



ANDREW M. CUOMO  
Governor

HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

SALLY DRESLIN, M.S., R.N.  
Executive Deputy Commissioner

## MEMORANDUM

**To:** City/County Directors of Environmental Health  
District Directors

**From:** Brian M. Miner, Director *BMM*  
Bureau of Community Environmental Health and Food Protection

**Date:** April 2, 2020

**Subject:** COVID-19 Interim Guidance for Pre-Occupancy Migrant Farmworker Housing Inspections

This memo provides interim guidance to Permit-Issuing Officials (PIOs) regarding pre-occupancy inspections of migrant farmworker housing (MFWH) during COVID-19 response efforts. The Department of Labor (DOL) has informed us that, until further notice, they will be using a virtual inspection process for all federal H-2A Worker Visa Program housing, regardless of the number of occupants. As a result, it will not be necessary for local health departments (LHDs) or state district offices to conduct inspections for this purpose.

LHDs and state district offices are still responsible for permitting and inspecting MFWH. LHDs may temporarily suspend onsite pre-occupancy inspections and use the following procedure for evaluating MFWH in line with the inspection process being implemented by DOL:

- Request that the MFWH operator complete the Pre-Occupancy Housing Attestation Form (attached) and include detailed photographs of the interior and exterior of the structures, to be included under the permit.
- Submit satisfactory water sample results for the potable water source(s) to be utilized this season.
- Submit any facility inspections performed in 2019 and 2020 by other agencies, such as DOL and the Code Enforcement Official.

Permit-issuing officials should reach out to applicants/operators in their jurisdictions and advise them of the new, temporary requirements to expedite the permitting process. Satisfactory applications that include the items noted above should be considered adequate justification for permit issuance, without the performance of an onsite pre-operational inspection.

If you have questions, please contact your regional field coordinator or Steven Martin at [steven.martin@health.ny.gov](mailto:steven.martin@health.ny.gov) or (518) 402-7600.

Attachment



## Department of Health

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