



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY
PO Box 47824 Olympia, Washington 98504-7825

September 13, 2024

RE: TEMPORARY WORKER HOUSING WITH 9 OR FEWER H-2A OCCUPANTS

Dear H-2A growers, agents and grower representative:

On September 6, 2024, a change of procedure regarding housing inspection was communicated to H-2A growers, agents, and grower representatives as Employment Security Department (ESD) sent a notification to H-2A employers, agents and representatives who have requested 9 or fewer H-2A agricultural workers on their ETA 790 application. Historically, ESD has worked with Washington Department of Labor and Industries (L&I) as the primary agency to conduct inspections for sites with 9 or fewer occupants and provide ESD with their results. ESD and Department of Health (DOH) Temporary Worker program have agreed DOH can inspect and license TWHs with 9 or less occupants when used to house H-2A agricultural workers. **This change in procedure from L&I to DOH being the primary agency to inspect is effective November 1, 2024.**

We appreciate your patience as DOH starts to add new TWH facilities to our program while providing guidance to H-2A employers who will need to apply as a TWH operator with DOH. We are doing everything we can to make this transition as smooth and efficient as possible.

For DOH to approve a TWH with 9 or fewer occupants for ESD, DOH requires a TWH license. The employer or facility owner can apply for a TWH license as a TWH operator. Due to limited time, DOH has temporarily modified the license submittal requirement pertaining to Construction Review Service (CRS).

Note: If applying for a TWH with **10 or more occupants**, the applicant or operator must follow the normal TWH licensing process by meeting requirements of [WAC 246-358-025](#).

To submit your DOH-TWH application for fewer than 10 occupants, please verify the following items are included, accurate, and complete:

1. Evidence of submission of a Construction Review Service (CRS) application to review your TWH existing or new building plans, such as providing the CRS project number.
2. If available, copy of *certificate of occupancy* from local building department and provided to CRS.
3. Submit DOH-TWH license application with \$90 fee per [WAC 246-358-990](#).
4. TWH Management Plan is required before a TWH license is issued.
5. Communicable Disease Prevention and Response plan is required before a TWH license is issued.
6. Recent water sample results from an accredited testing laboratory for coliform and nitrate levels.
7. Verification the TWH site is permitted as a public water system (PWS), either Group A or Group B. Contact your local health jurisdiction for confirmation and to obtain the PWS number and name.

Upon receipt of the above information, the DOH-TWH program will start the TWH licensing application review process and email the applicant the results. Failure to provide written approval, *certificate of occupancy*, or updates from CRS by **February 28, 2026**, may prevent or delay the TWH from being used to house 9 or fewer H-2A occupants for the following season.

Guidance for a successful TWH application process:

- A TWH operator providing housing with 9 or fewer occupants must comply with [WAC 246-359](#). Submit your CRS application early to begin the TWH building construction review process.
- If requested by a TWH operator or applicant, DOH may provide on-site technical assistance to assist in compliance with [WAC 246-358](#). Availability for on-site technical assistance is dependent on the inspector's schedule and DOH may charge a fee of \$47 per hour (2 hour minimum).
- Provide a minimum **45 days** between submitting DOH-TWH application and the site operation date or start date when workers are expected to occupy the TWH.
- See attached our TWH Self-Inspection Checklist form to assist and prepare the TWH for compliance.
- For your convenience, we have attached the required documents for TWH licensing and the link to [WAC 246-358](#) health and safety requirements.

If you have questions about:

Your TWH facility water supply and how to obtain verification for approved or permitted water supply as a Group A or Group B public water system, please contact your local health jurisdiction or Washington Department of Health Office of Drinking Water. See enclosure for list and links of all LHJs and ODW contacts.

L&I variances, please contact Doug Hartfield at douglas.hartfield@lni.wa.gov or call 360-770-5724.

CRS and their application and review process, please email crs@doh.wa.gov or call 360-236-2944.

DOH-TWH licensing, DOH documents, your review status, or [WAC 246-358](#) requirements, please email housing@doh.wa.gov or call 360-236-3393.

Sincerely,



Gerald Caird
Lodging Program Supervisor

Enclosure