

● AGRICULTURAL LABOR HOUSING STANDARDS LAW

STATUTORY CITATION: Me. Rev. Stat. Title 26, §§ 585 – 589

GENERAL SUMMARY: Chapter 6, Subchapter 3 of the state labor statutes requires the state labor department to adopt rules protecting the health, safety and welfare of agricultural workers and their families who occupy housing provided or controlled by their farm employers. Such rules are to apply only to agricultural employers who provide housing to more than 5 employees, and apply only to housing not already subject to standards promulgated under the federal Migrant and Seasonal Agricultural Worker Protection Act (*see entry, U.S. — Housing — Farm Labor Housing Standards*).

SPECIFIC TERMS AND CONDITIONS: The state labor department has not published any explicit rules using the above-mentioned authority, but the law specifies that the standards applicable to employer-provided farmworker housing in Maine must be identical to the Migrant and Seasonal Agricultural Worker Protection Act housing habitability regulations (*U.S. — Housing — Farm Labor Housing Standards*).

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Bureau of Labor Standards, Maine Department of Labor, Augusta, Maine 04333 (207-623-7900)*. The Bureau has authority to inspect housing facilities subject to this law, and may enter any such housing at any reasonable time to determine compliance with the applicable rules. However, if the facility is occupied, the Bureau must have permission from one or more of the occupants or have a valid search warrant. Unoccupied facilities may be entered and inspected only with permission from the owner or with a valid warrant. Violations of the housing standards are punishable by a civil fine of up to \$1,000 per violation.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.

PRIVATE CIVIL ACTION — As an alternative to filing an administrative complaint, a worker aggrieved by a violation of these provisions may take legal action against the owner of the housing facility directly, using a private attorney or a public legal service provider.