



March 3, 2025

Occupational Safety and Health Administration

U.S. Department of Labor

*Submitted via regulations.gov*

**RE: Docket No. OSHA-2012-0012: Temporary Labor Camps; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements**

Farmworker Justice submits this comment in response to the Department of Labor Occupational Health and Safety Administration's (OSHA) request for public comments entitled "Temporary Labor Camps; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements." Farmworker Justice is a national organization that works to empower farmworkers and their families to improve their living and working conditions, health, occupational safety, and access to justice.

We offer the below recommendations to further strengthen the information collection requirements to ensure the protection of temporary labor camp residents against communicable diseases.

**Information Collection: Expand the List of Prominent Symptoms**

The quality and utility of the collected information would be enhanced by expanding the list of prominent symptoms for camp superintendents to report on, as per 29 CFR 1910.142(l)(1). In particular, FJ recommends adding conjunctivitis and respiratory distress. These symptoms are particularly relevant because they are common indicators of avian flu (H5N1) and Covid-19, respectively.

Currently, the prevalence of avian flu (H5N1 and its variants) is growing rapidly across the country. Among infected dairy and poultry workers, conjunctivitis has been an early,

predominant symptom.<sup>1</sup> Early identification of outbreaks is imperative to keeping workers and other individuals living in temporary labor camps safe. Although the current strain of avian flu is primarily transmissible from animal to human, and there is a lower risk for human to human transmission, incidents of conjunctivitis should be collected and monitored by OSHA.

Similarly, respiratory distress is a common indicator of the airborne transmission of respiratory viruses such as Covid-19, which can be highly contagious. Adding respiratory distress to the list of prominent symptoms may aid public health officials in early identification and prevention of emerging Covid variants.

### **The Necessity of the Proposed Information Collection Requirements**

The proposed information collection requirements are of utmost importance in OSHA's mission to protect workers. No other federal agency requires temporary labor camp superintendents to report any type of health information. Temporary labor camp residents are often located in rural areas and have limited access to medical care, and thus information on communicable disease is unlikely to make it to public health authorities without the reporting requirement. Public health authorities' ability to quickly identify and contain the spread of communicable disease directly protects temporary labor camp residents' health and the health of their communities.

### **Notify OSHA in Addition to Public Health Authorities**

Neither camp superintendents nor public health officials have an obligation to report cases of communicable diseases back to OSHA, meaning that OSHA cannot extrapolate compliance rates with the reporting requirements or identify potential high-risk areas for workers. To properly gauge the utility of such information and compliance of affected entities (i.e. camp superintendents), the agencies responsible for enforcing the Temporary Labor Camp standards (OSHA or Wage & Hour Division (WHD), as applicable) should be notified of instances of communicable disease symptoms alongside public health officials. This would accomplish several objectives:

1. When cross-checked against public health records or other reports, it would allow the enforcing agency to identify camps who are out of compliance with the 29 C.F.R. 1910.142(l)(1)–(2) reporting requirements;
2. It would increase the enforcing agency's ability to accurately estimate the burden of the information collection requirements;
3. It would allow the enforcing agency to identify camps with high reporting rates, thus flagging potential dangerous working conditions that could be referred for investigation,

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<sup>1</sup> *Signs and Symptoms of Bird Flu in People*, CDC (Dec. 20, 2024), <https://www.cdc.gov/bird-flu/signs-symptoms/index.html>; *Interim Guidance for Employers to Reduce Exposure to Avian Influenza A Viruses for People Working with Animals*, CDC (Jan. 10, 2025), <https://www.cdc.gov/bird-flu/prevention/worker-protection-ppe.html>.

such as unsanitary housing facilities, which can contribute to the spread of communicable disease.<sup>2</sup>

Reporting communicable diseases directly to OSHA/WHd could be done with minimal burden on camp superintendents. The requirement could be equally as simple as requirements for reporting to public health officials: a duty to report the existence of an outbreak or communicable disease by telephone, email, or other equally fast method to OSHA, and note whether public health authorities have already been notified. There would be no need to share the identity of the affected individual(s) with OSHA.

### **Conclusion**

We appreciate the opportunity to comment on the Temporary Labor Camp Information Collection Requirements and appreciate the diligent work of the DOL in protecting temporary labor camp residents from communicable disease outbreaks and substandard housing conditions. We urge the DOL to incorporate our recommendations and rigorously enforce this regulation.

Respectfully submitted,



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<sup>2</sup> K. Mobed et al., *Occupational health problems among migrant and seasonal farm workers*, Cross-cultural Medicine-A Decade Later [Special Issue], West J. Med. 367 (1992), <https://pmc.ncbi.nlm.nih.gov/articles/PMC1011296/pdf/westimed00085-0157.pdf>.