

■ **MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT**

TERMS: In general, no housing facility may be occupied by a migrant agricultural worker unless a state or local health department or other appropriate agency has certified that the facility meets the safety and health standards that apply to the housing, and no person who owns or controls the housing may permit it to be occupied by a migrant agricultural worker unless a copy of the certification of occupancy is posted at the site.

Any person who owns or controls property used as housing for migrant farmworkers is responsible for ensuring that the property complies with the federal and state safety and health standards that apply to it.

In their application for federal registration, farm labor contractors are required to identify each facility or property to be used to house any migrant farmworker. If a contractor owns or controls any such facility or property, there must be documentation submitted with the application showing that the housing has been certified for occupancy. A farm labor contractor may not house migrant farmworkers unless authorization to do so is indicated on the face of the contractor's registration certificate.

ENFORCEMENT: *Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210 (202-693-0072).* Local offices of the Wage and Hour Division may be located on the agency's website, at www.dol.gov/whd/america2.htm.

Apart from any enforcement action by the Department, a worker who has been harmed as a result of a violation of this law may take legal action against the contractor, employer or other person responsible for the violation directly, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer or farm labor contractor 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. Any such act of retaliation should be reported to the Wage and Hour Division within 180 days after it occurs.