

## ● FIELD SANITATION ACT

*STATUTORY CITATION:* 210 Ill. Comp. Stat. §§ 105/1 – 105/13

*RELATED REGULATIONS:* Ill. Admin. Code Title 77, Part 910

*GENERAL SUMMARY:* The Field Sanitation Act requires farm operators to provide toilets, handwashing facilities and drinking water for workers employed in certain food crop growing or harvesting operations.

*SPECIFIC TERMS AND CONDITIONS:* Every farming operation in which 10 or more workers are employed in planting, cultivating or harvesting food or nursery products, is required to provide toilets, handwashing facilities and drinking water at each such job site. All such facilities must be readily accessible to the workers, in no case farther than 1/4 mile from any worker. It is illegal for anyone to deny workers the use of the required toilet, handwashing and drinking facilities.

**TOILET FACILITIES** — There must be at least one toilet for every 35 workers or fraction thereof. Each facility must be designed to provide privacy and allow proper ventilation, and must be maintained in clean and sanitary condition. Each unit must be supplied with toilet paper.

**HANDWASHING FACILITIES** — Handwashing facilities, in a ratio of at least one unit for every 35 workers, must include an adequate supply of potable water, soap, and disposable towels or equivalent means of drying.

**DRINKING WATER** — Potable drinking water, in sufficient quantities for all workers throughout the workday, must be provided in covered containers equipped with drinking-fountain attachments or stocked with individual sanitary drinking cups.

### *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 Environmental Health, Illinois Department of Public Health, Springfield, Illinois 62761 (217-782-5830).* Upon receipt of a complaint or reported violation of the Act or the associated regulations, the Department is obligated to inspect the farm operation involved; the Act further requires the Department to conduct random inspections. In both cases, the agency has explicit authority to enter private and public property to enforce the field sanitation provisions. A written notice of any violation will be provided to the farm operator after inspection. A violation is punishable as a petty offense, carrying a minimum fine of \$100.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None.*

**PRIVATE CIVIL ACTION** — Any worker aggrieved by a violation of these provisions is entitled to take direct civil action against the employer, by filing suit in state circuit court for injunctive relief.