

Statement of Arturo S. Rodriguez

President Emeritus

United Farm Workers of America before

The House Education and Labor, Subcommittee on Workforce Protections

“From the Fields to the Factories: Preventing Workplace Injury and Death from Excessive Heat”

July 11, 2019

Chairman Adams, Ranking Member Byrne, and distinguished members of the Subcommittee, thank you for the opportunity to testify today.

My name is Arturo S. Rodriguez and I had the honor of serving as the elected President of the United Farm Workers until last year. Today, I am representing the United Farm Workers and the United Farm Workers Foundation. Founded in 1962 by Cesar Chavez, Dolores Huerta, and other early organizers, the UFW is the nation’s first enduring and largest farm worker union. The UFW Foundation is a sister organization of the UFW that provides critical services and resources to farmworker and immigrant communities. Additionally, it is part of a network of farm worker organizations in the 10 largest agricultural producing states.

How much is the life of a farm worker worth? Is it less than the life of any other human being? I am here today for Maria Isavel, Maria de Jesus, Jaime Nuño-Sanchez, Ricardo Sotelo, Honesto Ibarra, Miguel Angel Guzman, and many workers before them who died due to heat exposure. Their deaths are hard to accept because they didn’t need to happen.

- **Maria Isavel** was a 17-year-old farmworker who worked at a vineyard owned by West Coast Grape Farming located east of Stockton, California. She died of heat exhaustion on May 16, 2008. Two days prior to her death, she was tying grape vines when the temperature rose above 95 °F. She collapsed from heat exhaustion after working more than nine hours under oppressive heat conditions. She was left in a van while everyone completed their shift.
- **Miguel Angel** was a 24-year-old farmworker that came to the U.S. under the H-2A guestworker program. He died from heat on June 21, 2018, five days after he arrived in the U.S. from Mexico. He was picking tomatoes for Beiza Farm Labor Contractor and Motley Farms in the state of Georgia. He was stricken at the height of the daily heat which exceeded 100 °F.

The UFW and the UFWF actively champion legislative and regulatory reforms that advance the health, safety and well-being of farmworker and immigrant families, rural communities, and beyond. For decades, we have been fighting to correct the historical inequities that penalized farm workers with weaker protections than workers in other industrial sectors and exclusions from federal labor laws. At the federal level and in the state of California, we have fought for laws and regulations that provide life-saving protections for farm workers and consumers. Among them:

- The national Agricultural Worker Protection Standard (WPS) which was strengthened on November 2, 2015 and protects approximately 2.5 million agricultural workers and their families from pesticide exposure and poisoning¹
- The national Certification of Pesticide Applicators (CPA) rule which prevents injuries, illnesses, and deaths from the misuse of deadly pesticides in agricultural, residential and commercial settings and was revised on January 4, 2017²
- A California law --the first in the nation-- that was signed by the Governor on September 12, 2016 and guarantees farm workers overtime pay after eight hours of work³
- And critically relevant to today's hearing, the California Heat Illness Prevention standards --another first in 2005 and strengthened in 2015-- designed to prevent deaths and illnesses from extreme heat for workers in agriculture and other outdoor industries⁴

My testimony does not address the unique risks that our brothers and sisters experience in a suffocating indoor environment, as it is not my area of expertise. Nonetheless, the challenges that they face are severe and life-threatening, and we firmly believe that any federal efforts to protect workers from heat must provide protections to these workers.

OVERVIEW OF THE FARMWORKER POPULATION

As you examine the role of Congress and the federal government in protecting outdoor and indoor workers from the risks of heat exposure, it's important that you understand the many challenges faced by farm workers -- whose skilled work is integral to our food system -- and the impediments they continue to face in securing the legal right to a safe workplace.

According to the 2015-2016 National Agricultural Workers Survey (NAWS), about half of the agricultural workforce is undocumented (49 percent)⁵, a number that raises the urgency to provide a path to legalization for experienced agricultural workers to meet the needs of workers,

¹ 80 FR 67495 available at <https://www.govinfo.gov/content/pkg/FR-2015-11-02/pdf/2015-25970.pdf>

² 82 FR 952 available at <https://www.govinfo.gov/content/pkg/FR-2017-01-04/pdf/2016-30332.pdf>

³ Text of Assembly bill 1066 available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1066

⁴ California Code of Regulations, Title 8, section 3395 Heat Illness Prevention, available at <https://www.dir.ca.gov/title8/3395.html>

⁵ Findings from the National Agricultural Workers Survey (NAWS) 2015-2016: A Demographic and Employment Profile of United States Farmworkers. Research Report No. 13. January 2018. Available at https://www.doleta.gov/naws/pages/research/docs/NAWS_Research_Report_13.pdf

agricultural employers, and our food system, as recent legislative proposals aim to do⁶. Only 29 percent of farm workers are U.S. citizens, and 21 percent are legal permanent residents. When it comes to language, 77 percent of farm workers are most comfortable speaking in Spanish, 21 percent in English, and 1 percent in indigenous languages.

Overall, there are approximately 2.5 million farm workers across the country, including hundreds of thousands of minors, ranging in number from 300,000⁷ to 500,000⁸. In terms of family structure, the majority of farm workers surveyed (55 percent) reported having minors in their household. In fact, although nationally-based surveys of farm workers don't include children under the age of fourteen, in farmworker families, it is common for children to begin work alongside their parents at ages as young as 12.⁹

Farm workers are predominantly of Latino and/or indigenous ancestry, hailing from Mexico (69%) and Central America (6%). Only 1 percent are natives of South America, the Caribbean, Asia, and the Pacific Islands. In terms of gender breakdown, nearly 70 percent identify as male (68%) and 32 percent, as female. Farmworkers are also relatively young, with two-thirds of the population (67%) under the age of 44:

- 14-19 years old (7%)
- 20-24 years old (11%)
- 25-34 years old (26%)
- 35-44 years old (23%)

Among the 2.5 million, there were nearly 250,000 guestworkers who entered the country under H-2A visas designed for temporary agricultural employment last year.¹⁰ The number of H-2A workers has been increasing steadily over the past decade and is expected to be even higher next year. The tremendous expansion of the H-2A program is occurring, even though there are serious concerns about worker abuses and discrimination. According to Polaris's report on human trafficking in temporary work visa programs, the H-2A program is the visa category with the most reported trafficking cases (327 out of a total of 797 reported cases, across temporary visa

⁶ See the Agricultural Worker Program Act of 2019 (H.R. 641/S.175) as proposed by Rep. Logren and Sen. Feinstein, available at <https://www.congress.gov/bill/116th-congress/house-bill/641/text> and <https://www.congress.gov/bill/116th-congress/senate-bill/175/text?q=%7B%22search%22%3A%5B%22Agricultural+Worker+Program+Act+of+2019%22%5D%7D&r=2&s=2>,

⁷ Association of Farmworker Opportunity Programs, "Children in the Fields, An American Problem," 2007. Available at <https://afop.org/wp-content/uploads/2010/07/Children-in-the-Fields-Report-2007.pdf>

⁸ Human Rights Watch. Fields of Peril. (2010). Available at: <https://www.hrw.org/report/2010/05/05/fieldsperil/child-labor-us-agriculture>

⁹ Ibid

¹⁰ U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, "H-2A Temporary Agricultural Labor Certification Program - Selected Statistics, FY 2018," data as of September 30, 2018. Available at: https://www.foreignlaborcert.doleta.gov/pdf/PerformanceData/2018/H-2A_Selected_Statistics_FY2018_Q4.pdf

categories).¹¹ In terms of the nationality of H-2A visa holders in FY 2018, out of a total of 196,409, an overwhelming majority are from Mexico (180,420) and a significant number of workers are natives of Jamaica (5,251), South Africa (3,562), Guatemala (3,936), Peru (946).¹²

In addition to heat, farm workers are also on the frontlines of exposure to a range of pesticides that threaten their health and the development of their children. To protect themselves from the sun and reduce dermal exposure to agricultural chemicals, farm workers wear extra clothing and/or personal protective equipment (PPE). For workers that apply pesticides, they must do so wearing any PPE required by the Environmental Protection Agency (EPA). Although important for protecting workers against pesticide exposure, the use of such equipment when working in hot temperatures also increases the risk of heat-related illness. Additionally, the increasing temperatures caused by climate change also pose a significant risk of heat-related illness for all workers, including farm workers.

I share this because the nature of agricultural work, combined with the demographics of the domestic and guestworker population, puts workers in a particularly precarious situation and fundamentally limits their ability to:

- access information about the environmental and occupational hazards that they are exposed to
- protect their children and loved ones who work alongside them from heat illness
- be adequately informed about their rights or heat illness prevention
- seek out medical care when illness or injury strikes
- have access to timely medical attention
- speak out in the workplace without fear of retaliation or deportation

WITH RISING TEMPERATURES, HEAT ILLNESS PREVENTION IS A MATTER OF LIFE AND DEATH FOR OUTDOOR WORKERS

Today, I have the privilege and urgency of sitting before you, in an air-conditioned hearing room, while farm workers across the nation are toiling under the scorching sun to cultivate and harvest the food that reaches our tables. Farmworkers feed our families and communities, without regard to region, race, ethnicity, gender, age, ability, or whether we are Democrats or Republicans.

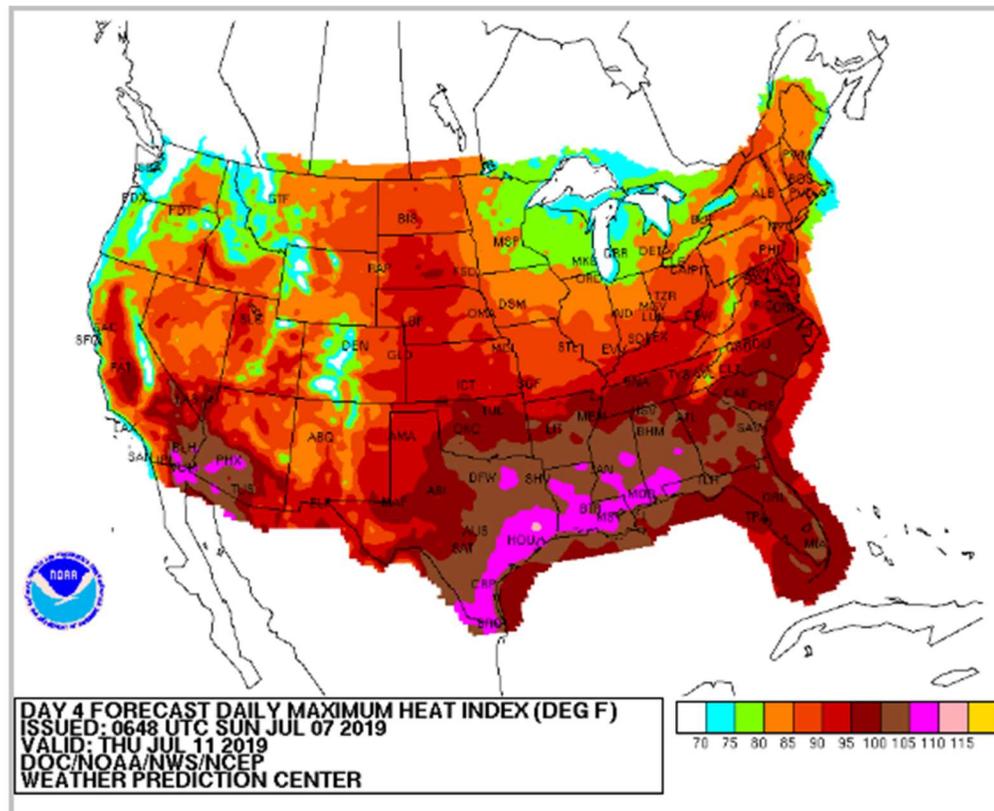
If any of us had to spend several hours toiling under high temperatures, the basic protections that we'd need would include water, shade, breaks and training to prevent illness and tragedies.

¹¹ Polaris, "Human Trafficking on Temporary Work Visas, A Data Analysis 2015-2017," available at <https://polarisproject.org/sites/default/files/Human%20Trafficking%20on%20Temporary%20Work%20Visas%20A%20Data%20Analysis%202015-2017.pdf>

¹² U.S. Department of State, "Nonimmigrant Visa Issuances by Visa Class and by Nationality, FY 1997-2018 NIV Detail Table," available at <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/nonimmigrant-visa-statistics.html>

Outdoor workers deserve nothing less, and given the temperatures that they must labor under, protecting them from heat can be achieved through commonsense and feasible safeguards.

For July 11, 2019, according to the National Weather Service forecast, workers in many of the states that are represented in the Education and Labor Subcommittee on Workforce Protections are expected to experience a maximum heat index of 96 °F in Charlotte, North Carolina, 108°F in Mobile, Alabama, and 94 °F in Richmond, Virginia.¹³



In the state of Florida, the heat index will range from the mid to high 90s in Orlando (95 °F), Tampa (96°F) and Miami (99°F) to 102°F in Tallahassee. Throughout California, the cities of Sacramento, Fresno and Imperial will experience a maximum heat index of 93°F, 97°F and 106°F, respectively. In Texas, anyone outdoors will feel temperatures from the 90s to over 100°F: Amarillo (93°F), Dallas (106 °F), San Antonio (103 °F), Houston (108°F), and Brownsville (107°F). In Georgia, both Atlanta and Savannah will feel a temperature of 98°F.

The daily maximum heat index in Washington State, Minnesota, Michigan and Pennsylvania is expected to reach: 73 °F in Seattle, WA; 80°F in Minneapolis, MN and Grand Rapids, MI; 85°F in Detroit; and 90°F in Philadelphia.

¹³ See https://www.wpc.ncep.noaa.gov/heat_index_MAX/bchi_day4.html

THE LONG ROAD TO PROTECTING WORKERS HAS BEEN PAVED BY PREVENTABLE DEATHS

In 2005, whether they work in fields, farms, ranches or greenhouses, farm workers are intimately familiar with heat exposure and are experiencing some of the highest rates of heat-related illness in the country. The risk of heat-related death in crop workers is 20 times higher¹⁴ than the risk for workers overall.

Following the deaths of five farm workers who died from the heat in less than a year, in 2005, the UFW worked with Representative Chu—at the time a member of the California State Assembly—to protect agricultural and other outdoor workers from heat-related death or illness. After Representative Chu held a hearing outdoors to highlight the impacts of extreme heat on workers, Gov. Schwarzenegger announced an emergency heat illness prevention standard. California's became the first state in the nation to issue life-saving and comprehensive Heat Illness Prevention standards for outdoor workers.¹⁵

Since 2005, California has required:

- Training for all employees and supervisors about heat illness prevention.
- Potable water to employees that is free of charge and located close to the areas where employees are working
 - Water cannot be more than 400 ft away
 - Each employee should have access to 1 quart per hour, or four 8-ounce glasses of water per hour
- Access to shade and encourage employees to take a cool-down rest in the shade for at least 5 minutes. They should not wait until they feel sick to cool down.
- Planning that includes written procedures for complying with the Cal/OSHA Heat Illness Prevention Standard.

The laws on the book are only meaningful if they are enforced and become a reality for the workers that need it the most. In the summer of 2008, five more farm workers died from heat illness in California. Their deaths inspired our organizing of the “March for Fallen Farm Workers” from Lodi to the state Capitol in Sacramento to raise awareness about agricultural establishments and farm labor contractors who were denying farm workers the life-saving protections inherent in the state's Heat Illness Prevention Regulation.

¹⁴See Larry L. Jackson & Howard R. Rosenberg, Preventing Heat-Related Illness Among Agricultural Workers, 15 J. Agromedicine 200 (2010) (“The crop worker fatality rate averaged 4 heat-related deaths per one million workers per year—20 times higher than the 0.2 rate for US civilian workers overall.”).

¹⁵ California Code of Regulations, Title 8, Section 3395, Heat Illness Prevention, available at: <https://www.dir.ca.gov/title8/3395.html>

In light of these tragedies, the UFW helped aggrieved farm workers challenge the state of California in 2009 and 2012 over inadequate enforcement of heat regulations. In 2015, a settlement of these complaints led the state of California to increase their enforcement of the heat standard and included a memorandum of understanding under which farm worker advocacy groups, including the UFW and the UFW Foundation, can file reports of violations with Cal-OSHA, which is mandated to immediately investigate them.¹⁶

Furthermore, on Friday, May 1, 2015, the state issued strengthened heat regulations for all employees that work outdoors throughout the state of California. The strengthened rules require that:

- Water is provided to employees must be "fresh, pure, suitably cool" and located as close as practical to where employees are working.
- Shade must be present at 80 degrees, instead of the current 85, and accommodate all employees on recovery or rest periods, and those onsite taking meal periods.
- High-heat procedures (which will remain triggered at 95 degrees) shall ensure "effective" observation and monitoring of employees.
 - During high heat, employees must be provided with a minimum 10-minute cool-down period every two hours.

HEAT ILLNESS PREVENTION IS FEASIBLE AND MAKES A DIFFERENCE IN FARM WORKERS' LIVES

California is a prime example that implementing common sense heat illness protections is good for workers, employers and for our food system. California leads the nation in agricultural production and exports and is home to the largest concentration of farm workers in the country. According to the California Department of Food and Agriculture (CDFA), over one-third of the country's vegetables and two-thirds of the country's fruits and nuts are grown in the state. Although the agriculture industry was initially skeptical of the heat standard, it survived and thrived: A recent report by CDFA points out that in 2017, farms and ranches in California received over \$50 billion¹⁷ in cash receipts for their output. In fact, the most recent statistics on farm income and wealth indicate that in 2017, California experienced a 31 percent increase in cash receipts for all agricultural commodities, when compared to 2010.¹⁸

On behalf of farm workers, the UFW played a crucial role in the development, implementation and enforcement of the California Heat Illness Prevention standard. Since the standard went into

¹⁶ See UFW, "Better enforcement of farm-worker heat rules as UFW and Brown administration settle lawsuit," available at <https://ufw.org/Better-enforcement-of-farm-worker-heat-rules-as-UFW-and-Brown-administration-settle-lawsuit/>

¹⁷ California Department of Food and Agriculture, "California Agricultural Statistics Review 2017-2018," available at <https://www.cdfa.ca.gov/statistics/PDFs/2017-18AgReport.pdf>

¹⁸ USDA/ERS Farm Income and Wealth Statistics, Cash receipts by commodity 2010-2019F, available at https://data.ers.usda.gov/reports.aspx?ID=17845#P3e0e42f706df4f508a1f9e8b1cf24bce_6_17iT0R0x5

effect, the UFW and the UFWF have worked to ensure that the protections on the books make a difference in the conditions of farm workers in fields across California.

Some heat deaths still persist, even in California, although our state heat rules have saved thousands of farm and outdoor workers from being stricken. Farm workers benefiting most from the state heat standards work on non-union farms and we use our UFW contracts to enforce government protections at unionized farms.

Over time, we have seen the progression of the standard's implementation in fields across California. When driving along Highway 99 and Highway 5, initially, all you would see was tarps put out for the workers, in an attempt by employers to provide workers with shade. In those cases, workers would be left to sit in the dirt or have to bring in their own blankets or portable chairs so they could be more comfortable. Nowadays, we can see how some growers are embracing the standard and making an effort to improve the conditions under which workers receive shade, take breaks, and meal periods. In addition to shade, some employers put out tables with seating while others have trailers in place that have covered tables and benches so workers can rest and sit down, rather than have to sit in the ground after performing backbreaking work. These are examples of what can be done if employers are willing to treat workers with dignity.

While the road to implementation and enforcement of the California standard has not been an easy one, when implementation and enforcement have occurred, the standard has secured meaningful improvements for farm workers and resulted in a notable reduction in the number of farmworker deaths related to heat hazards.

The key issue here is CalOSHA's ability to have a realistic presence in the fields and construction sites statewide to stop negligent employers from taking these risks in the first place: enough inspectors, strict enforcement of reporting rules and effective procedures for responding to complaints from workers and their allies.

And when CalOSHA and other state enforcement agencies cannot be there, workers and their allies must have the legal tools and rights to take preventive, protective action themselves.

IN THEIR OWN WORDS, FARM WORKERS SHARE THE IMPACT THAT HEAT STANDARDS HAVE ON THEIR WORKING CONDITIONS

In light of this hearing, we asked farm workers to share their experiences with heat exposure and the standards in California or Washington State. Some workers have been in the fields under five years while others have spent over two decades working with various crops that reach our tables. Although they can't be here today, below are their testimonies:

Felicitas from Alpaugh, California has worked in the fields for over 20 years with strawberries, pistachios, blueberries, and grapes. She shares that she has spent most of her life working in the fields, adding that, “We would often hear about people who were dying in the fields during the summer because there were no laws to protect farm workers. No one would ask the foreman if the bathrooms were ok or if we had water. Now, there are laws that protect us and organizations that also help us report when the law is not followed. During training, they tell us about our rights, symptoms, and what to do when we feel bad in hot weather. Knowing the symptoms, we know when we have to leave the furrow and take a break and also know the symptoms in case a co-worker starts to feel bad because of the heat, so we can help.”

Vicente Reyes Enriquez from Bakersfield, California has worked with various crops in the 8 years he has spent as a farmworker but the main one has been grapes. Vicente shares that, “[working in the fields under intense heat] is very humid, suffocating. You just want to take off all your clothes because it is really hot. There’s a sense of desperation. The heat regulations are good, and they benefit the workers.”

Amadeo Sumano from Oxnard, California has worked in the fields for 11 years. He currently picks strawberries. Amadeo says that, "It is very difficult to work under the sun. Workers have to resist because the body has to withstand the high temperatures. We suffer from dehydration, headaches and our mouths are often dry. It is necessary that these protections are provided to the rest of the country because here in California farm workers have died for not having the basics: fresh water, shade. We all know that temperatures of up to 80 and 90 are very high, so when you are looking for fresh air, there isn't any, just hot air. It is important that all workers have protections from heat. In California, the lives of workers have improved because growers and private contractors are required to have basic protections against heat.” Before concluding his statement, Amadeo extended an invitation to lawmakers, “to accompany us to the fields so that they understand the need for these protections at the national level.”

Jesus Ochoa from Bakersfield, CA has worked with grapes, oranges and tomatoes for four years and he recently moved to Arizona. Jesus says, “Sometimes you feel like you will melt down to nothing. Like you are just doing it for a paycheck. I would sometimes just lay on the ground about to pass out. Covered in dirt with bugs crawling on you. Until I hear ‘Get up’ and force myself back to work. I would see older farm workers struggling but we all had to do it because we need the paycheck. They remind us that we are easily replaceable if we are not producing.” While he has worked for many agricultural establishments, he shared that not everyone provides the basic protections required by the CA heat standard. Jesus says, “On paper it’s nice to have these protections but in practice we are often not provided these protections. Immigrant farm workers are not informed so their rights are often violated and they have no clue that they can report these violations or don’t know how to defend themselves.” When asked about his thoughts on a federal heat standard so that outdoor and indoor workers in other states can benefit from protections, Jesus

said, “I can’t believe that there aren’t federal heat protections...If they could be preventing deaths why would they not do something about this? Right now, I moved from California to Arizona and it is horrible to see farm workers out in this heat.”

Martha Montiel from Delano, California has worked in the fields for 9 years, mainly with grapes. Martha shared the following: "It's too hard to work in the heat because we have to be well covered. We need a lot of water. Sometimes there are people who do not feel well because we get dizzy with the smell of chemicals that get stronger with the heat." She adds, “California regulations have helped because farm worker deaths shouldn’t happen for lacking something as basic as water and breaks. Now our employers are more aware that we are human and not robots. The rest of the country would benefit from these regulations that put workers first by giving them the power to protect themselves from the heat."

HONORING THE DEAD, FIGHTING FOR THE LIVING WITH A FEDERAL HEAT STANDARD

Beyond the statistics, at the heart of the call for a federal heat standard are tragedies that have robbed families of their loved ones. Tragedies that could have been preventable. These safeguards are for:

- **Miguel Angel Guzman Chavez** was a 24 year old farmworker that came to the U.S. under the H-2A guestworker program. He died from heat on June 21, 2018, five days after he arrived in the U.S. from Mexico. He was picking tomatoes for Beiza Farm Labor Contractor and Motley Farms in the state of Georgia. He wasn’t used to the high heat and humidity, and was stricken at the height of the daily heat at about 4 p.m. while picking tomatoes. That day, the high temperature was 95, with a heat index (how hot it really feels when relative humidity is factored in along with the actual air temperature) of 103 or 104 degrees. Miguel had told his crew boss he was feeling ill. The foreman told him to sit out in the shade. Meanwhile, Miguel yelled and moaned of pain and demanded medical attention. After one hour of suffering, the foreman finally took Miguel to the labor contractor’s office, where human resources staff was present. However, it was another employee, a mechanic, who drove him to the hospital. He died in route.¹⁹ Like many heat stroke deaths of farm workers, Miguel’s death was preventable.
- **Honesto Ibarra** was a 28-year-old worker that entered the U.S. on an H-2A visa. On August 6th, 2017, he was working on a blueberry farm in Sumas, Washington. His coworkers say that it was a hot day when Honesto started experiencing headaches and told his supervisor on two different occasions that he was not feeling well. Honesto was ignored

¹⁹https://www.moultrieobserver.com/news/farmworker-dies-after-collapsing-in-field/article_6149dde8-78db-11e8-829a-ff2ed25eca1f.html

by his supervisor both times and was told to go back to work. Honesto eventually collapsed and was transported to a medical center where he died.²⁰

- **Ricardo Sotelo** passed away due to heat illness. This past June 30th marked 4 years since his death. While Ricardo was harvesting blueberries at Olsen Bros, Wyckoff Farms in Washington State, the temperature was 107 degrees. Because of the high temperatures, many of his co-workers were feeling ill and began to vomit. Ricardo had been feeling sick all day and had asked to take a break, but unfortunately, he was denied rest by his supervisor and had to continue picking blueberries. Later that day, when Ricardo arrived home from work, he passed out. His family took him to the hospital, where he died on the same day. Medical records indicated that his death was due to heat stroke.
- **Jaime Nuño-Sanchez** who was a 48-year-old farm worker with 30 years of experience harvesting fruits and vegetables throughout the Coachella Valley in Southern California. On the morning of September 21st, 2015, he started his shift picking lemons for Wonderful Citrus, one of the largest citrus distributors in the United States. Around 10:30 a.m. on Sept. 21, a work crew that included Nuño-Sanchez and his wife began picking from a row of trees at the back of the grove, not far from where a supervisor had set up shade and water to comply with California's heat illness prevention standards. Temperatures hovered around 90 degrees, but the humidity made it feel like 105. Forty-five minutes into the shift, Nuño-Sanchez, 48, sat down in a shaded area, saying he didn't feel well. Minutes later he collapsed. One picker, who could speak English, called 911. A supervisor jumped into a pickup and sped to Highway 86 to wait for a fire truck and paramedics. When they arrived, he led them to the last lemon tree in the grove. Paramedics tried to revive Nuno- Sanchez, but it was too late. The father of three died in the field at 12:35 PM.²¹
- **Maria de Jesus Alvarez Bautista** was 63 year- old and worked at Anthony Vineyards, employed through farm labor contractor Manuel Torres. On July 15, 2008, on a 110-degree day, she was picking grapes in the vineyard. The foreman pressured the crew to work harder, telling them they were not working fast enough. According to her family, Maria felt pressured to keep pace with her coworkers, although she needed a break. As a result, she worked for the rest of the day. The crew of 150 people were not provided shade, nor were they trained in heat stroke prevention and precautions as mandated by state law. Without the proper training, her coworkers were not able to identify the signs of heat illness. Later that evening when she was home, she had a headache, a high fever and started vomiting. Her son found his mother wrapped up in a blanket on the sofa, saying she was cold, despite it being a hot day. With her condition deteriorating rapidly over the course of two weeks, she was taken to the hospital on July 29. Doctors determined that she was severely dehydrated and had suffered a heat stroke. After being treated at two different

²⁰<https://www.bellinghamherald.com/news/local/article166401757.html>

²¹<https://www.desertsun.com/story/news/2015/11/19/death-fields/74058984/>

hospitals, Maria de Jesus Alvarez Bautista died on August 2, 2008, making her one of six farm workers whose death was due to fatal exposure to heat in 2008.²²

- **Maria Isavel** was a 17 year old undocumented farmworker who worked at a vineyard owned by West Coast Grape Farming located east of Stockton, California. She died of heat exhaustion on May 16, 2008. Two days prior to her death, she was tying grape vines when the temperature rose above 95 degrees. She was unable to reach a water cooler that was about 10 minutes away and the foreman didn't give workers a long enough break to get a drink of water. She collapsed from heat exhaustion after working more than nine hours under oppressive heat conditions. She didn't have access to shade or water and she was never trained on heat illness protection. Two days after collapsing from heat exhaustion she passed away. As Bautista, her fiance, cradled her, the supervisor just stared at her and did nothing. The farm labor contractor failed to bring Maria Isavel to a hospital right way. Instead, the supervisor told Bautista to lay her down in a bed of a hot van and place a wet cloth on her forehead. When she was finally taken to a hospital near Lodi, approximately two hours after collapsing, Maria Isavel was in a coma and her body temperature was about 108 degrees. Then the doctors discovered she was two months pregnant. Bautista said that Maria and him had not been given safety training and that the supervisors had told him to lie about the event.²³

Maria Isavel, Maria de Jesus, Jaime Nuño-Sanchez, Ricardo Sotelo, Honesto Ibarra and Miguel Angel Guzman, were not agricultural implements; they were important human beings. Their lives were worth a lot—and they deserve better treatment than they received.

Like them, farm workers sweat and sacrifice to feed millions of people across America and the world and they shouldn't risk death or illness just by going to work when temperatures soar.

Fourteen years ago we got a Republican governor to take action. Four years ago we worked with a Democratic governor to strengthen the heat standards and we stand ready to work with Republicans and Democrats in this committee, and beyond, to stop these unnecessary deaths and advance national standards, such as those we won in California.

²² <https://www.desertsun.com/story/news/2015/11/19/death-fields/74067666/>

²³ <https://www.npr.org/templates/story/story.php?storyId=91240378>