

U.S.

● OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: 29 USC §§ 651 – 678

RELATED REGULATIONS: 29 CFR § 1910.142

GENERAL SUMMARY: Under rulemaking authority contained in the Occupational Safety and Health Act, the U.S. Department of Labor has developed and adopted regulations governing temporary labor camps, generally understood to mean employer-provided housing facilities for the seasonal use of their employees.

PROVISIONS APPLICABLE TO AGRICULTURE: Agricultural employers operating a temporary labor camp must comply with specific standards covering the location and construction of such housing and the facilities provided therein.

SITE — Among other requirements, sites must be adequately drained, unsusceptible to periodic flooding, and located no closer than 200 feet to surface collections of water. Sites must be large enough to prevent crowding of structures and must be at least 500 feet from areas where livestock is kept.

CONSTRUCTION — The housing units must protect occupants from exposure to the elements. Sleeping rooms must contain at least 50 square feet of floor space per occupant and have ceilings at least 7 feet in height. Beds must be provided and spaced according to numerical limits on crowding. Floors, windows, doors, heating, and cooking facilities must meet specific rules of construction and safety.

WATER SUPPLY — An adequate and convenient water supply, approved by a state or local health authority, must be provided.

TOILET FACILITIES — An adequate number of toilet facilities in relation to the capacity of the camp must be provided, in accordance with space and design specifications.

SEWAGE DISPOSAL FACILITIES — All toilets and drains must be connected to a public sewer system, where available.

LAUNDRY AND BATHING FACILITIES — Laundry, handwashing, and bath or shower facilities, with hot and cold running water, must be provided in specified ratios, related to the camp's occupancy. Clothes-drying facilities must also be provided.

LIGHTING — Where electricity is available, light fixtures and electrical outlets must meet minimum requirements as to number and location.

REFUSE DISPOSAL — At least one garbage container, of a type approved by a state or local health authority, must be furnished for each family unit, within 100 feet of the unit. Garbage containers must be emptied when full, but no less often than twice a week.

KITCHEN AND FOOD SERVICE FACILITIES — Facilities and equipment used for preparing and serving meals must comply with specified food service standards.

INSECT AND RODENT CONTROL — Preventive pest control measures must be followed.

FIRST AID — Adequate and accessible first-aid facilities, approved by a public health authority, must be supplied and maintained in every camp, for emergency treatment of injuries.

COMMUNICABLE DISEASE REPORTING — The person in charge of the camp must report to the local public health authority all cases of communicable disease, food poisoning, and similar outbreaks.

SPECIAL NOTES OR ADVISORIES

SMALL-FARM EXEMPTION — A special provision in the annual appropriation bill funding the U.S. Department of Labor prohibits OSHA from conducting inspections or otherwise enforcing the Occupational Safety and Health Act against any farm employer who employs fewer than 11 workers in a given year. An agricultural establishment that operates a temporary labor camp, however, is subject to the Act regardless of the size of its workforce. OSHA is also obligated to conduct an investigation in the event of a death on the job, without regard to the industry involved or the number of workers employed.

PREEMPTION OF JURISDICTION — To the extent that OSHA has established standards regulating a particular occupational safety or health issue, any state or local law that relates to the same issue is preempted by the federal standard and cannot be enforced, except (1) in states that have an OSHA-approved job safety and health plan, and (2) in states that do not have an OSHA-approved plan but where the state or local law is applied only to small farms exempted from federal coverage.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Occupational Safety and Health Administration, U.S. Department of Labor, Washington, D.C. 20210 (202-693-1999; toll-free 800-321-6742).* OSHA has authority to enter and inspect temporary labor camps, investigate complaints, issue citations, propose and enforce administrative penalties, and file and prosecute civil and criminal actions in federal court.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – Any state may assume responsibility for developing and enforcing occupational safety and health standards relating to any issue with respect to which a federal standard has been promulgated, by submitting to the Department a Section 18(b) state plan for developing and enforcing such standards. For approval, a plan must contain standards at least as effective in providing safe and healthful employment as the federal counterpart standard, and the state must devote adequate personnel and funds to assure administration and enforcement. In approving a state plan, OSHA in effect removes the preemptive bar against enforcement of state laws dealing with the same subject matter (*see special note above*) and allows the state to enforce its own standards under authority of state law, generally in lieu of enforcement activity by the federal agency.

State plans with provisions regulating temporary labor camps have been approved and are in effect in the following states: *Arizona, California, Hawaii, Maryland, Michigan, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, Tennessee, Vermont, Virginia, and Washington.*

Arizona

● ARIZONA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Ariz. Rev. Stat. §§ 23-401 – 23-433

RELATED REGULATIONS: Ariz. Admin. Code § 20-5-602

GENERAL SUMMARY: The Arizona Occupational Safety and Health Act authorizes the state industrial commission to establish specific workplace safety and health standards for any occupation in the state and requires compliance by all employers to which such standards apply.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the industrial commission has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Arizona's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Occupational Safety and Health (ADOSH), Industrial Commission of Arizona, Phoenix, Arizona 85005 (855-268-5251)*. Any employee or representative of employees who believes a violation exists which threatens the physical well-being of any worker may request an investigation by ADOSH. Whenever an inspection or investigation reveals a probable violation, the agency must issue a citation to the employer, who in turn must correct the violation or protest the citation.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

California

● EMPLOYEE HOUSING ACT

STATUTORY CITATION: Cal. Health & Safety Code §§ 17000–17062.5

RELATED REGULATIONS: Cal. Code Regs. Title 25, §§ 600–940

GENERAL SUMMARY: The Employee Housing Act requires the licensing and inspection of labor camps and other housing facilities provided to 5 or more workers by their employer, and certain rural housing accommodations used by 5 or more agricultural workers as a temporary or seasonal residence. The Act also establishes formal procedures for filing and resolving complaints related to employee housing facilities and defines certain tenants' rights regarding retaliation and eviction.

SPECIFIC TERMS AND CONDITIONS

LICENSING — No one may operate a labor camp without a valid permit issued by the state. A permit may be issued for from one to 5 years, depending on the type of facility, and the issuance of a permit requires the payment of a fee.

INSPECTIONS — At least once each year, state or local enforcement officials must inspect all registered labor camps and any attached equipment and accommodations, to assure compliance with detailed health and safety standards, key elements of which are summarized as follows.

Site and Structures — The site of each labor camp must be well drained. No housing structure may be located any closer than 75 feet from any livestock or poultry holding area. All structures must be maintained in a safe and sanitary condition, and must provide camp occupants with adequate shelter against the elements.

Sleeping Areas — Sleeping areas for more than one person must afford no less than 50 square feet of space for each occupant, with a minimum average ceiling height of 7 feet. Suitable and separate beds are required for all residents, and the operator must furnish a clean, sanitary mattress and other bedding to any occupant who requests it; residents may be charged a reasonable fee for bedding.

Kitchens and Mess Halls — Community kitchens and mess halls must be equipped with suitable refrigeration, dishware, utensils and shelf space. Covered trash containers must be provided near each unit and must be emptied regularly.

Fire Equipment — In every community kitchen, dining area and dormitory, there must be prescribed fire extinguishing equipment, maintained in good operating order.

Plumbing Systems — Pipes, drains and plumbing fixtures must be kept clean and in good working order. No less than one toilet and one bathing facility must be provided for every 10 camp occupants (or one for every 15 in camps constructed or remodeled before January 22, 1973). If toilets other than water-flush units are utilized, they may not be any closer than 50 feet or more than 200 feet from sleeping quarters. Underground sewage disposal systems must be insect- and rodent-proof.

Water — Potable water which meets prescribed sanitation standards must be available for all employees who are furnished housing. Water storage and distribution systems must be kept clean and sanitary.

Heating — In temporary and seasonal labor camps, heating equipment is not required (except in shower rooms), unless such equipment is necessary to maintain a minimum average temperature of 70 degrees F. Fuel storage and distribution systems such as gas tanks, gas pipes and outlets must be constructed and maintained in safe condition. All fuel-burning heaters require proper venting. Cook stoves and gas hotplates may not be used as room heaters.

Electrical Systems — Electrical fixtures, wiring and safeguards must be maintained in good working order. The electrical system must be protected with properly rated fuses or circuit breakers. There must be light fixtures and electrical outlets in specified minimum numbers in all habitable rooms and in bath and toilet rooms.

COMPLAINTS — Any person residing in housing subject to the Act may file a complaint with the state or local enforcement agency, provided the complainant also delivers a copy of the complaint to the employer at the same time. The state enforcement agency is required to keep a file of all complaints and other significant information regarding labor camp maintenance and operation, and to make such information available to state and local law enforcement agencies.

TENANTS' RIGHTS — No one who operates a labor camp consisting only of permanent units may increase rent, decrease services, evict, threaten not to renew tenancy, or otherwise retaliate against a tenant because of a complaint by the tenant concerning the housing facility or the exercise of any other right under the Act.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Employee Housing Program, Codes and Standards Division, California Department of Housing and Community Development, Sacramento, California 95833 (916-445-9471)*. The Department is responsible for licensing of labor camps and other employee housing facilities, conducting the annual housing inspections required under the Act, and processing complaints by aggrieved tenants.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – Any city, county or city-county unit may assume responsibility for enforcement of the Act and related regulations, by presenting written notice to the Department. Under certain conditions, the Department may transfer enforcement responsibility to the local unit or units of government. In any case, the Department retains the right to enforce the Act and its associated standards at the local level if the local agency has failed to discharge its duties.

PRIVATE CIVIL ACTION — If the state or local enforcement agency does not commence civil enforcement action in response to a complaint regarding an employee housing facility within 21 days after receiving the complaint, the complainant may bring suit against the respondent directly, utilizing a private attorney or public legal service provider.

● CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1973 (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Cal. Lab. Code §§ 6300–6719

GENERAL SUMMARY: The California Occupational Safety and Health Act authorizes administrative adoption of specific safety and

Housing — General Employee Housing Standards — California

health standards in virtually any industry or occupation in the state.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state administering agency has adopted standards regulating temporary labor camps provided by employers for the use of their workers. California's temporary labor camp standards are substantially similar to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Likewise, employees may not be fired or laid off for refusing to work in a workplace or on a job where a real or apparent hazard exists in violation of the Act or its regulations. The name of any person who submits a complaint regarding workplace safety must be kept confidential unless the person requests otherwise.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Occupational Safety and Health (Cal/OSHA), California Department of Industrial Relations, Oakland, California 94612 (510-286-7000)*. Cal/OSHA is responsible for investigating complaints of violations of the California Occupational Safety and Health Act, and for enforcing penalties against employers found in violation. Workers who believe they are or have been exposed to a workplace hazard in violation of the Act may submit a complaint by contacting the nearest Cal/OSHA office, a list of which is accessible online at www.dir.ca.gov/dosh/complaint.htm.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Division of Labor Standards Enforcement, California Department of Industrial Relations, Oakland, California 94612 (510-285-2118)*. This agency is responsible for enforcing the law prohibiting retaliation for occupational safety or health activity.

Colorado

● DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT GENERAL PROVISIONS

STATUTORY CITATION: Colo. Rev. Stat. § 25-1.5-101

RELATED REGULATIONS: 6 Code Colo. Regs. 1010-11

GENERAL SUMMARY: Using rulemaking authority under Article 1.5, Part 1 of the state health statutes, the state board of health has established regulations governing the operation of labor camps.

PROVISIONS APPLICABLE TO AGRICULTURE

Any building, trailer, tent, vehicle or other structure used as temporary living quarters for one or more farmworkers (among other types of employees) must comply with sanitation and safety standards adopted by the board of health and summarized below. The regulations do not include licensing requirements.

CAMP SITE — The land on which the worker housing facility is located must be well-drained and adequately protected against potential health and safety hazards. Camp structures must be at least 50 feet from any livestock or poultry pen. The camp operator is responsible for the clean, safe and sanitary condition of the premises prior to each occupancy.

WATER SUPPLY — The water system must be constructed and maintained in such a way as to assure camp residents of a safe and adequate supply of water which meets prescribed standards. There must be hot water available for bathing, laundry and dishwashing purposes.

WASTE DISPOSAL — Where a public sewer system is available, the camp's drains and sewage lines must be connected to it. Otherwise, the camp must have its own sewage disposal system which meets state requirements.

TRASH AND GARBAGE DISPOSAL — The camp operator is required to provide metal containers with tight-fitting lids for the temporary storage of garbage and other refuse.

PEST CONTROL — Rodents, insects and other pests must be effectively controlled, through the use of sanitary practices by occupants, extermination, and other safe and effective control methods.

BUILDING STANDARDS — Dwelling units must be structurally sound and provide suitable protection of the occupants against the elements. Living areas must provide prescribed minimum floor space for each occupant, and habitable rooms must comply with minimum standards of lighting, ventilation and safety.

HEATING — Where artificial heating is required, all dwellings and shower rooms must have properly installed heating equipment capable of maintaining a room temperature of 68 degrees F.

LIGHTING — Where electric service is available within 500 feet of the property, each habitable room and service room must be provided with at least one ceiling-type light fixture and one separate electrical outlet.

HOUSEHOLD EQUIPMENT — Tables, chairs, beds, and shelving or clothing hooks must be furnished in each unit. Each occupant must have a bed, bunk or cot, along with a mattress.

COOKING AND EATING FACILITIES — All housing, whether for single-family or common use, must have kitchen facilities, including counters, shelves, stoves and dishwashing equipment. Where electricity is available, mechanical refrigeration is required.

TOILET, BATHING, AND LAUNDRY FACILITIES — Toilets, wash basins, showers or tubs, sinks, and laundry equipment must be provided in the minimum numbers specified in the regulations, according to the type of occupancy. Plumbing fixtures must be maintained in good working order and in clean and sanitary condition. Where facilities are shared by more than one family, there must be separate toilet rooms for each sex. Toilets must be located within 200 feet of each dwelling unit, but no privy may be any closer than 50 feet.

FIRE PROTECTION — The camp premises and all structures on the property must be used and maintained in accordance with local fire prevention regulations.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Environmental Health and Sustainability, Colorado Department of Public Health and Environment, Denver, Colorado 80246 (303-692-3645).*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Connecticut

● EMPLOYEE PROTECTION LAWS (*LABOR HOUSING*)

STATUTORY CITATION: Conn. Gen. Stat. § 31-47

GENERAL SUMMARY: Any person, firm or corporation that maintains or has charge of any structure used as housing for laborers in its employ must, within 72 hours after occupancy by such workers, notify the local health authority in which the structure is located. Within 5 days after notification, the local health authority is required to conduct a sanitation and safety inspection of the premises and may issue an order for appropriate corrective action, or forbid use of the housing altogether, if the housing poses a threat to the health of the occupants. Anyone who violates this provision or fails to comply with an order of a local health authority issued pursuant to this provision is subject to a fine of up to \$100.

PROVISIONS APPLICABLE TO AGRICULTURE: The notification and inspection requirements of this section apply implicitly to agricultural employers.

SPECIAL NOTES OR ADVISORIES

POSSIBLE PREEMPTION — With respect to enforcement against private employers, it is the position of the Connecticut Department of Labor that these provisions are likely preempted by the temporary labor camp standard enforced by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*), since Connecticut does not have an OSHA-approved job safety and health plan.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Occupational Safety and Health, Connecticut Department of Labor, Wethersfield, Connecticut 06109 (860-263-6791)*. The Department is responsible for investigating all complaints of violations of the state labor laws, and for reporting violations to appropriate public prosecutors.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – City, town and borough health directors or agencies are responsible for conducting the housing inspections required by this provision.

Hawaii

● HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Haw. Rev. Stat. §§ 396-1 – 396-20

RELATED REGULATIONS: Hawaii Admin. Rules, § 12-60-50

GENERAL SUMMARY: The Hawaii Occupational Safety and Health Law gives the state labor department broad authority to prescribe and enforce specific regulations needed to carry out the law's intent.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state agency has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Hawaii's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Occupational Safety and Health Division, Department of Labor and Industrial Relations, Honolulu, Hawaii 96813 (808-586-9110). The Department may issue administrative citations, or may apply to the state circuit courts for injunctive relief, to compel corrective action by employers who fail to comply with the temporary labor camp standards. The law authorizes both civil money penalties and criminal sanctions against violators.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

Maryland

● MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Md. Code, Lab. & Empl. §§ 5-101 – 5-1103

GENERAL SUMMARY: The Maryland Occupational Safety and Health Act authorizes the development and implementation of specific safety and health standards for the prevention of conditions detrimental to the well-being of the workers in any occupation or workplace found to require such protection.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state labor commissioner has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Maryland's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Maryland Occupational Safety and Health Unit, Division of Labor and Industry, Maryland Department of Labor, Licensing and Regulation, Hunt Valley, Maryland 21031 (410-527-4499).* Any violation of the Act or the corresponding rules is grounds for assessment of an administrative fine by the Division. Violators are also subject to criminal penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Michigan

● MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Mich. Comp. Laws §§ 408.1001 – 408.1094

RELATED REGULATIONS: Mich. Admin. Code R. 325.51131 – 325.51142

GENERAL SUMMARY: The Michigan Occupational Safety and Health Act authorizes the state administering agency to establish specific safety and health standards with respect to any industry or occupation in the state.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state agency has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Michigan's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Michigan Occupational Safety and Health Administration (MIOSHA), Michigan Department of Licensing and Regulatory Affairs, Lansing, Michigan 48909 (517-284-7777)*. In response to a complaint or on its own initiative, MIOSHA representatives may enter any public or private property in the state to inspect a temporary labor camp or determine if such a facility is in operation. Employers found to have violated any aspect of the labor camp standards will be cited and given an opportunity to take corrective action. Failure to correct a violation may lead to civil money penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Montana

○ STATE HEALTH AND SAFETY LAWS (*WORK CAMPS*)

STATUTORY CITATION: Mont. Code §§ 50-52-101 – 50-52-108

GENERAL SUMMARY: Chapter 52 of the state health and safety laws authorizes the state health department to adopt rules governing the construction and operation of work camps (among other types of temporary housing), briefly defined as housing facilities provided by an employer for 2 or more families or individuals living separately, for the exclusive use of the employer's workers and their families. A work camp may not be operated without a license from the state, and anyone operating a work camp must permit inspections by state or local health officers at all reasonable times.

PROVISIONS APPLICABLE TO AGRICULTURE: The term "housing" used to define what constitutes a work camp does not include shelter provided by an employer for persons employed as farm or ranch workers. Hence, the work camp licensing and inspection provisions **do not apply** to agriculture.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Food and Consumer Safety Section, Montana Department of Public Health and Human Services, Helena, Montana 59601.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Nevada

● NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Nev. Rev. Stat. §§ 618.005 – 618.990

RELATED REGULATIONS: NVOSHA Operations Manual, Ch. 12, Part II

GENERAL SUMMARY: The Nevada Occupational Safety and Health Act confers broad authority on the state administering agency to develop, implement and enforce occupational safety and health standards applicable to all classes of employment in the state, including agriculture.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state industrial relations agency has adopted the standards established by the U.S. Occupational Safety and Health Administration regulating temporary labor camps provided by employers for the use of their workers (*see entry, U.S. — Housing — General Employee Housing Standards*). Nevada's temporary labor camp standards apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who is subjected to such reprisals may file a complaint with the enforcement agency at any time within 30 days after such action occurs.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Nevada Occupational Safety and Health Administration (NVOSHA), Division of Industrial Relations, Nevada Department of Business and Industry, Henderson, Nevada 89074 (702-486-9020). Any worker or worker representative who is aware of a violation of the temporary labor camp standards may request an investigation by notifying NVOSHA. If an inspection confirms failure to comply, the agency may issue a citation or notice to the employer involved. A final order for compliance is enforceable in civil court. Violators of the Act are subject to administrative fines assessed.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

● STATE SANITATION LAWS (*CONSTRUCTION AND LABOR CAMPS*)

STATUTORY CITATION: Nev. Rev. Stat. §§ 444.130 – 444.200

RELATED REGULATIONS: Nev. Admin. Code §§ 444.550 – 444.566

GENERAL SUMMARY: Chapter 444 of the state statutes regulates health and sanitation conditions at construction and labor camps in Nevada which house 5 or more employees, implicitly including agricultural workers. The state board of health has adopted detailed standards that such facilities are required to meet as a precondition for issuance of a permit to operate.

SPECIFIC TERMS AND CONDITIONS: Every labor camp that houses 5 or more employees must conform to the health and sanitation standards outlined below, and each such facility is subject to periodic inspection by state and local health authorities.

GENERAL STANDARDS — The structures and grounds must be maintained in a clean, safe and sanitary condition. There must be an adequate and convenient supply of water for drinking, cooking, bathing and laundry purposes.

LIVING AND SLEEPING QUARTERS — Sleeping areas must be maintained in clean condition, must provide occupants with effective shelter against the elements, and must be constructed in such a fashion as to assure each occupant an adequate supply of fresh air. The camp owner or operator is required to furnish each resident with a suitable bunk or bed and, if requested by the occupant, a mattress or equivalent sanitary bedding. There must be at least 35 to 40 square feet of floor space per worker in each sleeping area. Heating facilities that meet prescribed safety standards must be provided when a camp is operated during a season and in a climate requiring artificial heating.

COOKING AND EATING FACILITIES — Rooms and structures where food is cooked, prepared or served must be kept clean and sanitary, with doors and windows properly screened. Cookware, dishes and eating utensils must be kept in a clean, unbroken and sanitary condition. There must be facilities for safe storage and refrigeration of food.

TOILET FACILITIES — Every camp must be provided with convenient and suitable privies or other toilet facilities, maintained in a clean and sanitary state. Privies must be screened or otherwise fly-proof, and must be situated over a pit at least 2 feet deep.

BATHING FACILITIES — Convenient and suitable bathing facilities must be provided and maintained in sanitary condition, readily accessible to the living quarters. Where showers are provided for bathing, there must be at least one functioning showerhead for every 15 workers; where bathtubs are used, there must be at least one tub in good condition for every 5 workers. All bathing facilities must have adequate hot and cold water under pressure.

LAUNDRY FACILITIES — At least one laundry tray, wash tub or other laundry facility — equipped with hot and cold water — must be provided for every 10 workers or fraction thereof.

GARBAGE AND SEWAGE DISPOSAL — Covered receptacles for garbage and trash must be supplied by the camp operator, and the contents must be burned, buried or otherwise disposed of in such a way that the refuse does not become offensive or unsanitary. Drainage from kitchen sinks must be carried through a covered drain to a covered septic tank or other sanitary disposal system.

LIGHTING — All habitable rooms must be well lighted. Living, dining and toilet rooms must be equipped with ceiling- or wall-type light fixtures. Where electricity is unavailable, there must be at least one lamp provided for every 5 workers.

Housing — General Employee Housing Standards — Nevada

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Environmental Health Section, Division of Public and Behavioral Health, Nevada Department of Health and Human Services, Carson City, Nevada 89701 (775-687-7533)*. Representatives of the Department are expressly authorized to enter, during normal business hours, any public or private property where a construction or labor camp is operated, and to inspect all such facilities and the accommodations and equipment connected therewith. Any camp found out of compliance with state standards is regarded as a public nuisance and will be given a reasonable time after written notice to correct the deficiencies. Failure to take corrective action may result in misdemeanor charges in district court against the individual or entity in charge of work in or at the camp.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – Local boards of health are vested with the same inspection and citation authority as exercised by the Department of Health and Human Services in enforcement of the labor camp provisions.

New Mexico

● OCCUPATIONAL HEALTH AND SAFETY ACT (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: N.M. Stat. §§ 50-9-1 – 50-9-25

RELATED REGULATIONS: N.M. Code R. § 11.5.2.9(A)

GENERAL SUMMARY: The Occupational Health and Safety Act provides for the adoption and effective enforcement of occupational health and safety regulations, state-administered education and training programs for employers and employees, and appropriate job-related accident and illness reporting procedures.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state Environmental Improvement Board has adopted standards regulating temporary labor camps provided by employers for the use of their workers. New Mexico's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Compliance Section, Occupational Health and Safety Bureau, New Mexico Environment Department, Santa Fe, New Mexico 87502 (505-476-8711; toll-free 877-610-6742).* Any worker or worker representative may file a written complaint with the Department concerning an alleged violation of the temporary labor camp standards.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

North Carolina

● OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: N.C. Gen. Stat. §§ 95-126 – 95-160

RELATED REGULATIONS: 13 N.C. Admin. Code 07F .0101

GENERAL SUMMARY: The Occupational Safety and Health Act of North Carolina requires employers to comply with specific occupational safety and health standards established by the state administering agency pursuant to the Act's broad rulemaking authority.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state labor department has adopted standards regulating temporary labor camps provided by employers for the use of their workers. North Carolina's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to any such reprisal may file a complaint with the Department up to 180 days after the violation occurs.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Agricultural Safety and Health Bureau, Occupational Safety and Health Division, North Carolina Department of Labor, Raleigh, North Carolina 27603 (919-807-2926; toll-free 800-625-2267)*. If there are reasonable grounds to believe an employer has not complied with the temporary labor camp standards, the Department may issue a citation, setting a reasonable time for corrective action. Repeated or willful violation of the Act, the associated regulations or standards, or a Department order may result in a civil penalty against the employer, as well as criminal prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Puerto Rico

● OCCUPATIONAL SAFETY AND HEALTH ACT (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: 29 Laws P.R. Ann. §§ 361 – 361aa

GENERAL SUMMARY: The Occupational Safety and Health Act authorizes Puerto Rico's labor secretary to establish or approve specific safety and health standards applicable to any field of labor except domestic service.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the labor secretary has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Puerto Rico's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has suffered from an act of retaliation may file a complaint with the Department, as if reporting any other violation of the Act.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Puerto Rico Occupational Safety and Health Administration, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2172)*. Discovery of a violation of the temporary labor camp standards may result in issuance of a citation against the employer involved, describing the nature of the violation and fixing a reasonable time for corrective action. The Department may also assess civil money penalties for any infraction. Certain serious violations are also punishable as a criminal offense.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Tennessee

● OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Tenn. Code §§ 50-3-101 – 50-3-2001

RELATED REGULATIONS: Tenn. Comp. R. & Regs. 0800-01-01

GENERAL SUMMARY: Tennessee's Occupational Safety and Health Act imposes on employers the responsibility to comply with the specific safety and health standards adopted by the state enforcement agency which apply to their respective places of employment.

PROVISIONS APPLICABLE TO AGRICULTURE: The state labor department has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Tennessee's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to retaliation may file a complaint with the enforcement agency within 30 days after such violation occurs.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Safety Compliance Section, Occupational Safety and Health Division, Tennessee Department of Labor and Workforce Development, Nashville, Tennessee 37243 (615-741-2793; toll-free 844-224-5818).*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Utah

● **UTAH HEALTH CODE (MINIMUM RULES OF SANITATION)**

STATUTORY CITATION: Utah Code § 26-15-2

RELATED REGULATIONS: Utah Admin. Code R. 392-501

GENERAL SUMMARY: Chapter 15 of the Utah Health Code authorizes the state health department to establish minimum rules of sanitation for numerous types of establishments and facilities, including construction or labor camps.

PROVISIONS APPLICABLE TO AGRICULTURE: Labor camp sanitation standards, major elements of which are summarized below, have been adopted by the health department under the rulemaking authority cited above. In part, these provisions apply to one or more temporary or permanent structures, together with the surrounding grounds, used as living quarters for groups of migrant laborers.

CAMP SITE — Each labor camp site must provide adequate surface drainage and may not be located closer than 100 feet to any livestock holding facility or any potential health hazard.

WATER SUPPLY — A supply of potable water which meets state water quality standards must be provided, under pressure, at each camp. The water system must generally supply at least 50 gallons per day per person.

WASTEWATER DISPOSAL — Wastewater must be discharged into a public sewer system where such a system is accessible within 300 feet of camp property. If connection to a public system is not possible, there must be an alternate disposal system that meets state standards.

PLUMBING — Adequate plumbing fixtures must be made available for all camp occupants. Where toilet facilities for males and females are located in the same building, they must be separated by a sound-resistant wall. The camp operator is required to furnish soap, towels (or approved equivalent hand-drying facilities) and toilet paper. Bathing facilities must be supplied with hot water, at a minimum temperature of 90 degrees F.

LAUNDRY FACILITIES — Essential laundering facilities must be made available to camp residents. If furnished at the camp, there must be at least one washing machine, washtub or laundry tray for every 40 occupants.

BUILDINGS AND MAINTENANCE — Structures must be soundly constructed, well lighted, and adequately heated and ventilated.

SLEEPING ACCOMMODATIONS — Each bed, bunk or cot, as well as mattresses and other bedding, supplied to residents for sleeping purposes must be maintained in a sanitary condition. The camp operator must provide bedding to occupants not furnishing their own.

FOOD SERVICE — Where occupants are permitted or required to cook their own meals, the camp operator must provide each unit with a functioning cook stove, fuel, a refrigerator, a kitchen sink, and adequate food storage space.

SOLID WASTE — Trash and garbage containers, equipped with lids, must be conveniently located for the use of camp residents.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local health departments having jurisdiction over the respective labor housing facilities. If, in response to a complaint or other report, the local health department finds a health hazard at a labor housing facility which requires immediate action to protect human health and safety, the local health department may order the camp owner or operator or any other party contributing to the condition to take appropriate steps to eliminate the hazard. The local health department may require that a permit to operate be issued before a labor housing facility may be built or occupied.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Bureau of Epidemiology, Division of Disease Control and Prevention, Utah Department of Health, Salt Lake City, Utah 84114 (801-538-6191).*

Vermont

● OCCUPATIONAL SAFETY AND HEALTH LAWS (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Vt. Stat. Title 21, §§ 201 – 232

RELATED REGULATIONS: Vt. Code R. 24-050-004

GENERAL SUMMARY: Chapter 3, Subchapter 5 of the state labor laws authorizes the state labor commissioner and the state human services secretary to develop and enforce safety and health rules consistent with the federal Occupational Safety and Health Act.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the labor commissioner has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Vermont's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to retaliation may submit a discrimination complaint to the state enforcement agency at any time within 30 days of the violation, and the Department has 90 days thereafter to investigate the charges and notify the worker of its findings. As an alternative, the worker may bring suit against the employer in civil court, using a private attorney or public legal service provider.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Vermont Occupational Safety and Health Administration (VOSHA), Vermont Department of Labor, Montpelier, Vermont 05601 (802-828-5084)*. If inspection or investigation yields evidence of a violation of the temporary labor camp standards, VOSHA may issue a citation, describing the nature of the infraction and giving the employer a reasonable time to take corrective action.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Virginia

● OCCUPATIONAL SAFETY AND HEALTH LAWS (*TEMPORARY LABOR CAMPS*)

STATUTORY CITATION: Va. Code §§ 40.1-49.3 – 40.1-51.3:2

RELATED REGULATIONS: 16 Va. Admin. Code § 25-90-1910

GENERAL SUMMARY: Chapter 3, Article 5 of the state labor and employment statutes authorizes the adoption of regulatory standards to protect the safety and health of Virginia's labor force, and outlines procedures for the investigation and abatement of occupational safety and health hazards.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state safety and health codes board has adopted standards regulating temporary labor camps provided by employers for the use of their workers. Virginia's temporary labor camp standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) and apply to all farm operators and other agricultural establishments that maintain worker housing facilities.

SPECIAL NOTES OR ADVISORIES

RETALIATION — An employer may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Within 60 days of any such retaliatory act, the worker may file a complaint with the state enforcement agency, which has authority to bring suit in circuit court for appropriate relief. If the agency refuses to issue a charge for the alleged violation, the worker may file a civil complaint against the employer in circuit court directly.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Occupational Safety and Health Compliance, Virginia Department of Labor and Industry, Richmond, Virginia 23219 (804-786-7776)*. If the Department has cause to believe an employer has violated any standards adopted pursuant to the state occupational safety and health laws, the employer must be promptly cited and given reasonable time to correct the violation; a civil money penalty may also be proposed at the time the citation is issued. Failure to abate a violation may result in legal action against the employer to enforce compliance and collect civil penalties. Certain willful infractions are also grounds for criminal prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Washington

● WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT OF 1973 (*TEMPORARY WORKER HOUSING*)

STATUTORY CITATION: Wash. Rev. Code §§ 49.17.010 – 49.17.910

RELATED REGULATIONS: Wash. Admin. Code Ch. 296-307, Part L

GENERAL SUMMARY: Under the Washington Industrial Safety and Health Act, the state labor and industries director has adopted numerous standards explicitly applicable to agricultural employers, workers and workplaces in the state, including regulations governing temporary worker housing.

SPECIFIC TERMS AND CONDITIONS: Washington's temporary worker housing standards, which apply to all farm operators and other agricultural establishments that provide temporary housing for their employees, are substantially similar to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) but include unique provisions of particular note, some of which are summarized here:

LICENSING — Unlike the OSHA standards, the regulations adopted by the state require that temporary worker housing be *licensed*, provided the facility is occupied by 10 or more workers, or consists of 5 or more dwelling units (*see next entry*).

MAXIMUM OCCUPANT CAPACITY — The regulations limit the capacity of housing facilities, based on (1) existing floor space in habitable rooms used for sleeping, and (2) the actual number of toilet, handwashing, bathing, food-handling and laundry facilities available.

TENTS — Tents are allowed to be used as housing for temporary workers, but only while employed for the harvest of cherries. Each tent must be constructed to sleep no more than 15 workers.

SAFETY DEVICES — There must be a functioning, properly installed carbon monoxide alarm in each dwelling unit with a sleeping area. Likewise, there must be a properly installed and working smoke alarm in each sleeping area and in each cooking area. Fire extinguishers are required in dwelling units where occupants sleep if the unit does not have a second means of emergency escape.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Retaliation should be reported to the Department of Labor and Industries within 30 days after the violation occurs. If investigation confirms the occurrence of a retaliatory act, the agency may bring action in superior court to restrain the employer from further violation and require appropriate restitution.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Occupational Safety and Health, Washington State Department of Labor and Industries, Olympia, Washington 98504 (360-902-5494; toll-free 800-423-7233)*. In response to an employee complaint or on the agency's own initiative, representatives of the Department are authorized to enter workplaces to inspect working conditions and equipment, question the employer and employees, and take other steps to determine compliance with the Act and the associated regulations. If inspection or investigation reveals a violation, the Department may issue a citation, informing the employer of the nature of the infraction and setting a reasonable time for corrective action. Employers who violate the Act are subject to Department-imposed civil money penalties, while certain specified offenses may also lead to criminal prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Temporary Worker Housing Program, Office of Environmental Health and Safety, Washington State Department of Health, Olympia, Washington 98504 (360-236-3330)*. This agency is responsible for inspection and licensing of temporary worker housing facilities in Washington.

● TEMPORARY WORKER HOUSING LAW

STATUTORY CITATION: Wash. Rev. Code §§ 70.114A.010 – 70.114A.901

RELATED REGULATIONS: Wash. Admin. Code Chs. 246-358 and 246-359

GENERAL SUMMARY: Chapter 70.114A of the public health and safety statutes authorizes the state health department to develop regulations governing temporary worker housing in Washington, and to work with the state labor department to establish a streamlined administrative process for inspection and licensing of such facilities. The law applies to temporary worker housing — agricultural and otherwise — that consists of 5 or more dwelling units, or any combination of dwelling units that house 10 or more occupants.

SPECIFIC TERMS AND CONDITIONS: Using the rulemaking authority referred to above, the state health department has adopted detailed rules regulating temporary worker housing facilities, briefly outlined here.

LICENSING — In general, the owner or operator of a temporary worker housing facility must apply to the state health department for a license before the facility is occupied each year. Before a license is issued, the facility must be inspected or the operator must submit and receive approval of a self-survey.

Exception — Camps for workers employed in the harvest of cherries must be inspected before occupancy. A license to operate a cherry harvest camp is limited to one week before the start of the harvest through one week after the harvest concludes. Cherry harvest camps are the only form of housing in which tents may be used to house temporary workers.

MAXIMUM OCCUPANT CAPACITY — The regulations limit the capacity of housing facilities, based on (1) existing floor space in habitable rooms used for sleeping, and (2) the number of toilet, handwashing, bathing, food-handling and laundry facilities

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actually available.

HOUSING STANDARDS — Among many other licensing conditions that temporary worker housing must meet are these:

Site — The housing site must be adequately drained, at least 200 feet from pools of standing water, and large enough to prevent overcrowding of structures.

Water Supply — The water supply and distribution system must be constructed and maintained in accordance with state regulations. In general, there must be hot and cold running water in each central bathing, laundry, cooking or food-handling facility at all times, and all family units must be provided with hot and cold running water under pressure.

Sewage Disposal — All sewage and waste water must be drained into an approved public or on-site disposal system.

Electricity and Lighting — The dwelling units must have electric service, and rooms must be properly equipped with light fixtures and electrical outlets. Living areas and service rooms must be adequately lighted.

Building Construction — Dwelling units and common facilities must protect against the elements and comply with state and local building codes. There must be locking mechanisms on all exterior doors, bedroom doors, and toilet and shower doors (if provided). Buildings must be maintained in good repair and sanitary condition. Housing must comply with prescribed minimum requirements on floor space and ceiling height.

Safety Devices — There must be a functioning, properly installed carbon monoxide alarm in each dwelling unit with a sleeping area. Likewise, there must be a properly installed and working smoke alarm in each sleeping and cooking area. Fire extinguishers are required in dwelling units where occupants sleep if the unit does not have a second means of emergency escape.

Laundry Facilities — The housing operator must provide at least one laundry tray or tub, or one mechanical washing machine, for every 30 occupants. There must also be adequate facilities for drying clothes.

Toilet Facilities — There must be flush toilets (or chemical toilets, if approved by the health department) in numbers adequate for the maximum capacity of the housing; pit toilets or privies are not allowed. In general, shared facilities must have at least one toilet for every 15 occupants. Toilets must be located within 200 feet of the door of each sleeping room. Toilet rooms must be adequately ventilated and screened and maintained in clean and sanitary condition.

Handwashing and Bathing Facilities — The housing operator must provide handwashing and bathing facilities in numbers adequate for the maximum capacity of the housing. In general, shared facilities must have at least one wash basin for every 6 occupants and one showerhead for every 10.

Cooking and Food-Handling Facilities — There must be cooking, food storage and eating facilities in each individual unit, or common food handling facilities that meet prescribed specifications. Among other requirements, in each individual unit or common facility there must be an operable cook stove or hotplate, and mechanical refrigeration capable of maintaining a temperature of 40 degrees F. or below.

Sleeping Facilities — The operator must provide adequate numbers of beds, cots or bunks, furnished with clean mattresses in good condition. Beds must be located and spaced as prescribed in the regulations. For each occupant housed in a common sleeping facility, there must be a suitable enclosed storage space that is lockable and accessible to the occupant.

First Aid and Safety — The use, storage or mixing of flammable, volatile or toxic substances other than those intended for household use is prohibited in the housing area. First aid equipment must be provided by the housing operator and kept readily accessible to residents.

Refuse Disposal — The operator must follow local sanitation codes for removing and disposing of trash. Trash and garbage must be stored in fly-tight, rodent-proof, cleanable containers, or in single-use containers. There must be at least one trash container per dwelling unit, located within 100 feet of each unit. Containers must be emptied when full, but no less often than twice each week.

Pest Control — Appropriate measures must be taken to control rodents and insects.

Disease Prevention and Control — The housing operator is required to immediately report to the local health department (1) the name and address of any occupant known to have or suspected of having a communicable disease, and (2) any case of suspected food poisoning or other unusual health incident or situation.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Temporary Worker Housing Program, Office of Environmental Health and Safety, Washington State Department of Health, Olympia, Washington 98504 (360-236-3330)*. This agency is responsible for inspection and licensing of temporary worker housing facilities in Washington. On its own or in response to a report of an alleged violation, the Department may inspect any facility subject to these provisions and take action to have the facility's operator correct a confirmed violation. Failure to correct a violation may result in a civil fine or modification, suspension or revocation of the facility's license. Civil fines are also prescribed for failure or refusal to obtain a temporary worker housing license prior to occupancy.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Division of Occupational Safety and Health, Washington State Department of Labor and Industries, Olympia, Washington 98504 (360-902-5494; toll-free 800-423-7233)*. Temporary worker housing facilities are also subject to inspection by this agency, which enforces very similar health and safety standards.