

## ■ MIGRANT HOUSING ACT OF NORTH CAROLINA

**TERMS:** The Migrant Housing Act regulates the health and safety of all migrant labor housing facilities in North Carolina.

**Inspection and Certification** — Anyone who owns or controls housing used as living quarters for workers required to be absent overnight from their permanent place of residence must request an inspection of the housing at least 45 days before it is occupied. In general, the housing may be occupied only if it has been certified by the state labor department or the U.S. Department of Labor to be in compliance with the standards adopted under this law.

**Standards** — Migrant housing facilities generally must meet the labor camp standards established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Housing — General Employee Housing Standards*) but are subject to state rules that govern water quality, sewage systems, heating systems, fire safety, food service facilities, and bedding.

**Inspections After Occupancy** — After a migrant housing facility is occupied, inspections are normally allowable only if (1) workers and their families arrived before the expected occupancy date and were allowed to enter for the time being, (2) pre-occupancy inspection found violations, (3) the housing was found in violation in a previous year, or (4) a health hazard or violation has been reported by a government official or someone with first-hand knowledge and the report is credible.

**Uninhabitable Housing** — If a migrant housing facility is found to be unsafe or unfit for habitation but not reasonably expected to cause death or serious physical harm, anyone living there may be allowed to remain for up to 14 days while the housing owner or operator attempts to locate alternative housing for them; any alternative housing must be provided at or below the cost the occupants were paying for the housing being vacated. Occupied housing deemed uninhabitable and likely to cause death or serious injury cannot continue to be occupied, and the owner or operator must provide alternative housing at equal or lesser cost *immediately*.

**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)*. This agency has primary responsibility for inspecting migrant housing facilities under the Act, and for issuing certifications authorizing occupancy. The Department also has authority to investigate and respond to reports of alleged violations.

The agency responsible for enforcing the water and sanitation regulations that apply to migrant housing is the *North Carolina Department of Environmental Quality, Raleigh, North Carolina 27603 (877-623-6748)*.