

## ● ILLINOIS MIGRANT LABOR CAMP LAW

*STATUTORY CITATION:* 210 Ill. Comp. Stat. §§ 110/1 – 110/25

*RELATED REGULATIONS:* Ill. Admin. Code Title 77, Part 935

*GENERAL SUMMARY:* The Illinois Migrant Labor Camp Law regulates the operation of migrant labor housing in the state, by requiring the licensing of certain labor camps and prescribing standards for the construction and equipment of all migrant labor housing facilities.

### *SPECIFIC TERMS AND CONDITIONS*

**FULLY REGULATED FACILITIES** — Migrant labor camps consisting of one or more buildings, structures, tents, trailers or vehicles established or operated as living quarters for 10 or more migrant agricultural workers, or for 4 or more families containing such migrant workers, are subject to the following requirements and standards, among others:

**Licensing** — No one may operate or maintain a migrant labor camp, as defined above, without first having obtained a license to do so from the state. To qualify for a license, a facility operated for an aggregate of 21 days or more in any calendar year must meet the minimum standards outlined below.

**Inspection** — The state licensing agency is required to inspect each camp at least one time before the migrant workers to be housed arrive and at least once while the camp is occupied.

**Construction and Equipment Standards** —

- (1) **Location and Site.** The site must be properly graded, well-drained, and located so as to prevent health or fire hazards, dangerous traffic conditions, and similar hazards.
- (2) **Structures.** Structures must be structurally sound, in good repair and adequate in size, and must protect the occupants from the elements. Flooring must be rigidly constructed, smoothly finished, readily cleanable, and sealed against water. Living areas must be ventilated, lighted and screened. There must be at least 2 exits in each shelter for use in case of fire, and units must comply with specified numerical space requirements.
- (3) **Water Supply.** An adequate and convenient supply of potable water is required at all times for drinking, cooking, bathing and laundry purposes. The system must be capable of delivering at least 35 gallons per person per day.
- (4) **Toilet Facilities.** Separate flush toilets or privies for each sex must be provided within 200 feet of each shelter, but no privy may be closer than 100 feet from any unit. There must be at least one toilet facility for every 15 occupants.
- (5) **Bathing Facilities.** Bathing facilities, in a minimum ratio of one showerhead for every 10 persons, must be located within 300 feet of each living unit. Except in individual family units, there must be separate facilities for men and women. Hot and cold running water must be provided.
- (6) **Laundry Facilities.** Adequate laundry facilities, supplied with hot and cold water under pressure, must be made available, with trays or tubs provided in the ratio of one for every 30 occupants, or at least one mechanical washer for every 50 residents plus one tray per 100 occupants.
- (7) **Cooking and Eating Facilities.** Adequate counter space, food shelves, refrigeration, one stove or hotplate for every 5 occupants, and a table and chairs or equivalent seating arrangements are required in individual family units. Group cooking and eating areas must be separated from sleeping rooms. Wall surfaces adjacent to cooking areas must be fire-resistant and made of non-absorbent, easily cleaned materials.
- (8) **Sleeping Facilities.** Each room used for sleeping purposes must contain at least 50 square feet of floor space per occupant (100 square feet per person in combined cooking and sleeping rooms) and include beds, cots or bunks, provided with clean mattresses. Any bedding furnished by the housing operator must be clean and sanitary.
- (9) **Fire and Safety Provisions.** All units must be constructed in compliance with state and local fire and safety laws. There must be adequate means of escape, fire extinguishing equipment, and first-aid facilities in each structure.
- (10) **Electric Service.** All housing sites must be provided with electricity. There must be safe and numerically adequate numbers of lighting fixtures and electrical outlets in all living areas and common-use rooms.
- (11) **Heating Equipment.** If the camp operates when the outside temperature falls below 50 degrees F., properly installed and safe heating equipment must be furnished in all rooms except privies and storage sheds. Portable space heaters must have automatic shut-off systems.
- (12) **Garbage Facilities.** Water-tight containers with tight-fitting lids must be provided throughout the camp.

**PARTIALLY REGULATED FACILITIES** — Migrant labor camps used as living quarters for fewer than 10 migrant agricultural workers, or for fewer than 4 migrant families, are not required to be licensed, but they must meet the same construction and equipment standards outlined above and are subject to periodic inspection.

### *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)*. This agency is authorized to inspect any migrant labor housing facility in the state, regardless of size or duration of occupancy, and is responsible for licensing those facilities which meet applicable standards. An individual, association or firm that maintains or operates a migrant labor camp without securing a license, or in violation of the respective state standards, is subject to a fine.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.

PRIVATE CIVIL ACTION — Any worker aggrieved by a violation of the labor camp law may file suit in state circuit court for injunctive relief, using a private attorney or public legal service provider.