

Meeting Notes

Agriculture Workforce Housing Facilitation Team
January 22, 2015

MEETING LOCATION: Oregon Housing and Community Services
725 Summer St., NE STE. B, Salem, OR | 10:00-12:00 PM, Meeting Room 124B
PHONE: 1-877-273-4202 ROOM #531-141-227

MISSION: Federal, state, local, and non-governmental leadership working together to improve housing and economic opportunities for the agriculture workforce

INTRODUCTIONS: New Attendee – Judy Adams, Department of Employment, Worksource

SUB-COMMITTEE REPORTS:

- **Needs and Research:** Natasha Detweiler/OHCS, Laurie Hoefler/LSO, Marc Overbeck/OHPR Handout/Update – The goal is to collect and display data and determine different ways to do that.

Handout – Agriculture Workers and Housing in Oregon. This is Oregon affordable housing inventory which can be accessed on the OHCS website under Multi-Family Data Resources. The map and table include all projects funded with public dollars. These are all affordable housing projects not only those funded with tax credits. The map is not ready for distribution only for conversation within this group. It includes the total migrant and seasonal workers from the Alice Larson Study, Ag. labor housing registered with the Dept. of Agriculture, and Ag. tax credit projects. The map shows where projects are distributed and the data table shows the hard numbers. These documents provide a look at where the populations are located versus where available units and housing is located. The numbers are best estimates based on the data we have to work with at this time. The committee will add definitions to show which farm workers were included, reaching beyond the Alice Larson Study for those groups that weren't included (e.g. animal workers), to provide a more comprehensive picture. The team needs to determine the best ways to use the table and map, how the data can be more helpful, and how the information in the table can be interpreted. This team wanted a needs assessment/study done, but the funds have not been available. We might want to have a sub-committee whose task it is to try and obtain funding for an assessment.

- **Alignment and Streamlining:** Claudia Cantu/CASA, Doug Carlson/HUD – Doug Carlson will provide an update at a future meeting. The task has been to find a way to meet the needs of the federal government for the environmental reviews for HOME and RD in a streamlined



fashion. Because of the different federal regulation requirements for HOME and RD, the only item that can be combined is the notice.

Sheryl Gleason explained the regionalization process that Rural Development is going through. They no longer have an individual in Oregon that they can contact directly. Environmental requests could possibly be signed-off on by people in other states.

NW HORT EXPO/KENNEWICH WA: Shay Khal, Simplicity by Hayden Homes

Simplicity builds onsite homes in eastern Washington, and has built housing in the Hood River area. Everything they've built in Oregon has been replacement dwellings. Simplicity has built a number of twelve and sixteen man units for men (bunkhouses). These are not single family units. They will be designing family units in the near future. In Washington their competition is manufactured homes, not yurts or RVs. Usually their projects are on larger farms where the owner has more money and often pays cash. However, they have done some smaller projects as well. Many farms are located in Yakima, where a large number of orchards are sited.

Washington utilizes the H2A program, which guarantees housing for migrant workers. They have approximately 9,000 H2A workers compared to Oregon, which is somewhere in the 100s. The Washington Farm Bureau is active in bringing H2A workers to Washington.

The group questioned why there is more H2A and Ag worker housing in Washington and not Oregon, and considered the following possibilities:

- Land use system creating a barrier
- Is it an H2A issue?
- More families coming to Oregon rather than single males
- Much larger employers in the state of Washington
- Different tax codes in Oregon
- Crops are more labor intensive in Washington
- Washington orchards are more remote
- The cost to bring workers to the farm may be more than the cost to provide housing; larger incentive to participate in H2A in Washington
- Fewer migrant workers in Oregon
- Mechanizing of crop harvesting in Oregon
- Required education level to certify to spray, Oregon
- Travel patterns are changing
- Students in the Ag worker families want to stay in schools, in Oregon
- Tightening of the border (workers are staying put), fewer workers participating in H2A
- Bunkhouses are not being financed in Oregon, there are no rules that prevent this type of housing in Washington
- **Does Oregon create processes that create barriers to agriculture workforce housing?**

AGRICULTURE WORKFORCE HOUSING TAX CREDIT PROGRAM: Don Herman/OHCS

Handouts: OAR 813 041 0010, Eligible and non-eligible costs for OHCS GAP Resources, Agriculture Workforce Housing Tax Credit Program Factsheet, OHCS Oregon Agriculture Workforce Housing Tax Credits Annual Notice and General Information

There have been a few small changes to the OARs, effective December 15th, 2014. Definitions have been added and some language deleted regarding developer applications. The application process is the same as last year. 2015 applications can be submitted beginning Jan 2nd. This is not a NOFA process, you need only apply. There is \$7.25 million available. Over \$79,000 remained at the end of 2014, due to projects not using all of the tax credits. Don will update this team in June on the tax credit balance to provide time for additional applications.

REGISTERED LABOR CAMPS: OR-OSHA/BOLI – Kathleen Kincade/Update

OSHA and BOLI have a memo of understanding regarding agriculture labor housing. Both agencies are following the MOU, but they could coordinate better. Kathleen found three camps from BOLI's list not registered with OSHA, two re-forest and one was located in Washington.

BOLI registers farm labor contractors only at this time. Next year BOLI will add farm labor, forest labor and building labor trades contractors. BOLI requires farm labor contractors to register with OSHA, but they would not be out of compliance with OSHA if they didn't. OSHA does not require registration for all types of housing (e.g. Forest labor housing). If contractors pay extra for a camp endorsement, OSHA will register the labor housing.

2015 TEAM FOCUS:

Handout: AWHFT 2015 Team Focus

The Needs and Research and Alignment and Streamlining subcommittees will continue to do their work.

Kathleen Kincade noted that OSHA will not allow grandfathering (handout item 3F – research if new OSHA regulations will allow grandfathering or require updating) because OSHA needs to meet the federal rules. Kathleen also noted that when exploring innovative housing the team should keep in mind the requirements (handout item 2B - Explore innovative housing concepts for on farm, modular/tiny houses/pin foundations) for 100 square feet of space where the occupant will cook, eat and live. OSHA did grandfather housing built before 1975 (60 sq. ft.). As of January 1st 2016 the living space must be at least 100 sq. ft. per resident where they cook, eat and live. This requirement poses to the tiny house approach to Ag Worker housing, but concepts around innovation should still be pursued that acknowledge the square foot requirements.

1C (in handout) is the technical fix for issues around required inspections. OSHA ended up inspecting housing that was not under their jurisdiction. HB 2610 would pull this requirement out of the statute, and address other issues as well (extends property tax exemptions for agricultural property, adds Ag workforce housing to possibility of exemption, and adds eligible child care facility on site). Oregon On is

spearheading this bill. OSHA is monitoring this bill as well. The team may consider supporting this bill once they review it. There are a number of bills this session that may affect the agriculture workforce. One bill Sunsets all tax credits. Groups will be required to justify the tax credits. This year's legislative session is long, providing more opportunity to consider legislation. There is a desire for more than anecdotal information that shows the specific needs that need addressed in order to affect positive changes in 2015, and to know what this team is going to support legislatively.

DISCUSSION:

- Has the Farm Bureau had done a recent survey of employers about the need
- Does employment division collect housing data? Daniel Quinones noted they do not collect housing data.
- Does Employment Division still do farm labor tours. Daniel advised they can set these up.
- The team needs hard data to show the need.
- Is there an employer group or farmworker group willing to do a survey?
- We should be asking farmworkers about their need; what kind of housing and where.
- Surveying could be done but it is costly. Does the team want to locate a funder?
- Survey should be in the field talking to farmers and growers groups.
- Are there/should there be incentives for farmers to build housing?

INFORMATION SHARING:

- March presentation, Dan Fazio, Washington Farm Labor Association (WAFLA)
- The group will consider if they wish to meet in different locations, possibly holding every other meeting in Wilsonville.

ACTION ITEMS:

- Needs and Research (Natasha) will update the map and data table to be sent to group electronically
- Kathleen will cross check numbers on data table with OSHAs information and report back
- Team members will review map/table and provide additional information directly to Natasha
- Shay will share Simplicity Home designs with the team
- Jana will provide a list of bills that may affect the agriculture workforce
- Jana will ask the Farm Bureau, and the Growers Association, if they want to be engaged or provide information to the team
- Kathleen will provide a link to the OSHA/BOLI MOU

NEXT MEETING:

Thursday, March 26, 2015, 10:00-12:00, Oregon Housing and Community Services, Room 124B

CONTACT: Theresa Wingard, Policy Analyst, OHCS

503-986-0999 - theresa.wingard@oregon.gov