

# Evaluation of Temporary Worker Housing Regulations, Fee Structure, and Frequency of Inspections

Pursuant to Third Engrossed House Bill 2127, Section 219 (32)  
(Chapter 7, Laws of 2012, 2<sup>nd</sup> Special Session)

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## **Preface**

The Department of Health, Health Systems Quality Assurance (HSQA) Division, works to protect the health and safety of people in Washington State by regulating the quality of migrant farmworker housing through the department's Temporary Worker Housing (TWH) program. The department carries out this responsibility by setting standards for construction and operation of farmworker housing sites in Washington, and by licensing and inspecting sites for compliance with the standards.

In 2012, the Washington State Legislature enacted Third Engrossed Substitute House Bill 2127. This bill provided the department with one-time, supplemental funding for the TWH program and directed the department to reduce fees on a temporary basis. In addition, the department was directed to evaluate the rules, inspection processes, and fee structures for TWH construction and operations, including both fixed TWH housing and temporary cherry harvest camps. Part of the evaluation was to include the farmworker housing occupancy levels used to determine the fee structure and frequency of housing inspections made by the department.

In response, the department collaborated with growers, housing operators, farmworker advocates, and other stakeholders across the state to evaluate the TWH regulatory processes and identify opportunities for program efficiencies. This report summarizes those findings and provides initial recommendations and proposed actions designed to enhance program efficiencies and outcomes.



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## **Executive Summary**

The Department of Health's (department) Temporary Worker Housing (TWH) program works to protect the health and safety of individuals staying in migrant farmworker temporary housing. The TWH program inspects and licenses about 230 migrant farmworker housing facilities throughout Washington State, and provides technical assistance to growers and others seeking to develop or rehabilitate migrant farmworker housing. Under chapter 70.114A RCW, the department coordinates among state and local agencies to encourage an increase of housing for migrant farmworkers.

Since 2008, the TWH program experienced significant reductions in general fund-state (GF-S) support. The department decreased TWH program services, and made program efficiency changes to keep operating the program within declining budgets. Still, the department anticipated that TWH funding levels would be insufficient to cover the program's on-going operating costs. To offset the reduced GF-S funding, the legislature authorized the department to increase TWH licensing fees. The new fees went into effect in August 2011, and were based on the number of occupants. Fees were increased from approximately \$2 per housing occupant to \$9 per occupant. The higher fees and fee structure raised some concerns.

The 2012 Legislature included a proviso in the 2011-13 Supplemental Operating Budget Act, 3ESHB 2127 subsection 219 (32), that gave the department one-time supplemental funding of \$250,000 to subsidize TWH operating license and inspection fees. The proviso also directed the department to "evaluate program regulations including but not limited to the use of occupancy levels to determine the fee structure, and the frequency of inspections."

To implement the proviso, the department waived all TWH licensing fees through June 30, 2013. The department also initiated an evaluation of the TWH program regulations. The evaluation included stakeholder meetings with growers, farmworker advocates, housing developers, and grower organizations, as well as local and state agencies with an interest in TWH. A series of four stakeholder workshops were held in the fall of 2012 in Yakima, Kennewick, Wenatchee, and Lacey. Stakeholders recommended several efficiencies with potential impact to the fee structure and fee amount, inspection frequency, and operational processes.

The department reviewed all recommendations with regard to its statutory responsibility to encourage the development of temporary and permanent housing for migrant farmworkers, and to ensure that licensed housing is safe and sanitary. As a result of the evaluation, the department is making several recommendations and action plans to implement the proviso in HB 2127, including:

### **Evaluation of program regulations:**

#### **1. Use of occupancy levels to determine TWH fee structure**

The department plans to open the rules to review the TWH licensing fee structure (currently a flat \$9 per occupant). The structure and fee amounts will be determined in the rule development process. The potential fee structure may be multi-tiered, and may include a base fee to cover program administrative costs, plus inspection fees based on occupancy, facility size, or other factors and/or other activity or service-specific fees recommended by stakeholders. The current licensing fee waiver may be extended until a new TWH fee structure is adopted.

#### **2. Frequency of inspections**

The department plans to adopt policies intended to expand the number of facilities that may qualify for the TWH self-survey (self-inspection) program, and to reduce certain routine inspections of

cherry harvest camps. These steps would reduce the number of the department's on-site inspections done annually, and may result in an estimated \$30,000 in annual savings.

### **3. Other TWH rule or process changes**

The department will review the department's statutory and regulatory authorities to determine if enforcement of licensing standards and non-licensed TWH should be enhanced. We will also initiate rule making and review department procedures as appropriate to implement stakeholder recommendations to streamline or clarify TWH licensing and other program processes.

### **Performance Measures**

The department will implement outcome-based performance measures to monitor the impact of changes to the TWH self-survey program and cherry harvest inspection process. We will also measure outcomes of the revised TWH fee structure and other rule or process changes.



## Background

The Department of Health (department), Health Systems Quality Assurance (HSQA) Division, works to protect the health and safety of people in Washington State by regulating the quality of migrant farmworker housing. The department's Temporary Worker Housing (TWH) program is responsible for ensuring that living conditions provided for migrant farmworkers are safe and sanitary. The department carries out this responsibility by setting standards for construction and operation of TWH housing sites in Washington, and by licensing and inspecting for compliance with these standards.

Under chapter 70.114A RCW, and RCW 43.70.334 through 43.70.340, the department, working with the Departments of Labor and Industries (L&I) and Commerce, is the lead agency for coordinating state migrant farmworker housing programs. The department carries out these responsibilities by providing technical assistance to organizations and individuals. Regarding the department's scope of responsibility for the TWH program, RCW 70.114A.010 states:

*...It is the intent of the legislature to encourage the development of temporary and permanent housing for workers that is safe and sanitary by: Establishing a clear and concise set of regulations for temporary housing; establishing a streamlined permitting and administrative process that will be locally administered and encourage the development of such housing; and by providing technical assistance to organizations or individuals interested in the development of worker housing.*

The department, working with L&I, has established standards for TWH construction and operation in rule. The services provided by the TWH program include the following (a more inclusive list is in Appendix D):

- Technical assistance to growers and others interested in developing migrant farmworker housing or how to comply with TWH standards when making changes to existing housing.
- Comprehensive building review services including planning assistance, plan review, site review, permitting, construction inspection, and final approval.
- Licensing services.
- Inspecting and monitoring fixed and temporary migrant housing for compliance with safety and sanitation standards.
- Working with farmers, farmworker advocates, grower organizations, community organizations, and local, state, and federal agencies on TWH issues.
- Encouraging housing development by partnering with the Department of Commerce.
- Conducting investigations and coordinating investigations with L&I, U.S. Department of Labor, and local jurisdictions.

In FY 2012, the department licensed 226 TWH facilities. Of those facilities, 205 were "regular" TWH housing, and 21 were temporary cherry harvest camps. The total licensed occupancy capacity of the 226 facilities was 13,246 occupants (farmworkers as well as their families in many cases), of which 1,775 occupants were in cherry harvest camps. A total of 188 facilities including all 21 cherry harvest camps are located in eastern Washington; 38 facilities are located in western Washington.

The difference between "cherry" and "regular" TWH is in reference to the department's operation rules in the Washington Administrative Code (WAC):

- Chapter 246-361 WAC: Cherry harvest camp rules apply to facilities that house migrant farmworkers who are working only during the annual cherry harvest season. These camps primarily consist of tents supplied by the growers.
- Chapter 246-358 WAC: “Regular” TWH rules apply to all other structures operated to house agricultural workers temporarily.

Washington’s approximately 39,500 farms and \$46 billion food and agricultural industry contributes 13 percent of the state’s economy.<sup>1</sup> The department monitors and inspects licensed TWH facilities to help reduce unsafe living conditions. Adequate, safe housing helps to protect the health and safety of migrant farmworkers, contribute to public health, and assist the agricultural industry in attracting an experienced and stable labor force. Appropriate, efficient regulation and services benefit farmworkers, farmers, the public, local communities, and the agriculture industry.

### The TWH Budget

The TWH program budget is funded by three sources as described in Table 1: general fund-state (GF-S); funds transferred from the Department of Labor and Industries (L&I); and licensing and inspection fees charged to operators of TWH facilities. The fee amount is structured to fund that portion of program expenses not met by GF-S and L&I appropriations.

During the last several years, the nation and the state have endured an economic recession. Because of decreased state revenues, in FY 2010 through 2012, the TWH program experienced declining GF-S maintenance funding compared to FY 2008 and 2009 levels. The TWH program is not subject to RCW 43.70.250 that requires health professions and health facilities fees cover the department’s full cost of administering the licensing and regulatory program.

**Table 1. Temporary Worker Housing Program Funding FY 2008-2013**

Source	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013 (Projected)
General Fund-State	\$541,522	\$525,143	\$575,394	\$215,784	\$255,009	\$462,350*
Dept. Labor & Industries	\$171,951	\$171,951	\$172,687	\$172,687	\$171,141	\$171,141
Licensing Fees (Collected)	\$22,043	\$20,941	\$23,588	\$23,840	\$115,107**	\$0
<b>TOTAL</b>	<b>\$735,516</b>	<b>\$718,035</b>	<b>\$771,669</b>	<b>\$412,311</b>	<b>\$542,803</b>	<b>\$633,491</b>

GF-S Percentage of TWH Budget	73.6%	73.1%	74.6%	52.3%	47.0%	
Fees Percentage of TWH Budget	3.0%	2.9%	3.1%	5.8%	21.2%	

\* FY 2013 GF-S includes the \$250,000 supplemental funding from 3ESHB 2127.

\*\* A fee increase authorized by the 2010 legislature was implemented in FY 2012

From FY 2009 through FY 2011, the department identified many program efficiencies to keep the program costs within decreased GF-S funding levels, including reducing staffing, changing on-site inspection procedures, lowering administrative expenses, and curtailing some consultation and outreach services. This helped the program continue to fulfill its statutory mandate to ensure safe and

<sup>1</sup> Department of Agriculture website (<http://agr.wa.gov/AgInWA/>)

sanitary licensed TWH facilities. But even with these changes, the department anticipated that funding would be insufficient to cover the program's operating costs. As a result, the 2010 legislature approved a fee increase to help offset GF-S reductions. This allowed the department to raise licensing fees in FY 2011.

### **Fee Structure**

Before FY 2011, all TWH facilities paid a standard \$25 license fee, plus a variable survey (inspection) fee based on number of occupants or number of housing units. This structure generated revenue of about \$22,000 per year, which was less than 4 percent of the TWH budget. (These fees were equal to about \$2 per housing occupant.) In FY 2011, the department changed the TWH fee structure, setting the license fee at a flat \$9 per occupant. The higher fees were projected to provide 22.2 percent of TWH program funding, or about \$115,000 per year, and would have covered recent GF-S reductions.

The new fees were effective in August 2011. Some growers and operators of migrant farmworker housing raised concerns about this fee increase.

The 2012 legislature enacted the 2011-13 Supplemental Operating Budget Act, Third Engrossed Substitute House Bill (HB) 2127, that included one-time supplemental funding of \$250,000 in FY 2103, as well as a proviso in subsection 219 (32) that states:

*General fund—state appropriations for fiscal year 2013 includes funding to subsidize operating license and inspection fees in the temporary worker housing program. In implementing this subsidy, the department shall evaluate program regulations including but not limited to the use of occupancy levels to determine the fee structure and the frequency of inspections.*

In response to this proviso, the department waived all TWH licensing fees through June 30, 2013, and used a portion of the supplemental GF-S funding to offset the projected \$115,000 in fee revenue that would have been collected during this period.

The department also undertook an evaluation of the TWH program regulations, including the fee structure, inspection frequency, and other aspects of the program as directed by HB 2127.

### **TWH Evaluation Methodology**

In response to the legislative direction in HB 2127, the department developed a work plan to evaluate the regulations, inspection frequency, and fee amount and structure. The work plan included seeking stakeholder input on how well the TWH regulations and services were working from a variety of perspectives. The department also conducted an internal evaluation of migrant farmworker housing inspection, licensing and TWH program operations.

The department held four all-day TWH evaluation meetings in the fall of 2012. These meetings were held in Yakima, Kennewick, Wenatchee, and Lacey. Invitations were sent via the department listserv as well as e-mailed and post mailed directly to key stakeholder individuals and groups. Stakeholder participation included representatives from:

- Individual growers and TWH housing operators
- Farmworker advocacy groups, including the United Farm Workers of America union, Columbia Legal Services, and Northwest Justice Project
- Washington Growers League
- Washington State Commission on Hispanic Affairs

- Local public health jurisdictions
- The Growers Clearinghouse
- Washington State Farm Bureau
- Office of Rural and Farmworker Housing
- Migrant housing development companies
- Oroville Housing Authority
- Local building and zoning departments
- State Department of Employment Security
- State Department of Labor and Industries

Stakeholders participated in each meeting in person or by telephone. They could also submit written input. Written summaries of each meeting were shared with the participants.

The department approached each meeting in two distinct workgroup segments. One segment focused on the TWH operation-related rules, program processes, and fee amount and structure. The other segment focused on the construction-related rules, processes, and fee amount and structure. The goal was to evaluate possible changes in the TWH program and rules that could be achieved without compromising farmworker health and safety, and could result in long-term program efficiencies that would allow the department to reduce TWH licensing and/or inspection fees.

## **Summary of Stakeholder Input**

Complete TWH stakeholder evaluation meeting minutes and handout information are in Appendix D. A summary of all stakeholder input from the TWH evaluation is in Appendix E.

Stakeholder input is grouped by TWH operation review and TWH construction review, and by the following evaluation topics: regulations, inspection frequency, fee structure, and program processes.

## **TWH Operation Evaluation – Regular Housing and Cherry Harvest Camps**

### **Operation Regulations (chapters 246-358 and 246-361 WAC)**

Stakeholder recommendations included the following rule changes:

- Eliminate the screen door requirement for regular TWH housing, or allow self-closing exterior doors instead of screen doors if the unit has working mechanical air conditioning.
- Remove the requirement to have an emergency telephone available, since most workers do have the ability to contact emergency services by cell phone while in camp.
- Require smoke detectors in regular housing facilities.
- Require carbon monoxide (CO) detectors in facilities where combustible-fueled equipment is provided or in use.
- Clarify requirements around garbage-stands. Only garbage containers at the central garbage collection/pickup area should require stands.
- Evaluate the plumbing fixture ratios. Fixture ratios are requirements based on occupancy, such as the number of hand wash sinks, toilets, laundry tubs, or washing machines per number of occupants.
- Evaluate the square footage ratios, such as minimum required space per occupant.
- Change requirements for potable water supplies to require signage on potable water supplies rather than on non-potable water sources.

- Review appropriate drinking water system standards in coordination with the DOH Office of Drinking Water, including removing the “same farm exemption” from water supply rules.
- Revise the rules using “Plain Talk”.

### **Operation Inspection Frequency**

Stakeholder recommendations included the following operational changes:

- Expanding the self-survey program for regular TWH facilities. Under WAC 246-358-027(1)(c), a licensed TWH operator may self-inspect their facility for two years if they, “have had two consecutive years without any deficiencies or have had very minor deficiencies...” Clarifying what are “minor deficiencies” would broaden the number of TWH facilities that may qualify for self-survey. This may allow operators in the self-survey program to have their fees reduced to reflect fewer on-site inspections required for the license. In FY 2012, 18 of the 207 regular TWH facilities qualified for self-survey.

(Cherry harvest tent camps do not participate in the self-survey program. There was some suggestion from stakeholders to allow cherry harvest tent camps to self-survey. After discussion it was felt that the nature of temporary tent camps would not be appropriate for self survey.)

- Reduce the number of cherry harvest camp inspections by eliminating two of the four routine cherry harvest camp inspections. Because of the short cherry season, it is difficult for department inspectors to visit some camps four times (once pre-season, twice during the season, and once post-season), and it may be unnecessary in some circumstances.

Stakeholders suggested:

- For camps that operate less than 60 days (five camps in 2012), eliminate the second occupancy inspection during the harvest season. This would eliminate an estimated five on-site inspections per year.
- For all 21 licensed cherry harvest camps, eliminate the post-season ‘closed’ inspection provided the department receives a report from the growers’ tent rental program that all tents have been removed. This would eliminate up to 21 on-site inspections per year.

There was no consensus among stakeholders about whether to reduce the number of routine inspections of regular TWH facilities. Currently, the department inspects regular TWH twice each year: once prior to issuing the facility’s annual license and once during operation. One suggestion was to inspect once every three years.

- Review department tracking of TWH applications and renewals.
  - Currently, for initial (first-time) TWH license applications, if the initial application is incomplete, only one letter is sent from the department to the applicant noting what information is needed to make the application complete. The department should improve tracking to ensure that all operators complete the licensing process.
  - For renewals, current TWH licensees receive one renewal notice. If the grower/operator does not respond, or responds with incomplete renewal paperwork, only one follow up letter is sent from the department. The department should improve tracking of deficient renewals to ensure that all current operators keep their licenses active.
- There was a stakeholder suggestion that any grower not cooperating with DOH, L&I or the Department of Employment Security be referred to the U.S. Department of Labor (USDOL). Other stakeholders disagreed, wanting state agencies to handle enforcement themselves.

USDOL has jurisdiction over farmworker housing for the federal government. While there is occasional coordination of enforcement and inspection activities, USDOL usually operates independently from state authorities.

- In a related recommendation, it was suggested that the department review and clarify its authority to enforce the TWH regulations, specifically:
  - The ability to close facilities that are seriously out of compliance or where conditions pose an immediate threat to the safety and health of farmworker occupants.
  - Authority to investigate and sanction for operation of an unlicensed TWH.
  - Issuing higher fines for noncompliance or operating unlicensed TWH.

### **Operation Fee Structure Using Occupancy Levels**

TWH operators suggested revising the licensing fee structure to include a base administration fee to cover the department cost of license/renewal processing, plus a fee for inspections based on facility size. This would be similar to the pre-2011 TWH fee structure. While some stakeholders said the \$9 per-occupant structure adopted in 2011 resulted in a fee that was too high, growers, housing operators, and farmworker advocates agreed that TWH operators should be responsible for a share of program costs. They also suggested the department charge separate fees for:

- Providing technical assistance. (The department would need to determine a fee level that would help cover technical assistance costs, but would not be a deter customers from asking for assistance.)
- Costs of re-inspecting facilities after a previous inspection finds serious violations of safety and health standards.
- Department costs related to pursuing complaint investigations when the investigation results in findings against the facility.
- Some stakeholders also suggested that the department review whether TWH fines collected could be deposited into the Temporary Worker Housing fund account for use in the program.

### **Operational Processes**

Stakeholders' suggestions included:

- Establishing an arbitration process for operators to dispute citations. This would be in addition to administrative hearing rights that operators currently have to dispute violation citations.
- Establishing a web page showing the number of licensed beds for each TWH licensed facility.
- Referring in-depth technical assistance to organizations such as the state Office of Rural and Farmworker Housing, the Washington Growers League, or the Department of Commerce. (Due to the recent budget reductions, the department has been referring some technical assistance requests to these organizations.)
- Holding growers/operators responsible for non-compliant behavior. Some suggested that the department track repeat violations, categorize deficiencies, and use this information to determine frequency of inspections of individual licensees, and the assessment of appropriate fines.

### **TWH Construction Evaluation**

#### **Construction Regulations (chapter 246-359 WAC)**

As with operation regulation review, stakeholders suggested revising the TWH regular housing construction regulations to require carbon monoxide detectors, clarify garbage stand requirements, and allow self-closing doors instead of screen doors where appropriate.

There was no consensus among stakeholders on whether to use 'Plain Talk' for the TWH construction rules. Some noted that the construction rules contain technical building concepts that would lose their meaning if simplified. Some stakeholders asked that the TWH construction rules be reorganized to consider different types of construction; for example, wood construction versus masonry construction.

### **Construction Inspection Frequency**

There were no stakeholder suggestions regarding construction inspection frequency.

### **Construction Fee Structure**

Most stakeholders said the construction fees structure does not need to be changed. One stakeholder did question whether the construction fee structure is overly complicated. Other stakeholders suggested clarifying the fee formula with examples and explain what is included in the fee amount. Stakeholders wanted the department to track the TWH construction budget activities separately from the operational program budget activities to simplify review of the TWH construction budget.

### **Construction Processes**

Stakeholders suggested changes to the department's internal processes to:

- Improve and share construction program information online and with local jurisdictions.
- Provide a shorter initial application form and process.
- Rename the final approval document 'certificate of completion' rather than "certificate of occupancy".

Some stakeholders wanted the department to streamline its construction process for small TWH projects that they perceive can sometimes take as long to approve as larger projects.

## **Department Planned Actions to Implement TWH Evaluation Recommendations**

The department analyzed each workgroup recommendation made by TWH stakeholders using the following criteria:

- Is the recommendation consistent with the department's TWH responsibilities under chapter 70.114A RCW?
- How would implementing the recommendation impact the safety and health of individuals and families living in licensed migrant farmworker housing?
- Would implementing the recommendation result in fewer inspections, lower regulatory costs, or other efficiencies to the department's TWH program?
- Can the recommendation be implemented by internal department operational changes, internal policy changes, or by revising rules?
- Is the recommendation beyond the department's current authority, budget, or capacity?

The department also conducted an internal analysis of the TWH program for possible changes in rules, operations, inspection frequency, and the TWH fee structure.

Based on the analyses of stakeholder recommendations and internal review of the TWH program, the department plans to take steps that we believe would improve the efficiency of the TWH program in line with the HB 2127 proviso directives. We believe these steps will allow the department to reduce licensing fees or reduce reliance on GF-S support. The recommendations and planned steps include:

### **Evaluation of TWH Program Regulations:**

#### **1. Use of occupancy levels to determine fee structure**

The department will initiate rule making to review the TWH licensing fee structure and fee amounts. The structure and fee amounts will be determined during the rule making process. Consideration of the following will be included in the review:

- A flat administrative fee sufficient to cover basic costs of TWH license processing, monitoring and program administration. (The pre-2011 base fee of \$25 was insufficient to fund these basic program costs.)
- A variable inspection fee based on facility size, occupancy, or both. Inspection fees may also take into account whether the facility is approved for self-survey.
- Overall changes resulting an aggregate licensing fee lower than the current \$9 per occupant flat rate, and/or reduced need for GF-S funding.
- Other suggested follow-up inspection fees, complaint inspection fees, and/or technical assistance fees. (Depending on the suggested fee, legislative approval may be necessary.)

#### **2. Frequency of inspections**

The department will initiate internal policy changes to:

- Expand the number of facilities that may qualify for the self-survey (self-inspection) program. This will provide clarity and direction for both department staff and the regulated community on how growers or operators may qualify for self-survey. Expanding the self-survey program would eliminate some on-site inspections per year, but would still entail administrative costs



to review operator self-survey reports. Grower/operators would benefit from the reduced time spent preparing and being available for on-site inspections. (Note: Some facilities that may qualify for self-survey participate in the federal “H2A” foreign worker program.<sup>2</sup> The federal “H2A” foreign worker program is managed by the Washington State Department of Employment Security. These facilities may be able to utilize the federal “H2A” self-survey program with DOH coordinating with the Department of Employment Security.)

- Reduce routine cherry harvest camp inspections. Policy changes would be in place in time for the 2013 cherry harvest season to:
  - Eliminate the “closed” camp on-site inspections for all 21 licensed cherry harvest camps, provided the department receives a report from the growers’ tent rental program that all tents have been removed. This would result in up to 21 fewer on-site inspections per year.
  - Eliminate the “second occupancy” inspection for licensed camps that operate less than 60 days. This would result in an estimated five fewer on-site inspections per year.

The department will also review the timing of the remaining inspections to ensure that the camps maintain safe and sanitary conditions. Grower/operators would benefit by reduced time spent preparing for and being available on-site for the inspections that would be eliminated.

Estimated cost savings from reduced inspections would be approximately \$30,000. These reductions would be expected to help the department lower licensing fees, but will not replace the need for licensing fees.

### **3. Other TWH regulation or process changes**

Based on stakeholder recommendations, the department plans to:

- Complete a review of the department’s regulatory authority and structure to determine if the department can enhance its capability to enforce compliance with licensing or operational requirements. The review would consider the potential of enhancing sanctions, including higher fines, for compliance violations or operating unlicensed TWH facilities.
- Initiating the rule making to review the following stakeholder suggestions:
  - Allowing self-closing exterior doors instead of a screen door where appropriate.
  - Requiring carbon monoxide detectors.
  - Revising garbage storage requirements.
  - Removing land line emergency telephone requirements.
  - Changing potable water labeling requirements.
    - Working with the DOH Office of Drinking Water to review standards for drinking water systems for TWH, including the “same farm exemption” for water systems supplying TWH facilities.
    - Using “plain talk” in the rules when appropriate.

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<sup>2</sup> [Immigration and Nationality Act. 8 U.S.C. 1188.](#)

- Researching appropriate plumbing ratios for hand-wash sinks, laundry tubs or machines, and square footage ratios for minimum space requirements.
- The department will begin implementing other suggested internal process changes, including:
  - Providing materials that clarify the construction fees and processes, using the DOH web site or other resources.
  - Tracking the TWH construction activities in a separate budget from other construction activities.
  - Displaying the number of “occupied” beds for each licensed TWH facility on the department web site.
  - Rename the construction certificate a “certificate of completion.”

### **Performance Measures**

The department will monitor performance to assess whether the inspection process changes described above result in measurable process improvements. For example, regarding frequency of inspections, the department will track the timeliness and number of inspections conducted (currently about 86 percent of annual inspection goals). As a revised TWH fee structure is implemented and other rule changes are adopted, the department will use performance measures to assess the impact on TWH operations.