

# COVID-19 INTERIM GUIDANCE FOR MIGRANT AND SEASONAL FARMWORKERS, THEIR EMPLOYERS, AND HOUSING PROVIDERS

## I. CONTEXT

- During the COVID-19 pandemic, workers on farms, ranches, and other agricultural operations are considered [critical infrastructure workers within the Food and Agriculture Sector](#).
- Maine's migrant and seasonal farmworkers are a crucial part of our farm economy and community.
- Maine's migrant and seasonal farmworkers are at high risk of group exposure if exposed to individuals with COVID-19 because their agricultural work often requires close contact between coworkers, group transportation, and group housing in camp or dormitory-style housing.
- According to [CDC Guidance for Agricultural Workers](#), farmworkers in shared housing are considered as a single household or family.
- Additional public health precautions are needed to protect our valued migrant and seasonal farmworkers.
- The Maine Department of Health and Human Services (DHHS), Department of Agriculture, Conservation, & Forestry (DACF), and the Maine Mobile Health Program have jointly issued this Interim Guidance to complement and enhance federal [CDC Guidance for Agricultural Workers](#), and to provide Maine-specific information, particularly for COVID-19 testing.

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## II. COVID-19 FUNDAMENTALS:

- COVID-19 is a respiratory illness caused by a novel (new) coronavirus called SARS-CoV-2.
- It is spread mainly person-to-person:
  - Between people who are in close contact with each other (usually when less than 6 ft apart for more than 15 minutes)
  - Through respiratory droplets expelled when someone sneezes, coughs, or talks
- Primary [symptoms](#) of COVID-19 include **fever, a cough, shortness of breath or difficulty breathing**, and possibly additional symptoms including:
  - Chills
  - Muscle pain
  - Sore throat
  - New loss of taste and smell
  - Increased fatigue
  - Nausea or vomiting
  - Diarrhea
- Most patients experience mild symptoms and can recover at home.
- Many infected people are asymptomatic and do not exhibit any symptoms, but can still be at risk for spreading the infection.
- About 20% of people with COVID-19 can experience severe symptoms and complications such as pneumonia and other acute medical conditions that may require hospitalization and mechanical ventilation and can result in death.
- The majority of individuals with COVID-19 to date have recovered.
- Several groups are at higher risk of developing severe COVID-19 complications, including:
  - Those who identify with racial and ethnic identities (currently defined as Hispanic, American Indian or Alaskan Native, Asian or Pacific Islander, and Black or African American)
  - Individuals over the age of 65
  - People with pre-existing medical conditions such as diabetes, chronic lung or heart disease, uncontrolled hypertension, severe obesity
  - People with compromised immune systems
- Agricultural workers with chronic lung problems associated with exposure to pesticides and fungi found in crops may also be at higher risk of developing severe COVID-19 complications.
- The incubation period between exposure to an individual infected with COVID-19 and the onset of illness is 2-14 days. Fifty percent (**50%**) of all individuals who go on to develop COVID-19 following an exposure do so within **5 days after exposure**. Ninety-five percent (**95%**) of all individuals who go on to develop COVID-19 following an exposure do so within **14 days after exposure**. [\[1\]](#)
- The infectious period for COVID-19 can last **10 days or more**. A person with COVID-19 is infectious and can pass on the virus **up to 48 hours before they exhibit symptoms** and during the **entire duration of their illness**. [\[2\]](#)

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- The virus is thought to persist in a transmissible state on **cardboard surfaces** for up to **24 hrs** and on **hard, non-porous surfaces** for up to **2-3 days**. [3]
- The virus breaks down more quickly when subjected to sun and heat; the risk of contagion is generally considered to be lower in outdoor spaces than enclosed spaces. [4]. However, even in outdoor areas, there are still considerable risks of spreading COVID-19 infection when people are in close contact with others (i.e., within 6 ft) and/or in large groups. Therefore, even in outdoor spaces, careful attention should be paid to maintaining 6 ft distancing and careful hand hygiene.
- *Employers are encouraged to observe a 14-day quarantine for newly arriving workers. If time does not permit a full 14-day quarantine, they alternatively may consider conducting universal testing for migrant and seasonal farmworkers within the first 72 hours of arrival.*

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## III. DEFINITIONS

- **Coronaviruses** are a large family of viruses that are common among people and many different species of animals.
- **COVID-19** (coronavirus disease 2019) is the disease caused by a novel (new) coronavirus named SARS-CoVID-19 that was first detected in humans in December 2019.
- **Cohorting** is the practice of isolating multiple individuals with laboratory-confirmed COVID-19 together as a group or quarantining close contacts of a particular case together as a group.
  - Ideally, individuals with known COVID-19 disease should be isolated individually; individuals who have been identified as close contacts should be quarantined separately. However, some work and housing facilities do not have enough individual rooms to do so and must consider cohorting as an alternative to individual isolation or quarantine.
- **Isolation** is the practice of keeping an ill person away from others; individuals with laboratory-confirmed COVID-19 are advised to self-isolate for at least 14 days.
- **Quarantine** is the practice of keeping those who have been exposed to the disease away from others who have not been exposed.
  - Individuals identified as having had close contact with someone diagnosed as having COVID-19 are advised to quarantine for 14 days.
  - Quarantine may also mean the voluntary 14-day self-quarantine of individuals who may not have been exposed to the disease but have traveled to Maine to work. Employers are encouraged to quarantine their workers for 14 days upon arrival in Maine if the schedule allows.
  - Payment of quarantined workers, whether on arrival in Maine or due to exposure to COVID-19, can be covered by the Family First Coronavirus Response Act. See [Maine DCF Agricultural Employers Guide to the Families First Coronavirus Response Act](#).
- A **case** is a person who is infected with coronavirus and has COVID-19.
- A **contact** is a person who may have been exposed to a person suspected or confirmed to be positive for COVID-19 infection.
- **Exposure** to COVID-19 is defined as:
  - Being in household contact with someone who is presumed to have COVID-19, or has a laboratory-confirmed positive test for COVID-19, or
  - Having a history of being closer than 6 ft with an individual presumed or confirmed to be positive for COVID-19 for 15 minutes or more any time during their infection, and up to 48 hours before they exhibited symptoms.
- **Camp** means any employer-provided or other housing, including a dormitory, tent, trailer, house, motel, townhouse, or any other place housing seasonal farmworkers.
- **Transportation** means any employer-provided or other vehicle used to transport agricultural farmworkers.
- A **migrant farmworker** is defined as an individual who is required to be absent from a permanent place of residence for the purpose of seeking remunerated employment in agricultural work. This includes workers from the H-2A Temporary Agricultural Worker visa program. The term can be used interchangeably with the word “employee” and “worker.”

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- **Seasonal farmworkers** are individuals who are employed in temporary farm work but do not move from their permanent residence to seek farm work; they may also have other sources of employment. The term can be used interchangeably with the word “employee,” “worker,” and “temporary farmworker.”
- **Employer** means any individual, family member, corporation, partnership, joint venture, firm, company, or other legal entity, or any officers or agents, in immediate possession of any farm as owner or lessee, who is responsible for its management and conditions. This includes farm labor contractors.

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**IV. GUIDANCE**

- This guidance outlines best practices to maintain the health and safety of migrant and seasonal farmworkers (MSFW) and the health of the agricultural economy and Maine’s food supply chain.
- Implementation of these guidelines is essential for any employer and owner or operator of a farm labor camp to minimize the risk and potential exposure of COVID-19 throughout Maine.
- Please note that this guidance does not exempt any person from complying with any applicable state or federal laws.
- Please note the laws that serve to protect the health of MSFWs:
  - [Migrant and Seasonal Agricultural Worker Protection Act \(MSPA\)](#)
  - [Occupational Safety and Health Act of 1970 \(OSHAct\)](#)
- Employers should cooperate with the Maine Center for Disease Control and Prevention (Maine CDC) and their local Maine CDC Public Health District Liaison for infection control guidance and outbreak response, including additional transportation and housing needs. They should contact them with any questions or concerns.
  - Maine CDC website: <https://www.maine.gov/dhhs/mecdc/>
  - CDC Local Public Health Districts: <https://www.maine.gov/dhhs/mecdc/public-health-systems/lphd/index.shtml>

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**V. COVID-19 PREVENTION AND CONTROL MEASURES**

*The following steps are to be taken to minimize the spread of COVID-19 during agricultural activities, as well as in shared housing and transportation. Farm operations will vary across the state; these measures present the best practices for strong public health protection.*

**I. PLANNING FOR COVID-19**

- a. Farms and agricultural employers should designate a workplace leader for COVID-19 planning and response.
- b. Employers should create a COVID-19 plan that includes:
  - i. Preventive measures to minimize the risk of COVID-19 spread in **housing, transportation, and during work activities.**
  - ii. Logistical measures to address the provision of necessities like groceries, cleaning supplies, and access to communication for workers.
  - iii. Training and education measures to provide workers information in their languages of origin.
  - iv. Contingency plans in the event of a suspected or presumed positive case of COVID-19 that address **alternate housing, access to medical care, provision of supplies and necessities, and potential exposure of other workers.**
- c. Employers should identify and assemble contact information for critical parties in the event of a suspected or confirmed positive case.
- d. Employers should determine terms of pay for workers in the event of any work disruption due to COVID-19 exposure, illness, or precautions. Terms should be communicated clearly to workers.

**II. ON ARRIVAL TO MAINE**

- a. Employers are strongly encouraged to quarantine arriving workers for 14 days, if possible, and to monitor workers daily for COVID-19 symptoms during this initial quarantine period.
- b. Employers are strongly encouraged to provide universal COVID-19 laboratory testing for all workers within 72 hours of their arrival and quarantine until such testing determines that workers are negative.
  - i. If a worker tests positive on arrival, test results will be communicated by the lab to the individual and Maine CDC for contact tracing and isolation of the infected individual(s) along with quarantine of known contacts. Employees and/or employers are also encouraged to contact the Maine Mobile Health Program (MMHP) for additional linguistically and culturally appropriate support. MMHP will provide care coordination and medical support for COVID+ individuals in collaboration with Maine CDC. See sections VIII through XII below for more details.
- c. ***Testing of workers, whether showing symptoms of COVID-19 or not, upon arrival is allowed. See Section IX below for more details.***
- d. Employers should clearly communicate financial arrangements for initial quarantines, if applicable, with workers in a language and format they understand.

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- e. NOTE: Payment of quarantined workers on arrival in Maine can be covered by the Family First Coronavirus Response Act. See [Maine DACF Agricultural Employers Guide to the Families First Coronavirus Response Act](#).

### III. FORMING HOUSEHOLD GROUPS

According to [CDC Guidance for Agricultural Workers](#), farmworkers living in shared housing are considered a single household or family.

- a. Employers should assess agricultural operations to adjust assignments to reflect household groups or 'blocks' of household groups. Alternatively, employers should assign housing based on work unit assignments.
- b. Workers should travel with members of their household and should work with members of their household or a limited 'block' of households to minimize exposure and control potential spread.
- c. Household groups should follow [the CDC's Households Living in Close Quarters Guidance](#).
- d. Household groups should wear cloth facemasks and Personal Protective Equipment (PPE) as appropriate when in close physical proximity (closer than 6 ft min. distance) to members of other household groups.

### IV. IN HOUSING

Farmworkers in shared housing should follow [the CDC's Households Living in Close Quarters Guidance](#). Employers and workers should follow [the CDC's Guidance on Cleaning and Disinfecting for Households](#).

- a. Employers should reduce the number of workers per housing unit wherever possible to reduce the potential for exposure and spread of COVID-19.
- b. Employers must post basic guidance in worker housing in the languages understood by workers about COVID-19 and steps to prevent transmission.
- c. Employers must take steps to promote physical distancing in housing by:
  - i. Modifying bed configurations to allow at least 6 ft between beds.
  - ii. Minimizing the use of bunk beds where possible.
  - iii. Installing flexible plastic screens (not shower curtains) between beds where it is not possible to provide at least 6 ft distance between beds.
  - iv. Consider establishing head-to-toe sleeping arrangements with 6 ft distance between beds to increase the distance between sleepers' respiration.
  - v. Consider arranging furniture or removing excess furniture in common areas to create at least 6 ft of open space between furniture.
  - vi. Consider installing plastic shields between side-by-side sinks in bathrooms.
  - vii. Encouraging workers to wear face masks or cloth face coverings whenever possible.
- d. Employers must ensure there is good ventilation in all living spaces, and particularly in sleeping areas, by providing screened, openable doors and/windows or ventilation devices.
- e. Employers must also:

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- i. Ensure bathrooms and sinks are always supplied with soap and disposable towels and hand sanitizer if possible.
  - ii. Supply disposable tissues and trash bins.
  - iii. Supply cleaning services or supplies appropriate to COVID-19 in adequate quantities, with necessary instruction and PPE.
  - iv. Provide access to laundry facilities or service if requiring workers to wear and clean cloth facemasks and limiting the number of workers using a laundry room to one at a time and avoiding shaking dirty laundry
- f. Living spaces should be frequently cleaned and disinfected regularly with appropriate cleaning materials for COVID-19.
- g. Employers should provide workers with easy-to-clean personal storage space for their belongings.
- h. Floors should be made of materials that can withstand regular wet-washing.
- i. Workers should not share dishes, utensils, or drinking glasses or cups. Workers should use dishwashers or handle used dishes with gloves and wash with soap and hot water.
- j. When socializing outside of their household group, workers must:
- i. Maintain physical distancing of at least 6 ft minimum.
  - ii. Wear cloth facemasks wherever physical distancing is not easy to maintain.
  - iii. Minimize gatherings to less than 50 people.
- k. It is recommended that workers avoid entering other housing units to limit any potential spread of COVID-19.
- l. Workers should plan trips to obtain necessities (groceries, supplies, etc.) to minimize the potential for exposure for the household. Measures could include designating one person to do group shopping, taking fewer trips, or sending a smaller group.
- m. Workers who are presumed or confirmed positive for COVID-19 should be housed separately. See Section VIII for more information.

### V. IN TRANSPORTATION

*Transportation for health appointments may be provided by the Maine Mobile Health Program who has partitioned vehicles and a rigorous program for sanitizing them between patients. 1-888-351-9634.*

- a. Workers should be transported with members of their household group as much as possible.
- b. Employers should increase the number of vehicles or the frequency of trips to reduce the amount of workers in each vehicle.
- c. Employers must implement social distancing while transporting workers to and from their residency and place of work.
- d. Workers should be provided with hand sanitizer to sanitize hands before entering the vehicle.
- e. Drivers and passengers must wear facemasks or cloth face coverings at all times during transport.
- f. Vehicles must be [sanitized](#) before and after all trips, or at minimum daily.
- g. These protocols must be followed if employers provide additional transportation to town centers or for personal errands.

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### VI. AT WORK

*Workers should be screened for COVID-19 symptoms, including temperature checks, before beginning work. Maine Mobile Health Partnership (MMHP) can provide telehealth screenings for groups of workers in their languages of origin and can refer symptomatic individuals for clinical treatment. Employers should take steps to maintain worker privacy during screenings and physical distancing while waiting to be screened.*

- a. Workers should be screened for COVID-19 symptoms before every work shift. Workers with temperatures over 100.4°F or showing symptoms of COVID-19 should not be allowed to work.
- b. Conducting COVID-19 symptom screening before boarding group transportation is recommended
- c. Employers must adapt work processes to minimize the density of workers and maintain physical distancing of at least 6 ft by:
  - i. Staggering shifts, including start times and breaks.
  - ii. Scheduling breaks by household units or 'blocks' of household units.
  - iii. Reducing crew size where possible.
  - iv. Instructing workers to maintain 6 ft away from each other.
  - v. Using alternative measures like facemasks, face shields, or plastic barriers between workers
- d. Employers should implement administrative and controls that reduce congestion at locations such as areas used for breaks and meals, doorways, time-clocks, entrances to vehicles used for transportation, etc. These controls should include adding extra or touchless time-clocks and vending machines, staggering break, meal, arrival, and dismissal times.
- e. Employers must provide facemasks or cloth face coverings to workers.
- f. Facemasks or cloth face coverings should be changed when they become wet, soiled, or otherwise visibly contaminated. Used masks should not be worn again until they have been washed.
- g. If employers require workers to wear facemasks or PPE, workers should be provided adequate rest breaks, access to water, and shade to prevent heat-related illness.
- h. Workers should not share tools. If tools or equipment are used by multiple workers, they should be cleaned and disinfected between each worker's use, if possible.
- i. Employers should develop protocols for daily cleaning and sanitation of work sites, including targeted and more frequent cleaning of high-touch areas (e.g., time-clocks, bathroom fixtures, vending machines, railings, door handles).
- j. Workers should be provided time and access to facilities to enable increased frequency of handwashing.
- k. Employers should consider increasing the number of handwashing facilities available to minimize the distance to facilities and to decrease the likelihood of crowding.
- l. Handwashing facilities must have clean water, soap, paper towel, and waste receptacles. They must be cleaned and disinfected on a regular schedule with cleaning supplies appropriate for COVID-19.

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- m. If soap and water are not available and hands are free of visible soil, alcohol-based hand sanitizer that contains 60%-95% alcohol may be used.

### VII. COMMUNICATING WITH WORKERS

*[Federal](#), State, and local agencies such as the Maine Department of Health, Maine CDC, local Federally Qualified Health Centers have educational resources available. [Maine Mobile Health Program](#) (MMHP) has low-literacy materials in multiple languages, including Spanish and Haitian Creole, and health educators available to provide both materials and on-site education. 1-888-351-9634*

- a. Employers must collaborate with appropriate agencies to identify culturally, linguistically, and literacy-level appropriate posters and educational materials for workers.
- b. **Employers must provide training and information, including:**
  - i. Signs and symptoms of COVID-19
  - ii. How COVID-19 spreads
  - iii. Risks for workplace exposure
  - iv. How to protect themselves from COVID-19 spread:
    - 1. Physical distancing
    - 2. Hand washing and hygiene
    - 3. Not touching the mouth, nose, or eyes
    - 4. Coughing or sneezing hygiene
    - 5. Cleaning and disinfecting frequently touched surfaces
  - v. Farm specific social distancing practices
  - vi. Steps to take if they get sick
  - vii. Employer policies for COVID-19:
    - 1. Disinfection protocols
    - 2. Housing and worker isolation
    - 3. Sick leave policies, etc
- c. Employers must allow frequent communication between any workers who are confirmed positive for COVID-19 and their healthcare provider until the workers fully recover or have a negative COVID-19 test.
- d. The worker or employer must inform the healthcare provider immediately of any change in the worker's clinical status.
- e. The healthcare provider may conduct telephone or audio-visual telehealth assessments of living settings to ensure it is appropriate for patient self-isolation.

### VIII. SUSPECTED OR CONFIRMED CASES OF COVID-19

- a. Workers exhibiting symptoms of COVID-19 must be immediately removed from the work or group setting and provided with options for medical care and testing. Maine Mobile Health Program can directly provide testing, medical care, and/or referrals.
- b. Workers with symptoms of COVID-19 must be transported separately from other workers and must not work.
- c. Any tools, equipment, work areas, or common areas used by the ill worker must be cleaned and disinfected with supplies appropriate for COVID-19.

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- d. Employers or housing providers must contact Maine CDC with any laboratory-confirmed cases of COVID-19 in addition to any reporting to Maine CDC already being done by the lab. Cases can be reported 24/7 by calling the Maine CDC Epidemiology line at 1.800.821.5821. [5]
- e. OSHA requires agricultural employers to report to local health officers the name and address of any individual in their camp known to have or suspected of having a communicable disease. OSHA 1910.142 Temporary Labor Camps: (1) and (1)(2) Reporting Communicable Disease. OSHA Maine contact numbers: Augusta: 626-9160.
- f. Workers with suspected or confirmed COVID-19 must immediately be isolated to prevent further spread to other workers. The individual must be provided with a separate living space and bathroom away from others. Employers must ensure that workers have enough food, water, supplies, and transportation to medical care.
- g. If the worker with suspected or confirmed COVID-19 is isolated within shared housing, designate one person to care for them to limit the risk of spread.
- h. If unable to effectively isolate the workers within the current living setting, alternate housing must be provided.
- i. Employers are encouraged to identify temporary isolation housing for workers who test positive and cannot be safely housed in isolation at the site. Employers may work with Maine DHHS and Maine CDC for this purpose.
- j. Employers must work with Maine CDC to identify any workers who were in close contact with the infected worker and follow Maine CDC guidance on the need to quarantine, screen, and watch for symptoms with those individuals. Cases can be reported 24/7 by calling the Maine CDC Epidemiology line at 1.800.821.5821.
- k. Employers must inform any person who may have been exposed to the ill worker while maintaining the worker's confidentiality as required by the Americans with Disabilities Act.

### IX. UNIVERSAL TESTING OF WORKERS

*Under [the new DHHS Standing Order announced on June 8, 2020](#), people in Maine with elevated risk can get a COVID-19 test with or without experiencing symptoms, including migrant and seasonal agricultural workers. As a result, employers are encouraged to consider universal testing for migrant and seasonal farmworkers.*

- a. In the event of one confirmed case of COVID-19 in a congregate housing situation, universal testing is advised for other residents and staff in that unit or building. Depending on availability and other factors, either Maine Mobile Health Program or other cooperating health facilities can provide testing services. Maine CDC and Maine Mobile Health Program will work directly with workers and/or employers to ensure that appropriate testing is available in a timely way.
- b. The turnaround time for testing will depend on the availability of the rapid testing system and staffing. Efforts will be made to provide rapid testing whenever possible.
- c. Testing may happen on-site, at a local health center, emergency room, swab, and send site.

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- d. Workers awaiting test results who are asymptomatic should continue to quarantine. See Section XI below for Return to Work details.
- e. Workers awaiting test results who are symptomatic should continue to quarantine and should not work.

### X. HEALTH CARE COVERAGE

*The Office of MaineCare has guidance for [Uninsured Individuals](#). Undocumented non-citizens may also receive treatment and care for COVID-19 at no cost through [Emergency MaineCare](#).*

*Health insurance coverage and/or immigration status should not be deciding factors in determining whether to provide testing to workers.*

- a. Costs related to testing and treatment for COVID-19 will not be charged to the employer or worker and should generally be covered either by any existing health insurance coverage the worker may have (i.e., Medicaid/MaineCare), Emergency MaineCare coverage or through the Maine Mobile Health Program's FQHC voucher fund. In appropriate situations, MMHP can work to assist workers applying for Emergency MaineCare coverage if in-patient or hospitalization is required. 1-888-351-9634
- b. Any hospitalization or isolation housing provided by the Maine State Housing Authority will not be charged to employers or workers.

### XI. RETURN TO WORK

*Workers should follow all directives of their healthcare providers. Employers should make plans following [the CDC's Guidance for Discontinuation of Isolation of Persons with COVID-19](#).*

- a. Workers with symptoms of COVID-19 should not be working in any capacity.
- b. A worker who had COVID-19 symptoms in isolation can be released from isolation and return to work only under the following circumstances:
  - i. At least 3 full days (or 72 hours) have passed without a fever, *without the use of fever-reducing medications*, AND;
  - ii. Other symptoms are greatly improved AND;
  - iii. At least 10 days have passed since symptoms first started.
- c. Workers with laboratory-confirmed COVID-19 who have not had ANY symptoms may discontinue isolation when at least 10 days have passed since the date of their first positive COVID-19 diagnostic test AND they continue to have no symptoms.
- d. If a large number of asymptomatic workers are COVID-19 positive, they should self-isolate for at least 10 days, if at all possible. If circumstances require that this group work, efforts should be made to allow them to work together, independent from other groups who are negative or have not been tested yet.
- e. After returning to work, employees must continue to maintain good personal hygiene, including washing their hands frequently and for at least 20 seconds each time.

### XII. MAINE MOBILE HEALTH PROGRAM

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*Employers in Maine are encouraged to use the services of the Maine Mobile Health Program, Maine's mobile federally qualified health center (FQHC), which has a multilingual team that speaks Spanish and Haitian Creole. MMHP services include:*

- a. A 24-hr support line (1-888-351-9634) that is staffed during business hours, and has a 24-hr nurse triage line that can address concerns about sick workers.
- b. On-site or telehealth symptom screening and COVID-19 testing.
- c. Access to medical and behavioral health care for workers through mobile clinics or by referral.
- d. Education to workers and/or employers through phone or video calls, or in open-air environments. This can include training-of-trainers.
- e. Providing technical assistance, including:
  - i. Reviewing plans for safe practices for workers and operations.
  - ii. Guidance on when workers need to be in quarantine and advising on when workers may return to work.
  - iii. Providing clinical support to triage symptoms and strategize access to care.
  - iv. Multilingual staff to speak directly with workers in their own languages.

### XIII. EMPLOYMENT-BASED PROTECTIONS FOR WORKERS

*[OSHA](#) requires all employers to provide a workplace free of known health or safety hazards.*

- a. Workers are eligible for earned sick leave under the [Family First Coronavirus Response Act \(FFCRA\)](#) beginning at the first moment of employment.
  - i. Workers arriving at a farm are considered hired and reporting to work. This applies to all employees regardless of immigration/documentation status. **H-2A workers and undocumented workers are equally covered.**
  - ii. Employers with **up to 500 employees** must provide up to 80 hours of job-protected emergency paid sick leave for employees to care for themselves or a loved one for coronavirus illness, symptoms, or quarantine. All workers, including full-time, part-time, and temporary workers, are covered under this law.
  - iii. Employees with **less than 50 employees** may waive the requirement to provide up to 80 hrs of emergency paid sick leave. However, they are encouraged to provide it as sick leave is covered by the Family First Coronavirus Response Act, and costs can be reimbursed.
- b. Workers may be eligible for Workers Compensation if they get COVID-19 while working:
  - i. If a person contracts the virus because he/she worked with someone who had the virus, or contracted the virus for any other work-related reason, that person could be eligible for Workers' Compensation and would file through their employer.
- c. Workers should be provided contact information to address any safety problems or concerns in their languages of origin.