1)(iii)	11	No communal drinking cups in field	\$3,180	\$289
1910.142(b)(8)	8	All exterior openings in housing must be screened	\$1,650	\$183



CAUTION: Farmer at Work!

Practice safety when operating farm machinery on public roads.