

May 26,2020

The Honorable Gavin Newsom
Governor of the State of California
1303 10th St., Suite 1173
Sacramento, California 95814

Dear Governor:

This communication is written to discuss the State's probable next epicenter precipitating a surge of mass infection of the COVID 19 virus. While sounding an alarm, we are also expressing the deep-rooted fears of the Mexican American community that we will soon face an abrupt and far-reaching calamity, eventually extending to the greater community in the State.

The Pandemic has already spread into the nation's meat plant industry, converting many into hotspots of infection sparking the spread of the virus into the local communities, while many begin to move aggressively towards reopening their local economies. Disturbingly, some governmental responses have been haphazard while President Trump has issued an Executive Order mandating that these sites remain open, even though there has been over 5,000 infections and 22 deaths. Nationally, Latinos represent 35% of impacted workers, African Americans 15% and others 15%, making the vast majority of those impacted people of color. Employer guidelines from the CDC and OSHA are primarily discretionary and have little enforcement capability. Troubling, with so many sites failing to institute effective infection control practices, Federal OSHA has not issued a single citation related to the Pandemic. Moreover, residents interviewed in some areas openly support the reopening of their States, conveying a lack of concern for the resurgence of infections since it involves "those" people referring to immigrants and people of color.

As you are aware, we are now in "peak" picking season (May, June, July) in our State with thousands of employees commencing work in dense and production intense working conditions, inherently susceptible to infection. This is repeated throughout our state with employers demonstrating various degrees of commitment for the safety of their employees. When combined with Latinos representing nearly 54% of the state's infected population, this is the makings of a "perfect storm" that potentially can devastate our community and eventually the entire State.

The current dilemma is exacerbated by the fact that in 2015 there were over 5,000 food processing and juice plants in California with over 350 in the Central Valley. This leads New York, the next largest state but with only half the number of food processing plants.

The national implications are also noteworthy, since the top 5 states with food processing plants account for 35% of the nation's residents. As is apparent, without comprehensive Pandemic standards and meaningful infection control mitigation, the meat packing fiasco will be greatly replicated and intensified in our State. Our own local canary in the coal mine has revealed an initial pattern of infection with 128 employees testing positive at the Hanford Meat Plant in Kings County and approximately 200 in Ruiz Foods in Tulare County.

It's important to stress that a failure to adequately address this impending crisis will not only trigger widespread infection but will ultimately have major consequences for our nation's food supply chain. Given the severity of the Pandemic, the food processing plant issue requires immediate comprehensive review, prompt mitigation and follow up at the State level. Although some initiative is being taken locally, it frequently appears incomplete, sporadic and varies in effectiveness by region. This is further complicated since many of the State's counties have insufficient funding to even operate a public health function. It stands to reason, in an emergency or crisis that presents widespread uncertainty and a probability of rapid escalation in the loss life, what is needed is not voluntary compliance but mandatory mitigation and enforcement.

Strong leadership and direction are absolutely required at the State level to prevent a devastating second wave as occurred with the Spanish Flu. In addition, while testing and tracing is key to control, it is only as effective as our commitment to producing timely data, active monitoring of infection control mitigation and enforcement at the work site. We have several recommendations for improving the effectiveness of the State's infection control strategy at the work site for your consideration. (See attached)

We must again stress that there is great distress within the Mexican American community that the Pandemic is about to have a major adverse impact on our community, especially if there is a failure to take prompt and meaningful action. Our historical memory brings forth our repeated confrontation with adversity and unfettered economic exploitation that almost always impact our families and overwhelms our communities. The Pandemic again underscores these frustrations, threatening our well-being and posing potential widespread loss of life. We request that you consider our recommendations and give this matter your utmost attention.

Finally, our community wholeheartedly supported your election because we believe in your integrity, sincerity as a leader and in your expressed commitment to serve the needs of all residents of the State. Despite our confidence in your administration, the Trump Administration has generated considerable mistrust and it may be appropriate for your office to conduct an outreach campaign to relieve this growing anxiety. May I suggest, spearheading a statewide internet conference to discuss this issue and to delineate your plans for infection control mitigation in the State's Food Processing Plants in California.

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I would also suggest that follow up internet conferences be conducted as the season progresses.

We would be reticent if we didn't make reference to the need for similar infection control mitigation amongst farmworkers, also considered essential worker. Future outreach campaigns should also include a discussion of oversight and mitigation at your level.

We are including a "White Paper" for your reference on infection controls at the worksite completed by Dr. Dvera Saxton, Ph.D.

Thank you for your consideration and in anticipation of your assistance, we would like to extend our utmost appreciation.

If you have any questions, please feel free to contact Raul Pickett at 559 920 6003 or at raul.pickett@gmail.com.

The following individuals and organizations endorse and respectfully submit the above letter.

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Assembly Member Rudy Salas, Jr.

Senator Ana Caballero

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Recommendations to Strengthen State Standards for Mitigation of
Infection Control at Food and Juice Processing Plants
May 20, 2020

1. Employers must incorporate the State's Pandemic infection control standards into "work-site plans" that reflect industry characteristics and addresses each site's short comings and remedial actions to be taken.
2. Employers must provide training to all employees on standards that will be followed and enforced at the worksite, including procedures for maintaining infection control. Informational material in appropriate language should be posted delineating best practices for infection control.
3. Worksites must be monitored by State/County for compliance and standards enforced. Employers should receive a clear delineation of consequences if they fail to implement approved infection control plans.
4. The duties of "contact tracers" should be expanded to include monitoring of work site compliance. Testing and tracing are only as effective as the follow up and monitoring that is executed. This is consistent with development of meaningful strategies geared towards controlling a highly infectious contagion and is consistent with development of mitigation strategies concerned with employee safety and that safeguard human life.
5. Testing should be provided to employees at the worksite with the cost covered by the State and or employer. This should be included as an essential component of the State's testing plan.