

## Arizona

### ■ ARIZONA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 (*SHORT-HANDLED HOES*)

TERMS: Except in a greenhouse or nursery, the use of a hoe with a handle less than 4 feet in length for weeding or thinning crops on farms is prohibited.

ENFORCEMENT: *Division of Occupational Safety and Health (ADOSH), Industrial Commission of Arizona, Phoenix, Arizona 85005 (855-268-5251).*

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

## California

### ■ CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1973 (*HAND-HELD TOOLS*)

TERMS:

**Short-Handled Hoes** — The use of a hoe or any other hand tool less than 4 feet in length is prohibited in weeding, thinning and similar agricultural operations when the hoe or other tool is used in a stooped, kneeling or squatting position. Likewise, a hand tool 4 feet long or longer used for these same operations may not be used as a short-handled hand tool in a stooped, kneeling or squatting position.

**Hand Weeding** — Hand weeding, hand thinning, and hand hot-capping in a stooped, kneeling or squatting position is not allowed in most agricultural operations, unless there is no other reasonable, readily available way of performing the work.

**Hand Weeding Requirements** — In general, employers who require or allow workers to hand weed, hand thin, or hand hot-cap must provide them with an additional 5 minutes of rest time in the middle of each work period. The authorized rest period is figured at the rate of 15 minutes for every 4 hours of work or fraction thereof, which is counted as compensable work time and may not be deducted from wages.

Workers who do hand weeding, hand thinning, or hand hot-capping must be provided with gloves and knee pads, as well as training to help them avoid related injuries.

**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).*

## Minnesota

### ■ STATE LABOR LAWS (*WORKING CONDITIONS FOR CORN DETASSELERS*)

TERMS: Every employer of corn detassellers in the state must provide the workers with an accessible supply of clean water in the field, along with cups or other sanitary drinking facilities.

ENFORCEMENT: Corn detassellers denied the benefit of drinking water at the job site may wish to consult with a private attorney or public legal service provider about the possibility of legal action against the employer.

## New Mexico

### ■ OCCUPATIONAL HEALTH AND SAFETY ACT; MISCELLANEOUS LABOR LAWS (*AGRICULTURAL TOOLS*)

TERMS: On any farm or at any agricultural establishment where workers are employed on any given day in hand-labor operations in the field, the use of a hoe, knife or fork less than 4 feet long for weeding and thinning crops is prohibited.

ENFORCEMENT: *Compliance Section, Occupational Health and Safety Bureau, New Mexico Environment Department, Santa Fe, New Mexico 87502 (505-476-8711; toll-free 877-610-6742)*. A worker or worker representative may file a written complaint with the Department concerning a particular workplace hazard or an alleged violation of the Act or its regulations.

SPECIAL NOTE: An employer 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.

### ■ OCCUPATIONAL HEALTH AND SAFETY ACT (*EMERGENCY MEDICAL CARE*)

TERMS: Under New Mexico's occupational health and safety law, the state environmental improvement board has adopted regulations related to emergency medical care for agricultural workers in the field.

**First Aid** — Where there are no clinic or hospital facilities reasonably close to an agricultural workplace in the field, one or more workers or other individuals must be adequately trained to provide first aid. Adequate first aid supplies must be readily available to the workers.

**Emergency Washing Facilities** — Where a worker or other person in the agricultural work area may be exposed to corrosive materials (including agricultural chemicals, among other substances), the employer must provide suitable facilities for immediate flushing or drenching of the eyes and body in the event of an emergency.

ENFORCEMENT: *Compliance Section, Occupational Health and Safety Bureau, New Mexico Environment Department, Santa Fe, New Mexico 87502 (505-476-8711; toll-free 877-610-6742)*. A worker or worker representative may file a written complaint with the Department concerning a particular workplace hazard or an alleged violation of the Act or its regulations.

SPECIAL NOTE: An employer 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.

## Texas

### ■ MISCELLANEOUS LABOR LAWS (*SHORT-HANDLED HOES*)

TERMS: It is illegal for a farm operator or other agricultural employer to require a worker to use a hoe with a handle less than 4 feet long in commercial farming operations (other than in a greenhouse or nursery).

ENFORCEMENT: This provision is enforced by public prosecuting attorneys in criminal court.