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OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

February 13, 2014

Marley Hart, Executive Officer
Occupational Safety and Health Standards Board
2520 Venture Oaks Blvd, Suite 350
Sacramento, CA 95833

RE: Petition for Standard for Illumination of Night-time Agricultural Field Operations to supplement requirements for work area lighting near agricultural equipment and trucking operations

Dear Ms. Hart:

This is a petition requesting development of an Agricultural Safety Order for Illumination of Night-time Agricultural Field Operations to specify minimum lighting requirements for areas of agricultural fields where workers are working at night. We ask that the regulation address and provide a standard for work on the ground in all areas where workers are working, on moving platforms, on paths used to reach sanitary facilities or parking areas and within bathrooms and parking areas. This petition is being submitted to supplement the Request for Amendment of Title Section 3441(g) which DOSH submitted to the Board in December which is limited to providing a minimum illumination standard for work area lighting and requiring reflective vests within 25 feet of operating tractors, trucks and self-propelling or towed equipment. We note that the Form 9 request does not address work on moving platforms. We recommend combining these requests.

Night-time harvest is becoming increasingly common throughout rural California in many crops including but not limited to: blueberries, corn, grapes, lettuce, onions, potatoes and tomatoes.

There is an urgent need for development and adoption of an agricultural night work lighting standard. The General Industry Standard for Illumination (GISO 3317) does not specify minimum level of illumination necessary in outdoor agricultural fields to allow workers to avoid tripping on uneven ground, contact with spiders, snakes, wild animals, overhead power lines, collision or run over by machinery or other vehicles or falls into irrigation ditches or ponds. In the absence of an illumination standard we have observed a wide range of illumination practices. In some fields headlights from passenger vehicles are the only light provided. In other fields lighting illuminates the plants well at the level where the crop is harvested but leaves the ground dark so workers stumble on rocks and holes. Lack of lighting on the paths to the bathrooms and side of the field and within the bathrooms is a very common concern of fieldworkers. Comprehensive plans to address night safety hazards area also needed.

We recommend the following language for an Agricultural Safety Order for Illumination of Night-time Agricultural Field Operations:

- (a) When outdoor agricultural work is performed anytime between sunset and sunrise lighting shall be provided in all areas where workers may be on the ground or on moving platforms in loading and preparation areas, in the field, on paths used to reach sanitary facilities or parking areas and in sanitary facilities and parking areas. Area lighting shall be the primary source of lighting and the minimum level of illumination in these areas shall be 10 foot candles. Light shall be directed at appropriate angles to provide illumination of work tasks and ground surface and shielded to minimize glare at the ground surface in areas employees are working in or need to walk in.
- (b) Sanitary facilities (toilet and hand-washing facilities) used in field work between sunset and sunrise shall be equipped with internal and external working lights which are illuminated at all times or turn on automatically when workers are approaching or leaving facilities and when facilities are in use.
- (c) All outdoor agricultural workers working between the hours of sunset and sunrise shall be provided, and shall wear, a high visibility reflective vest. The vest shall be selected so as not to impede the employee's work or otherwise endanger the employee.
- (d) Employers are responsible for providing and maintaining lighting.
- (e) Where outdoor agricultural work is performed between sunset and sunrise, employers shall have a written plan for night work safety which addresses the following: This plan may be part of the Illness and Injury Prevention Plan.
 - i) a traffic plan for mobile equipment, vehicles and pedestrian traffic both on field roads and adjacent to public roadways
 - ii) designation of safe areas for employees to gather to start and end work, take breaks, and for location of sanitary facilities where traffic exposure is minimized
 - iii) a system for accounting for location of workers
 - iv) lighting or marking of any water hazards
 - v) pest and wild animal awareness and hazard prevention (eg. to prevent mosquito and snake bites)
 - vi) waterproof boots and garments for protection from wet ground and plants where applicable.
 - vii) circumstances when personal lighting such as flashlights or headlamps will be provided based on the nature of the work assignment or conditions

In closing, we reiterate that this petition is being submitted to supplement the Request for Amendment of Title Section 3441(g) which DOSH submitted to the Board in December which is limited to providing a minimum illumination standard for work area lighting and requiring reflective vests within 25 feet of operating tractors, trucks and self-propelling or towed equipment. We note that the Form 9 request does not address work on moving platforms. We strongly recommend combining these requests.

Sincerely,

Anne Katten

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