

■ WAGNER-PEYSER ACT

TERMS: No employer may use the public employment service — including local offices of the state workforce agency — to recruit farmworkers from places outside the area of intended employment unless certain conditions are met relating to employee housing. Workforce agency recruitment assistance will be denied unless (1) the employer has agreed in writing to comply with pertinent laws and regulations, (2) any housing that the employer intends or is required to provide to the recruited workers has been inspected prior to occupancy, and (3) the state workforce agency has determined that the housing meets federal standards.

In general, farm labor housing facilities built after early 1980 must meet the U.S. Occupational Safety and Health Administration's standards for temporary labor camps, described in the previous summary. Housing facilities constructed or under construction before that time must meet either the OSHA regulations or the agricultural worker housing standards prescribed by the U.S. Employment and Training Administration. The ETA standards contain detailed specifications, summarized here:

Housing Site — Sites must be well-drained and sanitary and must provide reasonable recreation space.

Water Supply — The facility must provide an adequate and convenient supply of water that meets state health standards.

Waste Disposal Facilities — There must be facilities for effective disposal of sewage.

Housing Structures — Housing must be structurally sound, in good repair and in sanitary condition.

Screening — All outside openings must be equipped with screens.

Heating — Heating devices must be provided if outside temperatures during periods of normal occupancy fall below 68 degrees F. Stoves and combustible-fuel heaters must be vented and comply with other prescribed safety standards.

Electricity and Lighting — All housing sites must be provided with electric service, and units must be equipped with safe and operable light fixtures and outlets.

Toilets — Toilets or privy seats, in the ratio of not less than one for each 15 occupants and located within 200 feet of each living unit, must be provided and must meet other numerical and qualitative standards.

Bathing and Laundry Facilities — Bathing and laundry facilities, supplied with hot and cold water under pressure, must be located within 200 feet of each living unit. Among other requirements, there must be at least one showerhead and one wash basin for every 15 persons.

Cooking and Eating Facilities — Cook stoves or similar equipment, as well as food preparation and storage space, must be furnished, in conformity with detailed criteria.

Garbage Facilities — Each unit must have nearby access to clean, fly-tight containers for the disposal of garbage and other refuse, in a minimum ratio of one such container for every 15 occupants. Provision must be made for collection at least twice a week.

Insect and Rodent Control — Housing and facilities must be free of insects, rodents and other pests.

Sleeping Facilities — Beds, cots or bunks, together with clean mattresses, must be provided for all occupants.

Safety and First Aid — All structures must be maintained in accordance with state or local fire and safety laws, must provide practical means of escape, and must be equipped with fire extinguishing and first-aid equipment. No flammable liquids or materials other than those for immediate household use may be stored in or around living areas, and agricultural pesticides and toxic chemicals may not be stored in proximity to the housing units.

ENFORCEMENT: *Employment and Training Administration, U.S. Department of Labor, Washington, D.C. 20210 (202-693-3046).* ETA monitors the operation of the federal-state employment service system and is responsible for assuring that employers comply with all of the legal conditions on recruitment of workers. However, compliance with the ETA housing standards by employers using the employment service to recruit farmworkers is the immediate responsibility of the designated state workforce agencies. For a list of those agencies, click on "*Monitor Advocate Listing*" under "*Related Programs and Assistance,*" above.