

● **SEASONAL FARM LABOR ACT (*FARM LABOR CAMP ACCESS AND ENTRY*)**

STATUTORY CITATION: 43 Pa. Stat. §§ 1301.401 – 1301.403

GENERAL SUMMARY: In addition to authorizing substantive standards to assure safe and decent farmworker housing in the state, the Seasonal Farm Labor Act confers certain tenancy and access rights on residents and visitors at camps regulated under the Act.

SPECIFIC TERMS AND CONDITIONS

TENANCY RIGHTS — A seasonal farmworker who resides in any structure or property which is owned, leased or operated by an employer or farm labor contractor, and which is occupied for at least 6 months in a calendar year, has all the rights and recourse to law as if the worker were a tenant in possession. This includes, among other protections, the right to 3 days' notice prior to eviction, or 2 weeks' notice if the worker lives on the property with one or more dependents. Tenancy rights apply for as long as the worker resides at the facility, whether or not rent is charged.

ACCESS RIGHTS — It is illegal for anyone to deny or limit entry to or egress from the premises of a seasonal farm labor camp by any of the following persons:

- (1) A guest of an occupant of the camp.
- (2) A person working under the auspices of a private organization whose primary interest in entering the premises is the health, safety, welfare or dignity of seasonal farmworkers.
- (3) A representative of a federal, state or local government agency who, if requested, presents proper identification to the owner of the camp and whose agency has notified the owner at some time during the current season concerning the agency's purpose and the identity of its agent or agents.
- (4) An individual, group or public agency whose primary purpose is to provide a service to the owner of the camp rather than to the camp's occupants.

Reasonable access by such persons to the grounds of a labor camp may not be prohibited, interfered with or limited in any way, whether by erecting or maintaining a physical barrier, by using physical force or violence, by posting a written notice, or by issuing a verbal order.

SPECIAL NOTES OR ADVISORIES

RETALIATION — Interference with, harassment of, eviction of, or termination of the employment of any seasonal farmworker for having filed a civil or criminal complaint under the Seasonal Farm Labor Act is deemed a separate violation of the Act, punishable as a criminal offense.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Farm Labor Camp Housing Program, Bureau of Food Safety and Laboratory Services, Pennsylvania Department of Agriculture, Harrisburg, Pennsylvania 17110 (717-787-4315)*. Any resident of a farm labor camp who has been unlawfully evicted or denied visitation by a guest or other authorized visitor, or any authorized person who has been denied entry to a camp, may file a complaint with the Department, which may take civil and criminal action against the camp owner if a violation of the tenancy and access provisions is confirmed.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.