

● **OCCUPATIONAL SAFETY AND HEALTH ACT (*FIELD SANITATION*)**

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 rulemaking authority mentioned above, the labor secretary has adopted standards requiring certain agricultural employers to provide field workers with drinking water, toilets, and handwashing facilities at the place of employment. Puerto Rico's field sanitation standards are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Agricultural Field Sanitation*) and apply only to those farm establishments that employ 10 or more employees on any given day in hand-labor operations in the field.

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 field sanitation 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*.