

U.S.

■ OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

TERMS: With certain exceptions, farm operators and most other employers are required to furnish their employees with a job and a place of employment free from hazards that could cause death or serious injury, and must comply with federal safety and health standards that apply to their particular place of employment.

Among other agriculturally related safety and health regulations adopted by the U.S. Department of Labor, farm employers who (1) have more than 10 non-family employees, or (2) have operated a temporary labor camp within the preceding 12 months, are required to comply with standards for the safety of employees operating or working around tractors and other farm equipment, briefly summarized here:

Roll-Over Protections on Tractors — Farm tractors must be properly equipped with structures and devices to protect workers against roll-over hazards. The standards include test procedures and performance requirements for protective frames and enclosures for wheel-type agricultural tractors.

Safety Measures on Other Agricultural Equipment — The regulations prescribe both operating instructions and design specifications to safeguard operators of farm field equipment, stationary farm machinery, and cotton ginning equipment.

ENFORCEMENT: *Occupational Safety and Health Administration, U.S. Department of Labor, Washington, D.C. 20210 (202-693-1999; toll-free 800-321-6742).*

Under a written plan approved by the Occupational Safety and Health Administration, each of the following states is authorized to enforce its own agricultural equipment safety standards, identical or very similar to those described above:

Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wyoming.

In these states, OSHA generally does not play a part in enforcing the farm equipment safety provisions. For the name of the state agency responsible for compliance, see the first summary under the heading "*Health & Safety*" for the particular state of interest.

Alaska

■ STATE HEALTH, SAFETY AND HOUSING LAWS

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor department has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all agricultural establishments.

ENFORCEMENT: *Occupational Safety and Health Section, Division of Labor Standards and Safety, Department of Labor and Workforce Development, Juneau, Alaska 99811 (907-465-4855).*

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.

Arizona

■ ARIZONA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state industrial commission has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

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

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state agency has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are substantially similar to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all agricultural operations in the state, regardless of the number of workers employed.

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.

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).*

Hawaii

■ HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW

TERMS: In general, farm and plantation operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor department has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) but may be applied to any agricultural operation in the state, without respect to the number of workers employed.

ENFORCEMENT: *Occupational Safety and Health Division, Department of Labor and Industrial Relations, Honolulu, Hawaii 96813 (808-586-9110).*

Indiana

■ INDIANA OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state occupational safety standards commission has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*), and apply to all farm operations in the state (*please see special notes below*).

ENFORCEMENT: *Indiana Occupational Safety and Health Administration, Indiana Department of Labor, Indianapolis, Indiana 46204 (317-233-3605)*.

SPECIAL NOTE: The state enforcement agency is generally prohibited from conducting enforcement inspections on the property of any farm establishment that employs 10 or fewer workers, unless (1) the agency is responding to a specific complaint by a worker employed there, or (2) the farm establishment operates a labor camp.

SPECIAL NOTE: An employer may not fire, discipline or in any other way discriminate against a worker because the worker files a complaint, testifies in a related proceeding, or exercises any other right under this law.

Iowa

■ OCCUPATIONAL SAFETY AND HEALTH LAW

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor commissioner has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Iowa OSHA Enforcement, Division of Labor, Iowa Workforce Development, Des Moines, Iowa 50319 (515-242-5870).*

Kentucky

■ KENTUCKY OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all agricultural employers, employees and workplaces.

ENFORCEMENT: *Division of Occupational Safety and Health Compliance, Kentucky Department of Workplace Standards, Frankfort, Kentucky 40601 (502-564-3218).*

SPECIAL NOTE: A person 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.

Maryland

■ MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state labor commissioner has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all farm operations in the state.

ENFORCEMENT: *Maryland Occupational Safety and Health Unit, Division of Labor and Industry, Maryland Department of Labor, Licensing and Regulation, Hunt Valley, Maryland 21031 (410-527-4499).*

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.

Michigan

■ MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, Michigan has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Michigan Occupational Safety and Health Administration (MIOSHA), Michigan Department of Licensing and Regulatory Affairs, Lansing, Michigan 48909 (517-284-7777).*

SPECIAL NOTE: A person 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.

Minnesota

■ OCCUPATIONAL SAFETY AND HEALTH ACT OF 1973

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor department has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Occupational Safety and Health Division, Minnesota Department of Labor and Industry, St. Paul, Minnesota 55155 (651-282-5050; toll-free 877-470-6742).*

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.

Nevada

■ NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers in Nevada are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state industrial relations agency has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Nevada Occupational Safety and Health Administration (NVOSHA), Division of Industrial Relations, Nevada Department of Business and Industry, Henderson, Nevada 89074 (702-486-9020).*

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.

New Mexico

■ OCCUPATIONAL HEALTH AND SAFETY ACT

TERMS: In general, farm operators and most other employers in New Mexico are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state environmental improvement board has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

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.

North Carolina

■ OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA

TERMS: In general, farm operators and most other employers in North Carolina are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state labor department has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Agricultural Safety and Health Bureau, Occupational Safety and Health Division, North Carolina Department of Labor, Raleigh, North Carolina 27603 (919-807-2926; toll-free 800-625-2267).*

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. A worker adversely affected by retaliation may file a complaint with the Department up to 180 days after the violation occurs.

Ohio

■ **GENERAL LABOR LAWS (*SAFETY IN THE WORKPLACE*)**

TERMS: Employers in Ohio have a general duty to furnish employment and a place of employment which are reasonably safe for their employees, to use safeguards and adopt practices that promote workplace safety, and to take every other step reasonably necessary to protect the life, health and safety of their workers.

ENFORCEMENT: *Bureau of Labor and Worker Safety, Division of Industrial Compliance and Labor, Ohio Department of Commerce, Reynoldsburg, Ohio 43068 (614-644-2223).*

Oregon

■ OREGON SAFE EMPLOYMENT ACT

TERMS: The state agency that administers the Oregon Safe Employment Act has adopted workplace safety and health standards that apply specifically to agricultural operations. Key provisions that are most relevant to on-farm work activities in the field are summarized here.

Safety Orientation for Workers — Before any seasonal farmworkers begin work for the first time, and whenever working conditions or locations change in a way that could affect their safety and health, their employer must provide an orientation meeting with the workers to review (1) on-the-job safety and health rules, (2) procedures workers should follow to contact supervisors or managers in case of accident, illness or other safety or health problems, (3) procedures for treating injured or sick workers and for summoning emergency assistance, and (4) the location of posted safety and health information. The orientation must be provided in a way that the workers can understand, including the use of languages other than English for workers with language barriers.

Agriculture Equipment Safety Devices — Employers must protect workers from coming into contact with hazards created by moving machinery, by installing and using prescribed guards, shields or other protective devices. At the time of initial assignment and at least once a year thereafter, employers are required to instruct every worker in the safe operation and servicing of any equipment with which the worker will be involved.

Roll-Over Protections for Tractors — Agricultural tractors of more than 20 horsepower must be equipped with prescribed structures, as well as seat belts, to protect the driver from injury in the event of roll-over. Workers who operate tractors must be instructed in certain specified safe operating practices at the time they are first assigned tractor-related duties and at least once a year thereafter.

Ladders — Ladders used in agricultural operations must be in sound condition; ladders with cracked or broken side rails, missing steps, loose hardware or braces, or similar defects may not be used. Portable stepladders must be equipped with a metal spreader or locking device strong enough to hold the ladder open. Orchard ladders longer than 16 feet are prohibited.

Medical Services and First Aid — Every agricultural employer must have minimum prescribed first-aid supplies accessible to the workers. Where workers handle corrosive chemical substances, or pesticide products labeled "Danger" or "Poison," the employer must provide an emergency eyewash or shower that meets prescribed standards for decontamination. The employer must also develop an emergency medical plan, under which seriously ill or injured workers can get timely medical attention.

ENFORCEMENT: *Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, Salem, Oregon 97309 (503-378-3272; toll-free 800-922-2689).*

SPECIAL NOTE: Agricultural employers with 10 or fewer permanent, year-round employees (both full-time and part-time) are subject to scheduled inspections only if (1) a valid complaint of a violation of the Safe Employment Act has been filed against the employer, or (2) there has been a death or serious disabling injury at the employer's agricultural workplace within the preceding 2 years due to a violation of the Act, or (3) the employer and principal supervisors at the workplace have not completed at least 4 hours of documented instruction on agricultural safety and health procedures each year.

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. A worker who has been subjected to retaliation may file a complaint with the *Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0844)* at any time within 90 days after learning of the alleged violation.

Puerto Rico

■ OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any safety and health regulations that apply to their operations.

More specifically, the Puerto Rico labor secretary has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ 10 or more workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Puerto Rico Occupational Safety and Health Administration, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2172).*

SPECIAL NOTE: A person may not fire, discipline or discriminate in any manner against a worker because the worker 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.

South Carolina

■ OCCUPATIONAL HEALTH AND SAFETY LAW

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor director has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *South Carolina Occupational Safety and Health Administration, South Carolina Department of Labor, Licensing and Regulation, Columbia, South Carolina 29211 (803-896-7682).*

SPECIAL NOTE: A person 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.

Tennessee

■ OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor department has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Safety Compliance Section, Occupational Safety and Health Division, Tennessee Department of Labor and Workforce Development, Nashville, Tennessee 37243 (615-741-2793; toll-free 844-224-5818).*

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a hearing, or exercised any other right afforded by these provisions. A worker who has been subjected to retaliation may file a complaint with the enforcement agency no later than 30 days after the violation occurred.

Utah

■ UTAH OCCUPATIONAL SAFETY AND HEALTH ACT

TERMS: In general, farm operators and most other employers in Utah are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state labor commission has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Compliance Section, Occupational Safety and Health Division, Utah Labor Commission, Salt Lake City, Utah 84114 (801-530-6901).*

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.

■ WORKERS' COMPENSATION ACT (*PROTECTION OF LIFE, HEALTH, AND SAFETY*)

TERMS: Farm operators and other agricultural establishments that (1) paid \$20,000 or more in cash wages for agricultural labor in any calendar quarter of the current or preceding calendar year, or (2) employed 10 or more workers in agricultural labor for some part of a day in each of 20 different calendar weeks in the current or preceding calendar year, are prohibited from the following acts, which are regarded as violations of the state workers' compensation law:

- (1) Maintaining a workplace that is not safe.
- (2) Requiring or knowingly permitting an employee to be in a workplace that is not safe.
- (3) Failing to provide and use safety devices and safeguards.
- (4) Failing to adopt and use methods and processes reasonably adequate to render the job and workplace safe.
- (5) Failing or neglecting to do every other thing reasonably necessary to protect the life, health and safety of their employees.

When a job-related injury is found to have been caused by the employer's intentional failure to comply with the Act or its associated regulations, whatever monetary compensation is otherwise payable to the worker may be increased by 15 percent.

ENFORCEMENT: *Industrial Accidents Division, Utah Labor Commission, Salt Lake City, Utah 84114 (801-530-6800; toll-free 800-530-5090).*

Vermont

■ OCCUPATIONAL SAFETY AND HEALTH LAWS

TERMS: In general, farm operators and most other employers in Vermont are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state labor commissioner has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Vermont Occupational Safety and Health Administration (VOSHA), Vermont Department of Labor, Montpelier, Vermont 05601 (802-828-5084).*

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 these provisions. A worker who has been subjected to retaliation may submit a discrimination complaint to the Vermont Department of Labor at any time within 30 days after the violation. As an alternative, the worker may bring suit against the employer in civil court, using a private attorney or public legal service provider.

Virginia

■ OCCUPATIONAL SAFETY AND HEALTH LAWS

TERMS: In general, farm operators and most other employers are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state safety and health codes board has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

ENFORCEMENT: *Occupational Safety and Health Compliance, Virginia Department of Labor and Industry, Richmond, Virginia 23219 (804-786-7776).*

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 these provisions. Within 60 days of any such retaliatory act, the worker may file a complaint with the state enforcement agency, which has authority to bring suit in circuit court for relief. If the agency refuses to issue a charge for the alleged violation, the worker may file a civil complaint against the employer in circuit court directly, using a private attorney or public legal service provider.

Washington

■ WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT OF 1973

TERMS: In general, most employers in Washington are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with any state safety and health regulations that apply to their operations.

More specifically, the state labor and industries director has adopted numerous standards that apply specifically to agricultural employers, workers and workplaces, as summarized below.

Accident Prevention Program — Agricultural employers are required to develop a written accident prevention program that includes, among other elements, (1) how, when and where to report injuries and illnesses, (2) how to report unsafe conditions and practices, (3) the use and care of personal protective equipment, (4) emergency procedures, and (5) identification of hazardous materials and how to use them safely.

Safety Training — Employers must provide their workers with instruction in safe work practices at the beginning of their employment, and at least once a month employers must inspect job sites, materials, equipment, and operating procedures. A representative chosen by the workers must be invited and allowed to accompany the employer on the inspection.

First Aid — In the absence of a nearby clinic or hospital to treat injured workers, a person must be adequately trained to provide first aid. Appropriate first aid supplies must be on hand and easily accessible to all workers.

Hand Tools — The use of hoes with handles less than 4 feet long, or any hand tool used for weeding or thinning crops in a stooped position, is prohibited.

Orchard Ladders — At the beginning of employment, employers who require workers to use ladders for tree maintenance or harvesting must provide the workers with training on their proper use, including how to set them up and how to climb down with a full load. Ladders used for orchard harvesting must be checked regularly for defects, must be maintained in good condition at all times, and must be properly stored. Ladders longer than 16 feet are prohibited.

Vehicles and Field Equipment — Tractors and other motor vehicles used on farms and nearby highways must have prescribed lights, reflectors and safety signs, and must be equipped with guards and other safety features described in the regulations. Only qualified drivers who have a current motor vehicle operator's license may drive farm vehicles.

Rollover Protective Structures for Tractors — Farm tractors manufactured after 1976 generally must be equipped with protective structures intended to prevent worker injuries in the event of a rollover. Each such tractor is also required to have a seat belt, and drivers are required to use it. Tractor operators must be trained in proper operating practices at the time of their initial assignment and at least once a year thereafter.

ENFORCEMENT: *Division of Occupational Safety and Health, Washington State Department of Labor and Industries, Olympia, Washington 98504 (360-902-5494; toll-free 800-423-7233).*

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. Retaliation should be reported to the Department of Labor and Industries within 30 days after the violation occurs.

Wyoming

■ WYOMING OCCUPATIONAL HEALTH AND SAFETY ACT

TERMS: In general, farm operators and most other employers in Wyoming are required to protect their workers against on-the-job hazards that could cause death or serious injury, and to comply with all state safety and health regulations that apply to their operations.

More specifically, the state OSHA Commission has adopted rules requiring roll-over protections on tractors and safety measures on other agricultural equipment. These regulations are virtually identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all farm operations in Wyoming.

ENFORCEMENT: *Wyoming OSHA, Wyoming Department of Workforce Services, Cheyenne, Wyoming 82002 (307-777-7786).*

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.