

NEW SECTION

WAC 296-307-16102 Additional requirements to protect workers in temporary worker housing from 2019 novel coronavirus (COVID-19)

exposure. (1) The operator of temporary worker housing (TWH) under this chapter must implement the following steps to protect occupants from 2019 novel coronavirus COVID-19 hazards:

(a) ~~(a)~~Educate occupants in a language or languages understood by the occupants ~~about~~ on COVID-19, including: how the virus is spread and how to prevent virus spread including the importance of handwashing, the use of cloth face coverings, proper respiratory etiquette, and the importance of prompt sanitizing of frequently touched items; common symptoms and risk factors; and what to do if they develop symptoms. The operator must also ~~in a language or languages understood by the workforce, and~~ allow entry of community health workers and community--based outreach workers to provide additional information.

(b) Conspicuously post information regarding the facility's health and safety policies, how to identify symptoms, to

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whom to report if not feeling well, and where and how to secure medical treatment - all in a language commonly understood by the occupants.

(c) The operator must provide fabric face coverings for occupants to use in accordance with Washington department of health guidelines, or as required by Washington department of labor and industries (L&I) safety rules. The operator must instruct occupants to use cloth face coverings in public and at housing as recommended in the public health orders.

(d) Develop and implement a ~~social~~ physical distancing plan for maintaining six (6) feet of separation between occupants when at housing sites, which includes all cooking, eating, bathing, washing, recreational, and sleeping facilities.

(i) Sleeping quarters+. The operator must ensure:

(A) Beds ~~must be~~ are spaced at least six (6) feet apart between frames in all directions and arranged so that occupants sleep head to toe; OR

(B) Beds ~~must be~~ are separated by a bed length, floor to near ceiling temporary non-permeable barrier (e.g., plexiglass, plastic sheeting, etc.) placed perpendicular to wall such that a thirty-six inch minimum aisle exists between the bed and the temporary barrier

and occupants sleep head toward wall. Materials must be fire resistant or fire retardant treated.

The operator must ensure that temporary barriers:

- Do not impede required egress;
- Do not compromise ventilation/air flow; and
- Are cleaned at least daily.

(C) Except as allowed under (1) (e) below, only the bottom bed of bunk beds may be used.

~~_(ii) Except for sleeping rooms occupied by a single family, only the lower bunk in a bunk bed may be occupied unless the following controls are implemented:~~

~~-(A) An impermeable barrier must be placed under the upper bunk mattress and prevent any air or material movement from the upper bunk to the lower bunk.~~

~~-(B) Impermeable barriers must be placed on one side and both ends of the upper bunk.~~

- ~~• The barriers must extend from the bunk support to the ceiling.~~
- ~~• In a building with fire sprinklers, the barriers must be as high as allowed under the fire code, but must extend at least three feet above the top bunk mattress. If space above the top bunk is not sufficient for three foot barriers, the top bunk cannot be used.~~

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~~• The barriers must be sealed to the barrier below the upper mattress and to the adjacent barriers.~~

~~(C) Impermeable barriers must be placed along one side and both ends of the lower bunk.~~

~~• The open side of the lower bunk must be the opposite side of the upper bunk.~~

~~• The barriers must extend from the barrier under the upper barrier to below the lower mattress.~~

~~• The barriers must be effectively sealed to the barrier below the upper mattress and to the adjacent lower bunk barriers.~~

~~(D) Impermeable barriers can be made from any material which blocks water and air movement and is fire resistant. Barriers must be inspected regularly and repaired immediately when damage that compromises the integrity of the barrier is found or reported by occupants. Acceptable barrier materials include:~~

~~• Wood sheeting one eighth inch or thicker.~~

~~• Waterproof canvas materials.~~

~~• Fire-resistant plastic sheeting, 4 mil or thicker.~~

~~**Note:** Materials that are unacceptable include, nonfire-resistant plastic sheeting or plastic bags, loose curtains, or mosquito netting.~~

~~(E) Sealed edges between barriers must be fully sealed along the length of the barriers and impermeable to water and air.~~

~~(F) If the structure of the bed makes sealing from above and below to the barrier under the upper mattress, a separate horizontal barrier can be used as a ceiling of the lower bunk attached to the barriers around the lower bunk.~~

~~(G) Beds facing each other must be at the same level. (Openings for lower bunks facing each other and single beds. Openings for upper bunks only facing another upper bunk.)~~

~~(H) Bunk bed barriers must not be allowed to block HVAC or natural ventilation.~~

~~(I) Bunk beds must be placed with a minimum thirty-six inch spacing between the bed opening and a wall or barrier.~~

~~**INSERT GRAPHIC**~~

~~(iii) The operator must use physical barriers such as (e.g., plastic shields) can be used for fixtures such as sinks where occupants may come in close contact for short periods of time.~~

~~(iii) Provide additional facilities or services that meet the requirements of this chapter if needed to ensure social distancing in common areas, such as additional refrigeration or portable sinks.~~

(iv) ~~The operator must~~ Discourage occupants from visiting buildings or sleeping quarters that are not their assigned living spaces, to minimize potential cross-contamination ~~in the case of illness.~~

~~(v) Make sure masks are available or provided for occupants to use in accordance with Washington department of health guidelines, or as required by Washington department of labor & industries (L&I) safety rules. Require workers to use masks during working hours as specified by the public health orders and L&I requirements. Instruct occupants to use masks in public and at housing as recommended in the public health orders.~~

~~(vi) Complying with this section you must ensure that:~~

- ~~• Egress is not impeded;~~
- ~~• Ventilation/air flow is not compromised;~~
- ~~• Barriers being used are to be disinfected at least daily.~~

~~(vii) The use of tents meeting the requirements of WAC 296-307-16147 and 246-358-077 for use at housing sites other than cherry harvest camps or other proposed temporary housing proposals may be approved after review by the department of health for the initial review and approval. Review of these temporary requests will be expedited.~~

(e) Group shelters. If the TWH is set up to accommodate a group shelter and a group shelter is formed, the operator must designate which occupants are part of each group and maintain the same occupants in each group shelter. "Group shelter" means a dwelling unit or cluster of dwelling units with sleeping facilities for up to fifteen occupants that includes toilet facilities, bathing facilities and, if applicable, food preparation and cooking facilities. All facilities and services within the group shelter are for the sole use of the occupants of the group shelter and must be marked as such.

(i) Sleeping quarters. In group shelters, the operator must:

(A) Arrange beds so that the heads of beds are as far apart as possible - at least six feet apart. Both beds of bunk beds may be used. Bunk bed occupants must sleep head to toe.

(B) Take steps to improve ventilation wherever possible.

(C) Maintain egress requirements.

(D) Provide all occupants suitable storage space including personal storage space for clothing and personal articles. Ensure all or a portion of the space is enclosed and lockable.

(ii) Common areas. In group shelters, the operator must instruct occupants to maintain physical distancing and wear face coverings whenever possible.

(iii) Transportation and work. To utilize the group shelter option, the operator must ensure that members of each shelter group stay together and separate from other groups, occupants, or workers, including during transportation and work. If the operator is not the employer, the operator must ensure the employer will follow the group shelter requirements.

(iv) The operator must encourage each group shelter to designate one or two occupants to run errands if items cannot be provided by the operator. These designated occupants can be the main contact for procuring groceries or other items for the group shelter in order to limit public contact and potential disease transmission.

(v) The operator must quarantine or test all members of a group shelter if a member of the group shelter develops symptoms of COVID-19, as directed by the local health agency.

(e~~f~~) Clean and disinfect surfaces. The operator must:

(i) Clean and disinfect common areas on a regular schedule, at least as frequent as required by this ~~part~~/chapter~~7~~.

(ii) Wipe down and disinfect surfaces that are touched by multiple individuals at least daily using ~~an~~ EPA~~--~~approved disinfectant or diluted bleach solutions~~7~~.

(iii) Provide adequate supplies and instructions to occupants for cleaning and disinfecting of living spaces of dwelling units, ~~and~~ family shelters, and group shelters. Occupants must be able to clean and disinfect frequent touched surfaces, bathroom, and cooking areas as needed~~r~~.

(iv) Ensure adequate supplies of single-use soap and paper towels at all sinks to allow for frequent hand washing. Portable handwashing stations or hand sanitizer ~~can~~may be provided in addition to required facilities~~r~~.

(v) ~~Require~~Provide training in a language or languages understood by contracted workers regarding COVID-19 cleaning, disinfecting, and sanitizing protocols for any contracted cleaning labor prior to their arrival to clean temporary worker housing. In addition to any personal protective equipment required under department of labor and industries rules to perform the cleaning activities, provide and Rrequire that those contracted workers use disposable gloves and wear ~~masks~~cloth face coverings covering nose and mouth while working at the site.

(dg) ~~Implement policies and procedures to i~~Identify and isolate sick occupants. The operator must develop and implement a plan to identify and isolate sick occupants, including:

~~(i) Have employees inform their supervisors if they have a sick family member at home with COVID-19. If an employee has a family member sick with COVID-19, that employee must follow the isolation/quarantine requirements as established by the state department of health. A process to screen occupants for symptoms of COVID-19 as identified by the Center for Disease Control (CDC), including fever, cough, shortness of breath, difficulty breathing, chills, shaking with chills, muscle pain, headaches, and loss of taste or smell. The operator must provide each occupant with a thermometer or must designate and train a person to use a 'no touch' or 'no contact' thermometer to check all occupants' temperatures daily. All thermometers must be properly sanitized between each use or each day. Any worker with a temperature of 100.4°F or higher is considered to have a fever.~~

~~(ii) Screen all workers at the beginning of their shift by taking their temperature and asking them if they have a fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell. Thermometers used must be 'no touch' or 'no contact' to the greatest extent possible. If a 'no touch' or 'no contact' thermometer is not available, the thermometer must be properly sanitized between each use. Any worker with a temperature of 100.4°F or higher is~~

~~considered to have a fever and must be sent home~~ Upon identification of suspect COVID-19 cases, the operator must contact the local health officer immediately as required under WAC 296-307-16190 and provide transportation for any medical evaluation or treatment. Ensure individuals providing transportation have appropriate personal protective equipment.

~~_(iii) Instruct workers to report to their supervisor if they develop symptoms of COVID-19 (e.g., fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell). If symptoms develop during a shift, the worker must be immediately sent home. If symptoms develop while the worker is not working, the worker must not return to work until they have been evaluated by a healthcare provider.~~

~~(iviii) Isolate S~~ suspect COVID-19 cases must be isolated with sleeping, eating, and bathroom accommodations that are separate from others. ~~unless~~ If the suspect occupant resides in a room with family members, the sick occupant will have the option to isolate with the family members.

~~(iv)~~ Confirmed COVID-19 cases must be isolated and only housed with other confirmed cases and must have separate bathroom, cooking and eating facilities from people who have not been diagnosed with

COVID-19. ~~unless~~ If the suspect confirmed occupant resides in a room with family members, the sick occupant will have the option to isolate with the family members.

(~~v~~iv) The operator must provide food and water and monitor for safety occupants in isolation at the operator's facility or ensure that these services are provided if isolated at another facility, such as a state or local health government department quarantine facility.

~~(vii) Upon identification of suspect COVID-19 cases, the operator must contact the local health officer as required under WAC 296-307-16190 and provide transportation for any medical evaluation or treatment. Ensure individuals providing transportation have appropriate PPE.~~

(~~e~~h) Clean and disinfect Aareas where occupants with suspect COVID-19 exposure have been, ~~must be cleaned and sanitized~~ according to CDC guidelines and before the space is used by others.

(2) ~~The~~ Operators must revise their facility's written TWH management plan to include implementation of the ~~above~~ requirements in this section, as applicable.

(a) The plan must identify a single point of contact at the TWH for COVID-19 related issues.

(b) The operator must share the plan with all occupants on the first day the plan is operational or the first day the occupant arrives at the TWH. The operator must designate a person that will ensure all occupants are aware of all aspects of the plan and be available to answer questions.

(c) The operator must submit the revised TWH management plan ~~must be submitted~~ to the state department of health ~~for the initial review by May XX, 2020~~ within ten calendar days of the effective date of the emergency rule.

(d) Failure to submit a revised plan ~~or properly implement the requirements of this section will~~ may result in administrative action, including license ~~suspension or fines~~ ~~revocation~~.

(3) Consistent with WAC 296-307-16120(1)/WAC 246-358-050(1), an operator may request a temporary variance from the requirements of the emergency rule when another means of providing equal protection is provided.

(34) In the event that any provisions of this section are in conflict with other regulations in this chapter, such other regulation shall be deemed superseded for purposes of this chapter. ~~Where the~~

~~requirements in this section conflict with other requirements in this part/chapter, this section applies.~~

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