

■ **MIGRANT LABOR LAW (*FIELD SANITATION*)**

TERMS: Under Wisconsin's migrant labor law, the state labor department has adopted rules requiring certain agricultural employers to provide toilet facilities, handwashing facilities and drinking water to their employees, without cost to the workers. The regulations apply to operations where 6 or more migrant workers are engaged in hand labor in the field.

Toilet Facilities — Wherever there are 6 or more migrant workers performing hand labor operations, the employer must provide toilet facilities, in the ratio of one toilet for every 20 workers. The facilities must be located within 1/4 mile of the workers, or at the point closest to the workers where entry by vehicles is possible. Each toilet unit must have a door that is lockable from the inside and include an adequate supply of toilet paper.

Handwashing Facilities — The employer must also provide at least one handwashing facility for every 20 workers, located within 1/4 mile of the workers or at the closest vehicular access.

Exception — If providing handwashing facilities creates a practical difficulty or hardship, the employer may apply to the state enforcement agency for approval to provide pre-packaged towelettes instead, as long as the substitution does not put the health or safety of the workers at risk.

Drinking Water — Clean, sanitary drinking water must be provided for the workers, at a readily accessible location. The water must be kept cool, in insulated containers that are clean and sanitary. The water must be dispensed in single-serving drinking cups; the use of common cups or dippers is prohibited.

In all cases, workers must be allowed reasonable opportunities during the workday to use the facilities provided.

ENFORCEMENT: *Migrant Law Enforcement Section, Employment and Training Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-0002).* A migrant worker who has been denied drinking water or sanitation facilities in the field in violation of these requirements may file a complaint with the Department.

As an alternative to filing a complaint with the Department, a migrant worker affected by a violation of the migrant labor law by an employer or migrant labor contractor has a right to file suit against the violator in civil court, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer or labor contractor may not fire, discipline or discriminate in any way against a migrant 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 unlawful retaliation may file suit against the employer or contractor involved, using a private attorney or public legal service provider.