

CALIFORNIA

# Farmworkers keep dying from heat illness, 20 years after California vowed to protect them



The view from a drone of farmworkers harvesting tomatoes Friday in Woodland.



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Photography by **Fred Greaves**

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- Two decades after California enacted a landmark heat safety law, farmworkers are still getting sick and sometimes dying from preventable heat illness.
- Cal/OSHA says it is working to improve enforcement, even as several lawmakers say that laborers continue to be exposed to brutally hot working conditions.

**KNIGHTS LANDING** — Though it was not yet noon, the temperature was already inching toward triple digits, and it felt even hotter for the scores of farmworkers hunched in the rows of watermelon plants in this field tucked by a bend in the Sacramento River north of California’s capital. They were clad in long-sleeved shirts, pants, and face coverings to protect their skin from the sun and the tiny spikes on the watermelon vines, and they were stooping and standing over and over again, painstakingly plucking flowers off each plant.

Their boss, Jose Chavez, said he tries to be vigilant about the danger of heat illness, making sure there is plenty of drinking water in the fields and that workers can take breaks in the shade and knock off early on blistering days. It’s a lesson he said he learned the hard way, after having to summon ambulances to the fields in past summers because workers were hobbled by heat stroke.

“We learned from that,” he said. “When you start taking people to the hospital, it’s not fun.”

That lesson, however, has not stuck with many employers, and 20 years after California enacted a landmark heat safety law, farmworkers across the state are still getting sick and sometimes dying from preventable heat illness. Advocates and some lawmakers say a toothless enforcement system is often to blame.





The sun shines above workers harvesting tomatoes Friday in Woodland.

The law “is failing because of a lack of enforcement. It’s not doing what it was intended to do,” said state Sen. Dave Cortese (D-San Jose), a former farmworker who carried legislation last year supported by the UFW. It would have made it easier for farmworkers to receive workers’ compensation if they were stricken by heat illness on

the job and their employer had not followed heat rules. The measure was [vetoed](#) by Gov. Gavin Newsom.

“It is the kind of thing that should be keeping legislators up at night,” Cortese added. “People are dying.”

Last month, the California state auditor [blasted the California Department of Occupational Health and Safety](#), finding, among other problems, that the agency’s inspectors failed to take proper action when workers suffered heat illness on the job. The audit also found that the agency was understaffed, and many of its procedures out of date.

In addition, a Times review of several recent heat deaths on California farms found cases where Cal/OSHA issued few or no penalties, even when workers died. In May of 2023, for example, a worker harvesting corn near Brawley fell behind his colleagues and then complained of stomach pain and began convulsing. He was rushed to the hospital, where he died of heat stroke, organ failure, and “underlying medical issues.” Cal/OSHA closed its investigation with no penalties, according to records.

ears brush from a farm irrigation channel in Woodland.

A farmworker makes repairs to a tractor in a recently harvested field Friday in V

In a statement, Cal/OSHA Deputy Director of Communications Daniel Lopez said officials “acknowledge the state auditor’s findings and recommendations” and were working to make improvements. The statement also said Cal/OSHA has recently created an Agricultural Enforcement Task Force to improve working conditions for

farmworkers.

The enforcement lapses come at a time when farmworkers — many of whom lack legal status and fear deportation — are already hesitant to voice complaints about working conditions, fearful that employers could retaliate by reporting them to immigration authorities. It is estimated that [more than half of California's approximately 350,000 farmworkers are undocumented.](#)

This week, as the hottest temperatures of the summer descend just as harvest season hits its peak — and at a time when the Trump administration has stepped up immigration raids across California — some say farm laborers face more risks than ever.

“Over and over again, we have seen farmworkers go without the heat safety protections they are legally entitled to,” said Teresa Romero, president of the United Farm Workers union. The state’s heat illness prevention enforcement system “isn’t working.”

The view from a drone of farmworkers harvesting tomatoes Friday in Woodland.

California's landmark heat laws [were put in place](#) in August of 2005, with then-Gov. Arnold Schwarzenegger announcing new measures while standing with the family of a farm laborer, Constatino Cruz, who had died of heatstroke.

Cruz was the fourth farmworker to die in that brutal summer 20 years ago, in which heat deaths also claimed a man picking bell peppers in Arvin, a melon picker in Fresno County and a grape picker in Kern County. All had been laboring in the fields

when temperatures were above 100 degrees.

The rules, which were the first of their kind in the country, require bosses to provide outdoor workers with fresh water, access to shade when the temperatures climb, and breaks to cool off whenever workers request them. Employers are also required to have a heat illness prevention plan and train supervisors to recognize the signs of heat stroke and seek medical help.

But the law was far from a panacea. In 2009, the American Civil Liberties Union and the United Farm Workers union sued Cal/OSHA, saying the statute was too weak and the agency's enforcement was "woefully inadequate."

The suit said 11 farmworkers had died since the law went into effect.

Three years later, the nonprofit law firm Public Counsel filed another suit, alleging that the state's failure to enforce the problems had persisted, and that farmworkers were continuing to die.

Farmworkers maintain squash plants growing on a farm Friday in Woodland.

In 2015, the state settled both lawsuits, agreeing to focus on enforcement of heat safety violations, as well as making complaints more accessible.

Since the law was enacted, climate change has pounded the state with more frequent and intense heat waves, with little relief even at night. And in recent years, the enforcement problems have continued.

A [2022 study](#) by the UC Merced Community and Labor Center found that many farmworkers were still laboring without the protections. Of more than 1,200 workers surveyed, 43% reported that their employers had not provided a heat illness prevention plan and 15% said they had not received heat illness prevention training.

Last year, [a Times investigation](#) found that Cal/OSHA inspections had dropped by 30% from 2017 to 2023, and the number of violations fell by more than 40%.

Assemblywoman Liz Ortega (D-San Leandro) said last year that there were “dangerous and illegal” working conditions on many California farms. “To say I’m infuriated is an understatement,” she said. “I don’t want to hear any more excuses. It’s excuse after excuse, year after year.”

This year, Assemblywoman Dawn Addis (D-Morro Bay) introduced another proposed law, similar to the one Newson vetoed last year, making it easier for farmworkers to receive workers’ compensation. The bill, which faced opposition from farm interests, was approved by the Assembly, but held over at the end of the legislative session.



; make adjustments to machinery while harvesting tomatoes Friday in Woodland.

As the heat wave settled over California this week, workers in the watermelon field near Knights Landing said they were coming into work earlier — at 6 a.m. — and leaving earlier, to stay ahead of the heat.

As the sun beat down, water jugs were stationed every few yards and tarps providing shade coverage were stationed around the perimeter of the rows of crops.

Chavez , the boss, said he had not seen any of his workers suffering from heat stress recently. “Not this year, thank God,” he said.

*This article is part of The Times’ [equity reporting initiative](#), funded by the [James](#)*

[Irvine Foundation](#), exploring the challenges facing low-income workers and the efforts being made to address California's economic divide.

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Jessica Garrison writes about Northern California for the Los Angeles Times. She has previously covered Los Angeles City Hall, courts, education and the environment. As a reporter, her work has won a National Magazine Award for Public Service, among other honors. Work she has edited has won a George Polk Award and was a finalist for a Goldsmith Prize. Her book, "The Devil's Harvest," told the story of a contract killer who stalked Central Valley farm towns for years while authorities failed to bring him to justice. She is a graduate of UC Berkeley.