

Coronavirus: Know Your Rights for Agricultural Workers



Stay Safe at Work

Last Updated March 31, 2020



Will my workplace stay open when many businesses are closed because of Coronavirus?

Yes. Michigan is allowing “essential components of the Michigan food and agriculture sector” to continue operating, such as meat and food-packing facilities, field work, dairy and poultry farms, greenhouses, and related transportation and delivery services. This means the Governor’s Executive Order 2020-21 to stay at home does not apply to farmworkers as they are deemed “critical infrastructure workers.”

What if I get sick or injured?

Report it to your crew leader and supervisors and stay at home or at your migrant camp. Call your doctor or clinic before you get medical care. Be sure to get care if you feel worse or you think it is an emergency. If you get sick or injured as result of performing your work, you have a right to workers compensation insurance to cover any medical costs; your employer should report any work-related injuries and illnesses, so that your care is covered.

If you’re sick,
stay at home.



What should my employer be doing to make sure my workplace is safe from Coronavirus?

The law requires your employer to make sure there are no known health and safety hazards. State and federal agencies are recommending that your employer should:

- Make and implement a plan for the job tasks and risks specific to your work environment.
- Increase physical distance between workers to at least 6 feet while at work.
- Separate workers by off-setting shift hours or days.
- Minimize sharing tools or equipment and make sure they are routinely cleaned and disinfected.
- Encourage workers who are sick to stay home; not require a doctor’s note for a respiratory illnesses.
- Have flexible sick leave policies including to care for sick family members.
- Provide clean drinking water and single use cups, clean toilets and a place to wash your hands with soap, near your worksite and allow you time to use them.



What protective equipment should I have?



Your employer should make sure the equipment you’re using is safe and clean. Depending on your job, your employer may also need to supply safety gear like gloves and protection for your eyes and mouth. This equipment should be properly fitted, regularly inspected and maintained. Personal protective equipment required to be used at work should be given to you free of charge.

What training should I get?



Your employer should provide appropriate training and information, in a language you understand, about your health and safety, how to use any protective equipment, and any new safety policies for Coronavirus.

Questions? Call us at (800) 968-4046



What if I think the conditions at work are dangerous to my health?

Your employer should take into consideration if you are at higher risk of COVID-19 illness because of your age, medical conditions, or are pregnant.

Tell your employer and ask your employer to fix the dangerous or unhealthy conditions or ask to be assigned to other work. Tell your employer you won't do the work unless things are made safe.

File a health and safety complaint with MIOSHA (see below).

If your employer doesn't fix things and there's not time for MIOSHA to inspect and correct the situation, you have the right to refuse to work in a situation that exposes you to serious injury or death. If it's safe, stay at work until your employer tells you to go home.

Can I get help if I can't work because of COVID-19?

If you are unable to continue working because you may have COVID-19, have come into contact with someone who has COVID-19, or have to provide childcare due to COVID-19, you should report it to your employer. You may be eligible for paid sick leave, unemployment, or other benefits through your employer.

Filing a Health & Safety Complaint

The agency in Michigan that investigates health and safety complaints is called "MIOSHA" You can ask MIOSHA to keep your complaint *confidential*. You can make a complaint in any language.

File as soon as possible. In some situations, the time limit is 30 days.

If it's urgent, make your complaint by **Phone: 800-866-4674**.

Otherwise send your complaint by mail, fax or online:

Mail: MIOSHA
P.O. Box 30644
Lansing, MI 48909

Fax: 517-284-7755

Online: <https://safetyhealthhazards.apps.lara.state.mi.us/>



Your employer is *not* allowed to retaliate against you for raising concerns about safety and health conditions at work.

If you think your employer is discriminating against you for filing a complaint, within 30 days, call the MIOSHA Employee Discrimination Section at 313-456-3109.

This flyer was created by Farmworker Legal Services and the Michigan Immigrant Rights Center. We provide free, confidential legal services.

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