

■ **CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1973 (*FIELD SANITATION*)**

**TERMS:** Under the California Occupational Safety and Health Act, the state agency has adopted standards requiring agricultural employers to provide field workers with drinking water, toilets, and handwashing facilities at the place of employment.

**Drinking Water** — Farm employers must provide a sufficient supply of fresh, cool, sanitary drinking water to their workers performing hand-labor operations in the field. The water must be readily accessible, and workers must be allowed access to the water at all times. Water must be dispensed in single-use drinking cups or from fountains.

**Toilet Facilities** — At locations where there are 5 or more workers, employers must provide separate toilet facilities for each sex, at a ratio of one toilet for every 20 workers or fraction thereof; where there are fewer than 5 workers, separate toilets for each sex are not required.

All toilet units must be ventilated, have self-closing doors that can be locked from the inside, be screened to prevent entry of flies, be constructed to ensure privacy, and meet related sanitation requirements. Toilet paper must be provided in a suitable holder in each toilet unit.

**Handwashing Facilities** — For every 20 workers or fraction thereof, employers must provide one handwashing facility, equipped with an adequate supply of sanitary water, soap or other suitable cleansing agent, and single-use towels. A sign must be posted to indicate that the water is for handwashing only.

**Location of Facilities** — In general, toilet and handwashing equipment must be stationed within a 5-minute or 1/4-mile walk of the workplace, whichever is shorter. Whenever roads, terrain or other conditions prevent compliance with this distance limitation, such facilities should be located at the point closest to the workers where entry by vehicles is still possible. Toilet and handwashing facilities must be close to each other.

**Exception to Location Requirement** — Instead of providing the facilities on site, an employer may provide transportation to toilet and handwashing facilities if (1) the workers perform field work for a period of less than 2 hours, including time to and from work, and (2) there are fewer than 5 workers engaged in hand-labor operations at the site on that day.

**Responsibility for Maintenance** — The employer is responsible for servicing and maintaining these facilities. This responsibility includes, among others, (1) cleaning and refilling the drinking water containers, (2) keeping the toilet facilities clean, sanitary and operational, (3) providing toilet paper, and (4) properly disposing of the contents of any chemical toilets used.

**Reasonable Use** — The employer must notify each worker of the location of the water and sanitation facilities, and must allow each worker reasonable opportunities during the workday to use them.

**ENFORCEMENT:** *Division of Occupational Safety and Health (Cal/OSHA), California Department of Industrial Relations, Oakland, California 94612 (510-286-7000).* Workers who believe they are or have been exposed to a workplace hazard in violation of the Act may submit a complaint by contacting the nearest Cal/OSHA office, a list of which is accessible online at [www.dir.ca.gov/dosh/complaint.htm](http://www.dir.ca.gov/dosh/complaint.htm).

**SPECIAL NOTE:** A person may not fire, discipline or discriminate in any way against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Furthermore, workers may not be fired or laid off for refusing to work in a workplace or on a job where there is an apparent hazard that violates these provisions. The name of any person who submits a complaint regarding workplace safety must be kept confidential unless the person requests otherwise.

The agency responsible for enforcing the anti-retaliation provision is the *Division of Labor Standards Enforcement, California Department of Industrial Relations, Oakland, California 94612 (510-285-2118).*