

■ DRINKING WATER AND TOILET FACILITIES ACT

TERMS: On any farm where 10 or fewer seasonal workers labor in a field that is unreasonably far from alternative facilities, the farm operator must provide drinking water, toilets and handwashing facilities for the workers.

Drinking Water — Except when cool, sanitary water facilities are otherwise available to the workers within a 500-foot travel distance of the working area, the farm operator must furnish the workers with an adequate supply of fresh, cool, sanitary water in the working area. Water must be provided in portable containers capable of being tightly closed and equipped with a tap. Water must be dispensed in single-use drinking cups or by fountains; common drinking cups or dippers are not permitted.

Toilet Facilities — Except when toilet facilities are otherwise available within a 500-foot travel distance or a 5-minute walk from the working area, the farm operator must provide clean, adequate toilet facilities in the working area. There must be separate toilets for men and women, in a ratio of one toilet for every 20 workers (or fraction thereof) of each sex. The facilities must be equipped with an adequate supply of toilet paper, and must be maintained in clean, sanitary condition and in good working order. Doors must be lockable from the inside.

Handwashing Facilities — Except when handwashing facilities and nearby toilets are otherwise available to the workers within a 500-foot travel distance of the working area, there must be adequate handwashing facilities provided for the workers in the working area, close to the required toilet facilities. The washing facilities must provide sanitary water, soap or some other cleansing agent, and individual towels.

ENFORCEMENT: *Agricultural Compliance Section, Division of Wage and Hour Compliance, New Jersey Department of Labor and Workforce Development, Trenton, New Jersey 08625 (609-984-3004).*

As an alternative to filing a complaint with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.