

Migrant labor
(1956)

Report to the President on Domestic Migratory Labor

U.S.
The President's Committee
on Migratory Labor

Washington, U.S. Govt. Printing Office, 1956

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The President's Committee on Migratory Labor

James P. Mitchell, Secretary of Labor, Chairman
Ezra Taft Benson, Secretary of Agriculture
Fred A. Seaton, Secretary of Interior
Marion B. Folsom, Secretary of Health, Education, and Welfare
Albert M. Cole, Administrator of Housing and Home Finance Agency

Henry K. Arneson, Executive Secretary
U. S. DEPARTMENT OF LABOR
Washington 25, D. C.

September 1956

The President's Committee on Migratory Labor

U. S. Department of Labor
Washington 25, D. C.

SECRETARY OF LABOR, Chairman
SECRETARY OF AGRICULTURE
SECRETARY OF INTERIOR
SECRETARY OF HEALTH, EDUCATION, AND WELFARE
ADMINISTRATOR OF HOUSING AND HOME FINANCE AGENCY



The President
The White House
Washington 25, D. C.

Dear Mr. President:

I transmit herewith the first progress report of The President's Committee on Migratory Labor.

The objectives of the Committee, as contained in the letter of appointment, are:

- (1) To assume national leadership in improving the social and economic welfare of our domestic migratory farm workers;
- (2) To develop cooperative relationships among Federal and State agencies concerned with these problems;
- (3) To provide a coordinated Federal approach to the problem, with full utilization of existing resources; and
- (4) To aid the various Federal agencies in mobilizing and stimulating more effective programs and services for migrants, and in providing services to State and local areas through their constituent members.

The Committee has proved an effective mechanism in stimulating and mobilizing services for migrants. A spirit of helpfulness and cooperativeness has been shown by all participants.

Respectfully,

A large, stylized handwritten signature of James P. Mitchell.

James P. Mitchell
Chairman

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THE PRESIDENT'S COMMITTEE ON MIGRATORY LABOR

REPORT TO THE PRESIDENT

Certain agricultural areas are dependent on the availability of a mobile labor force to meet peak demands for workers. In response to their demands and in order to obtain employment, a considerable number of workers, many accompanied by their families, move with the crops. It is estimated that this domestic migrant work force, including dependents, totals about three-quarter million people.

This work is highly seasonal and in many areas is frequently of short duration. Annual earnings from this type of employment are generally low, traveling and housing conditions are often below minimum standards, and, as a result of migration, the educational opportunities for migrant children are reduced.

Progress in dealing with these problems has been made in some States through legislation, increased public services, and the activities of voluntary citizen groups and employers. But by and large the agricultural migrant worker and his family are in that group which is at the bottom of the economic scale in the United States.

To aid the various Federal agencies in mobilizing and stimulating more effective programs and services for improving the conditions under which these domestic agricultural migrants and their families live and work, you appointed a coordinating Committee of Cabinet members on August 26, 1954.

COMMITTEE ORGANIZATION

We are pleased to report that the many agencies of the Federal Government with programs affecting migrants are working together smoothly. They are jointly developing ways and means of strengthening and expanding their services to these

workers and their families. This joint approach has improved the lines of communication among agencies, and has brought a better understanding of and mutual support for the many programs involved. The progress that has come from this working together has been reflected in the States and communities in the development of similar approaches to a common problem.

The Committee has a secretariat financed through funds made available to the Labor Department for migrant labor functions. The Committee has established a Working Group, consisting of senior staff assistants from the constituent agencies of the member departments. This Group functions as a planning, coordinating, and reviewing body for the Committee. The Group meets once a month and its chairmanship is rotated among the member agencies.

Subcommittees of the Working Group have been established in numerous areas of special interest: the formation of State migratory labor committees; cooperation between Government and voluntary organizations; housing standards; housing supply; education; income and employment; tax deduction information; residence requirements; transportation; and migrant children.

ACTION PROGRAM

The Committee has set forth the following guides for program emphasis by its member agencies:

(1) Efforts should be directed not only to ameliorating the conditions of migratory workers, but also to reducing the needs for such workers to migrate.



(2) The problems should be approached broadly, covering the workers not only while in migrant status, but also at their home base.

(3) Selected localities should be studied in detail to determine present and anticipated housing needs of domestic migratory workers and their families, and the prospects and conditions of meeting these needs.

(4) Assistance should be given in the promotion of State Migratory Labor Committees, and in the service to these committees after they are appointed.

(5) Possibilities should be explored of developing demonstration projects for migrant farm workers similar to, and where appropriate, closely integrated with, those for the low income farm families.

(6) Migrant workers' income and employment opportunities should be studied in relation to the over-all economic and social problems of migration.

(7) Local labor resources should be more fully utilized as a way of reducing the need for migratory workers.

(8) More extensive use should be made of planned seasonal work schedules.

(9) States should be encouraged to modify their residence restrictions, and to provide agricultural migrant workers with the rights and privileges of residents in the communities in which they work.

(10) Farm employers should be encouraged to improve labor-management practices and relations.

(11) Education of migrant children, youths, and adults should be given special emphasis.

(12) Cooperation of national and other volunteer organizations should be enlisted

in carrying out the recommendations and objectives of the Committee.

To carry on the activities recommended by the Committee additional funds for certain of the member agencies will be necessary. These will be included in the regular budgets of the Departments concerned.

COMMITTEE ACTIVITIES

To determine what needs to be done to improve conditions for migrants, the Committee called upon member agencies to report on what is already being done. It was found that many effective activities are already under way. Some of them have been in operation for many years. Nevertheless, there are areas of considerable size and major importance in which little has been done, or in which effectiveness could be improved.

State Migratory Labor Committees—The Committee has brought to the attention of the Governors of the States the need for joint action in behalf of agricultural migrants and the value of State migratory labor committees in bringing about improvement in the conditions surrounding these workers. Great progress has been made in some of the States where committees have been operating for a number of years. The interest of Governors has led to the appointment of 6 new State committees in recent months. In 27 States where migratory workers are numerically significant, individuals have been designated by the Governors for liaison purposes with the President's Committee on Migratory Labor. The appointment of additional committees may be expected in the near future. Through their regional and State counterparts, the constituent Federal agencies are assisting in the development of these committees. There are 12 State Committees.

Housing—Suggested standards (see Exhibit A) on the construction, sanitation, operation, maintenance, and equipment of labor camps for seasonal workers in agriculture have been developed as a guide to States that wish to give consideration to regulations governing farm labor housing. Suggested draft language to give State agencies authority to issue and administer such regulations also has been prepared for use by the States.



An intensive survey of migratory housing conditions and prospects has been conducted by State agencies in Dade County, Florida. This is the first of several pilot projects to perfect techniques to improve the accuracy of cost estimates for such studies in representative areas throughout the country, as recommended by the Committee. These studies will provide the facts about housing conditions for migrants in different parts of the country, progress being made and anticipated in improving housing for migratory workers, and the kinds of assistance which may be required if domestic migratory workers and their families are to be adequately housed within a reasonable period of time.

Transportation Safety—To improve the safety and comfort of migrant agricultural workers while on the move, the Committee recently issued for consideration by State authorities a set of "Suggested Regulations-Transportation of Agricultural Workers by Motor Vehicle" (see Exhibit B). Public Law 939, 84th Congress, empowers the Interstate Commerce Commission to regulate the interstate transportation of migrant farm workers. State farm placement services are stressing safe transportation in their recruitment programs.



Tax Deductions—A tax information pamphlet (see Exhibit C) has been prepared to inform private individuals and groups of income tax advantages connected with the provision of certain health, education, and welfare services to migrant workers and their families. The Committee also has considered the possibility of accelerated depreciation allowances for housing constructed for migrants.

Cooperation with Voluntary Organizations—Steps are being taken to develop more active cooperation with national voluntary organizations to encourage their interest and activity in helping to achieve on a State and local level the objectives of the Committee program.

ACTIVITIES OF MEMBER AGENCIES

Improved services for migrants in health, education, child welfare, employment, and other social and economic programs are in process or planned for the immediate future by the member agencies of the Committee.

Health—Health services for migrant workers are provided through a continuing program of control of communicable diseases and the provision of health services, such as maternal and child health, rehabilitation, public health nursing, health education, and sanitation services. Special arrangements are being made in some States for record forms to be carried by migrants to facilitate continuity of services as migrants move. Some States are also making special efforts to concentrate screening examinations and treatment of certain health problems at points of origin or staging areas where these problems can best be cared for.

Primarily as a tool for health workers—since public health services are generally organized on a county basis—camps are being prepared to show, by counties, the peak concentrations of agricultural migrants. A map of the East

Coast States and a guide to sources of health services in major migrant work areas of these States are now available.

A program is currently under consideration to determine the extent to which residence restrictions are a barrier to migrants in obtaining health, education and welfare services, and to find ways to modify their effect.

Education—The education of migrants and their children is a continuing program that depends on State and community implementation. Emphasis is being placed on getting children into school in the various States along their labor routes, in making education experience profitable to them, and in persuading adults to accept the values of education for their children and themselves. Special transfer cards to be carried by children are being tried out along the East Coast States, and techniques for accomplishing these goals are being developed in a number of States.

Employment Stabilization—To reduce the need for migration, efforts are being made to ensure the most effective utilization of local labor during peak demand periods, thus keeping workers in the available local farm labor force. Success, however, is contingent on the establishment of a more stable demand and the improvement of working conditions. The

Annual Work Plan, a form of planned seasonal work scheduling, seems to be working well in this connection. The plan seeks to increase employment at the migrants' "home base" and to ensure more continuous employment while on the road.

In studies made in low-income areas, emphasis is placed on the importance of including information regarding workers who may be available for seasonal farm employment in other areas. The possible effects of technological improvements on the need for migratory workers are also being studied in selected areas.

CONCLUSION

The Committee and its member agencies have made significant progress in developing a better understanding of the problems of agricultural migrants and greater cooperation among all groups in a constructive approach to these problems. The Committee has stimulated action on many fronts in behalf of migrants. It is too early to measure the long-term results of the Committee's activities. We feel the real work of putting programs into action has only begun. We are confident that by continuing to improve and coordinate the working relationship between agencies and organizations we shall be able to report significant progress in reaching the goals which you have set for improvement in the conditions under which migrants live and work.



EXHIBIT A

Suggested Language for Regulations of



Agricultural Labor Camps



The President's Committee on Migratory Labor

James P. Mitchell, Secretary of Labor, Chairman

Ezra Taft Benson, Secretary of Agriculture

Fred A. Seaton, Secretary of Interior

Marion B. Folsom, Secretary of Health, Education, and Welfare

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U. S. DEPARTMENT OF LABOR
Washington 25, D. C.

**Suggested Language for
Regulations of Agricultural Labor Camps
and a
State Bill Authorizing Such Regulation**

The President's Committee on Migratory Labor was established in an effort to improve the working and living conditions of our domestic migrant agricultural workers. The substandard conditions under which many of these seasonal workers and their families are housed have been pointed out in many official and private reports. Some employers have provided good housing; others have not given this problem the needed attention. There is a growing recognition of the close relationship between housing and the efficiency and well-being of the workers. Good housing and sanitation are essential to individual and community health. Migrant workers who are provided with a suitable place in which to live are likely to achieve greater self-respect and better acceptance in the community. As a result they are more responsible employees.

Regulation of housing in urban areas is an accepted principle. There is a growing public awareness that similar safeguards should be set up for housing of migrant farm workers and their families. Some States adopted such regulations long ago. Others are now studying the problem.

As a guide for State action in improving housing for migrant agricultural workers, the President's Committee has prepared (a) suggested minimum standards for construction, operation and maintenance of labor camps and (b) suggested draft language for use where legislation is necessary to give a State agency authority to establish and administer such minimum standards. These recommended standards can also serve as a guide to communities and employers who are interested in improving housing for seasonal workers.

These documents were prepared by a Working Group drawn from Federal Government agencies with various responsibilities and interests in the fields of labor, agriculture, housing and public health and in the process divergent viewpoints were harmonized. In the development of these standards the Working Group drew heavily on State experience in regulating housing for migrants. Consultants from a number of States met with the Working Group and also reviewed the documents in draft form.

The standards recommended are minimum rather than optimum. They are broadly inclusive, covering all types of rural housing for migratory farm workers and govern site, shelter, space, lighting, sanitation, heating, cooking facilities, and other environmental factors relating to the maintenance of health and safety. They include suggestions for administering the standards since State experience indicates that such provisions are a necessary part of the program for better housing for migrant farm workers. They do not, however, cover the areas where temporary agricultural workers may live in large numbers in urban slums. The solution to this problem must be sought through other devices such as State and local housing codes or regulations.

In the definitions and technical standards actual values representing good practice and the minimum limits necessary for health and safety have been used. The use of specific values was considered essential to a clear understanding of the effect, significance and interrelationship of the various provisions of the suggested regulations. These recommendations should be reviewed carefully in the light of existing State regulations concerning sanitation, fire prevention, health and housing in order to permit adaptation to local conditions where necessary. In making adaptations, certain technical standards may likewise have to be changed.

The President's Committee hopes that these documents will be helpful to all groups who are interested in providing more adequate housing for the migrant agricultural workers who constitute such an important segment of the farm work force and who make such a significant contribution to our national economy.

May 4, 1956

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SUGGESTED LANGUAGE FOR REGULATIONS RELATING TO THE CONSTRUCTION, EQUIPMENT, SANITATION, OPERATION AND MAINTENANCE OF AGRICULTURAL LABOR CAMPS

A. DEFINITIONS

For the purposes of these regulations:

1. **Agriculture labor camp**, hereinafter referred to as "camp," includes one or more buildings or structures, tents, trailers, or vehicles, together with the land appertaining thereto, established, operated or used as living quarters for five or more seasonal or temporary workers engaged in agricultural activities, including related food processing.

2. **Person** means an individual or group of individuals, association, partnership or corporation.

3. **Camp operator** means the person who has been granted a permit in accordance with these regulations to operate a camp.

4. **Shelter** means any building of one or more rooms, or tents, or trailers, used for sleeping or living quarters at a camp.

5. **Habitable room** means a room or enclosed floor space used or intended to be used at a camp for living, sleeping, cooking, or eating purposes excluding bathrooms, watercloset compartments, laundries, pantries, foyers, or connecting corridors, closets or storage space.

6. **Toilet facilities** mean water closets, privies, urinals and the rooms provided for installation of these units.

7. **Refuse** means all putrescible and nonputrescible solid waste except body wastes, including garbage, rubbish, and ashes.

8. **Garbage** means all putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food at a camp.

9. **Sanitary landfill** means the controlled dumping of refuse on land, compaction of this refuse into the smallest practicable volume, and then the covering of it daily with an appropriate amount of earth.

B. APPLICATION OF REGULATIONS; RESPONSIBILITY FOR COMPLIANCE

1. Application

These regulations shall apply to all camps as defined in Section A.1.

2. Higher Local Regulations Prevail

No provision in these regulations shall take precedence over a requirement in any applicable State, county, or local law or regulation, when the corresponding requirement of such law or regulation is more stringent than the provision in these regulations.

3. Responsibility of Camp Operator

The camp operator, as defined in these regulations, shall be responsible for complying with all statutory requirements and regulations issued thereunder relating to camps and with all conditions stated in the permit issued to him under Part "C" of these regulations.

C. ADMINISTRATION

1. Notice of Construction of Camp

Each person who is planning to construct or enlarge for occupancy or use, a camp or any portion or facility thereof, or to convert a property for use or occupancy as a camp shall give notice in writing of his intent to do so to the _____* at least 15 days before the date of beginning such construction, enlargement or conversion. The notice shall give the name of the city, village, town, or county in which the property is located, the location of the property within that area, a brief description of the proposed construction, enlargement or conversion, and the name and mail address of the person giving the notice and his telephone number, if any. Upon receipt of such notice, the _____* shall send promptly to the person giving notice copies of the State law, and regulations issued thereunder, applicable to camps.

* Insert title of head of agency vested with administration of these regulations.

2. Permit for Operation of Camp

Before any person shall operate a camp directly or indirectly he shall make an application for and receive a valid permit for the operation of the camp.

3. Application and Issuance of Permit

Application for such permit shall be made to the _____* in writing, on a form and in the manner prescribed by the said _____* at least 15 days before the proposed operation of the camp. It shall show the name and address of the person requesting a permit to operate the camp, name and address of the owner of the camp, the approximate number of persons to be lodged, the approximate period during which the camp is to be operated, and such other pertinent information as the _____* shall find necessary. A separate application shall be submitted for each camp and a separate permit shall be issued annually for each such camp.

A permit shall not be transferrable or assignable. It shall expire 1 year from the date of its issuance, or upon a change of operator of the camp, or upon revocation.

In the event of an intended change of operator of a camp, the new applicant shall apply for a permit at least 5 days before the proposed change is effected.

If the _____* finds, after investigation, that the camp or the proposed operation thereof conforms, or will conform, to the minimum standards required by these regulations, he shall issue a permit for operation of the camp on a form prescribed by him.

4. Right to Hearing, if Permit Denied

Whenever any person applying for a permit to operate a camp is denied such permit, the _____* shall upon applicant's request afford him a fair hearing in accordance with rules promulgated by the _____*.

5. Revocation

A permit may be revoked at any time, after notice and opportunity for fair hearing in

accordance with rules promulgated by the _____* if he finds that the camp for which the permit is issued is maintained, operated or occupied in violation of law or of any regulations applicable to a camp or in violation of the conditions stated in the permit. A new permit shall not be issued until the _____* is satisfied that the camp will be operated in compliance with the law and regulations. In case of the revocation of a permit, any application for a new permit, following such revocation, shall be filed at least 5 days before the first day of the intended resumption of operation.

6. Duties of Camp Operator

a. The person to whom the permit is issued, defined in these regulations as the camp operator, shall post and keep posted such permit in a conspicuous place in the camp.

b. The camp operator shall himself inspect daily, or provide a competent individual to inspect daily, the grounds and the common-use spaces of buildings, structures or tents, including toilets, showers, laundry, mess hall, dormitories, kitchen or any other facilities relating to the operation of the camp and see that each is maintained in a clean and orderly condition and that broken screening and other elements of structure in any of the buildings are promptly repaired.

c. The camp operator shall inform himself of the State law or local regulations relative to the reporting and control of communicable diseases and shall comply with all pertinent requirements.

d. No person known to be infected with a disease in a communicable form or to be a carrier of such disease shall be employed in the operation or maintenance of a camp.

7. Responsibility of Occupants

Every employee and occupant of a camp shall use the sanitary and other facilities furnished for his convenience and shall comply with all applicable camp regulations which may concern or affect his conduct.

* Insert title of head of agency vested with administration of these regulations.

D. SITE AND PHYSICAL FACILITIES

1. Camp Area

a. All camp sites shall be well drained and free from depressions in which water may stand. Natural sinkholes, pools, swamps or other surface collectors of water within 200 feet of the periphery of the camp shall be either drained or filled to remove the quiescent surface water except that such areas containing water not subject to such drainage or filling shall be treated with oil or other larvicide to prevent the breeding of mosquitoes during mosquito breeding season.

b. No camp shall be located on a site which is subject to or may cause extreme traffic or other hazard, unless acceptable safeguards are provided.

c. No camp shall be located on the watershed of a domestic or public water supply so as to create a pollution hazard.

d. No camp structure shall be located less than 200 feet from barns, pens, or similar quarters of live stock or poultry.

e. No camp shall be located less than 200 feet from an establishment processing or distributing commercial food products.

f. All camp sites shall be adequate in size to permit locating of buildings so as to minimize the hazards of fire.

g. All camps shall provide space for recreation, commensurate with size of the camp and the type of occupancy.

2. Water Supply

a. An adequate and convenient supply of water of quality that meets the standards of the State health authority shall be available at all times in each camp for drinking, culinary, bathing, and laundry purposes.

b. When wells or springs are used as source of the camp water supply they shall be constructed and protected as required by the State health authority.

c. No surface or cistern water supply shall

be used except under conditions approved by the State health authority.

d. The water supply shall be capable of delivering at least 35 gallons of water per person per day to the camp site.

e. Where water is distributed under pressure a supply rate at least $2\frac{1}{2}$ times the average hourly demand shall be possible and the distribution lines shall be capable of supplying water at normal operating pressure to all fixtures.

f. Adequate facilities for providing hot water for bathing, laundering and dishwashing purposes shall be available in all camps.

g. In existing camps with water-pressure systems, water outlets shall be located in such manner that no shelter or habitable area is more than 100 feet distant from such an outlet. Drainage facilities shall be provided for the overflow or spillage from such outlets.

h. In all camps hereafter constructed, water under pressure shall be supplied to all habitable buildings.

3. Excreta and Liquid Waste Disposal

a. Facilities shall be provided and maintained in all camps for the satisfactory disposal or treatment and disposal of excreta and liquid waste.

b. Where public sewer systems are available, all building sewers shall be connected thereto. Where public sewers are not available and conditions will permit, a subsurface seepage or other type of liquid waste disposal system shall be installed in accordance with the requirements of the State health authority.

c. Non-water carriage excreta disposal facilities shall be constructed as required by the State health authority.

4. Shelter

a. Shelters in all camps shall be structurally sound and shall provide protection to the occupants against the elements. The

floors of buildings used as living quarters shall be constructed of wood, asphalt, concrete or other comparable material. Wooden floors shall be of planed tongue and groove lumber and in buildings without a cellar or basement shall be elevated not less than 18 inches above ground level to permit free circulation of air. The air space below the floor shall be properly screened and shall not be used for storage purposes.

b. All concrete or asphalt floors shall be smooth finished and the floor level shall be elevated at least 6 inches above the average ground level.

c. In all shelters hereafter constructed or remodeled not less than two rooms shall be provided for each family composed of husband and wife and one or more children 10 years of age or over. Except in the housing of families, separate sleeping accommodations shall be provided for each sex.

d. In all shelters hereafter constructed or remodeled each room designed or used for sleeping purposes shall have at least 400 cubic feet of air space per person. It shall contain at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant. In a house trailer furnished by a person other than occupant there shall be at least 20 square feet of clear floor area for each person sleeping therein.

e. At least one-half of the floor area of each habitable room in a building, not in a tent or house trailer, shall have a minimum ceiling height of 7 feet and no floor space shall be counted where the ceiling height is less than 5 feet.

f. Each habitable room shall have at least one window or skylight opening directly to the out-of-doors. The minimum total window area shall be 10 percent of the floor area of such room. Whenever the only window in a room is a skylight type window in the top of such room the total window area of such skylight shall equal at least 15 percent of

total floor area of such room. This shall not apply to tents or trailers.

g. Each habitable room in a building shall have at least one window or skylight which can be easily opened for ventilating the room. The total of openable window area in a room shall equal at least 45 percent of the minimum window area size required for that room except where there is supplied some other approved device affording adequate ventilation.

5. Means of Egress

All buildings in which people sleep or eat shall be provided with exits for use in case of fire which conform to requirements of the State fire law or regulations or standards issued by the appropriate authority.

NOTE:—If there are no State fire laws, regulations, or standards that can be applied to camps, the following provisions are suggested:

All buildings in which people sleep or eat shall be provided with at least two outside exits for use in case of fire so located as to afford alternate means of escape. If sleeping quarters are provided above the ground floor, at least one outside exit from such quarters shall be required. Dormitory sleeping quarters, central dining rooms, and common assembly rooms shall have at least two exits. All sleeping quarters in which 10 or more individuals sleep shall have at least 2 doors opening to the outside of the building or to an interior hall.

Where flights of stairs extend beyond more than 2 occupied floors in a building there shall be a self-closing door at both the lower and upper end of each flight of stairs between 2 floors, and the construction of the stairwell shall have at least $\frac{1}{2}$ hour fire resistance. Such doors shall swing in in the direction of exit travel. A landing shall be provided beyond each door opening and shall have a width and depth not less than the width of the door opening. The flights of stairs shall be enclosed within smoke-tight walls. The landing and floor area from any interior door through the

building to an outside exit of the building, except for any required intervening door, shall be maintained free and clear of any obstruction.

6. Screening

All outside openings shall be protected during the fly season with wire fly screening of not less than 16 mesh. All screen doors shall be equipped with self-closing devices.

7. Heating

a. When a camp is operated during a season and in a climate requiring artificial heating, all living quarters shall be provided with properly installed heating equipment of adequate capacity to maintain a temperature of at least 70° Fahrenheit during the period of occupancy.

b. A stove or other source of heat shall be installed and vented in such a manner as to avoid both a fire hazard and a dangerous concentration of fumes or gas. In a room with wooden or combustible flooring, there shall be a concrete slab, metal sheet, or other fire resistant material on the floor under every stove, extending at least 18 inches beyond the perimeter of the base of the stove. Any wall or ceiling not having a fire resistant surface within 24 inches of a stove or stovepipe shall be protected by a metal sheet or other fire resistant material. Heating appliances, other than electrical, shall be provided with a stovepipe or vent connected to the appliance and discharging to the outside air or chimney. Such vent or chimney shall extend above the peak of the roof. A vented metal collar shall be installed around a stovepipe, vent or flue in a wall, ceiling, floor or roof through which the stovepipe, vent or flue passes.

c. Automatically operated heat-producing equipment shall be provided with controls to cut off the fuel supply upon the failure or interruption of flame or ignition, or whenever a predetermined safe temperature or pressure is exceeded. All steam and hot water systems shall be provided with safety devices arranged to prevent hazardous pressures and excessive temperatures.

8. Lighting

Where electric service is available each habitable room in a camp shall be provided with at least one ceiling-type light fixture and at least one separate floor or wall-type electric convenience outlet. Other rooms in which people congregate, and water closet compartments, privies, laundry rooms, and toilets shall contain at least one ceiling or wall-type fixture. Electric wiring shall be installed in accordance with provisions of the National Electrical Code.

9. Toilets

a. Approved toilet facilities adequate for the capacity of the camp shall be provided.

b. Each toilet room shall be located so as to be accessible without any individual passing through any sleeping room. Toilet rooms shall have a window not less than 6 square feet in area opening directly to the outside area. No flush toilet fixture nor urinal shall be located in a sleeping room.

c. A toilet facility shall be located at least within 200 feet of the door of each sleeping room. No privy shall be closer than 50 feet to any sleeping room, dining room, mess hall or kitchen.

d. Where the toilet facilities are shared such as in multi-family dwellings and in dormitory-type facilities separate toilet rooms shall be provided for each sex. These rooms shall be distinctly marked "for men" and "for women" by signs printed in English and in the native language of the persons occupying the camp. If the facilities for each sex are in the same building they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling.

e. Where toilet facilities are shared the number of water closets or privies provided for each sex shall be based on the maximum number of persons of that sex which the camp is designed to house at any one time, in the ratio of one such unit to each 15 persons, with a minimum of 2 units for any shared facility. Family living accommodations

containing private toilet facilities shall not be considered when establishing this number of shared toilet facilities.

f. Urinals should be provided on the basis of 1 for each 25 men. The wall and floor space to a point of 1 foot in front of the urinal lip and 4 feet above the front and at least 1 foot to each side of the urinal shall be faced with a non-absorbent material.

g. Every water closet hereafter installed shall be located in a toilet room.

10. Washrooms, Bathrooms and Laundry Tubs

a. Approved washing, bathing and laundry facilities adequate to the capacity of the camp shall be provided.

b. In multiple family dwellings and in dormitory-type facilities, separate washrooms and bathrooms conveniently located shall be provided for each sex. Each separate facility shall be plainly designated. If the facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling. Baths provided in family living accommodations shall be partitioned off from the rest of the room. Provision shall be made for adequate dressing space adjacent to bathing facilities.

c. In multiple family dwellings and in dormitory-type facilities wash basins shall be provided in the ratio of 1 for every 12 persons and 1 shower head for every 8 persons or fraction thereof. All shower and wash fixtures shall be provided with hot and cold water under pressure.

d. The floors of utility buildings shall be of smooth but nonskid finish, impervious to moisture and sloped to drain. Floor drains properly trapped shall be provided in all shower baths and shower rooms to remove waste water and facilitate cleaning. The walls and partitions of shower rooms shall be smooth and impervious to moisture.

e. In multiple family dwellings and in dormitory-type facilities 1 laundry tray or wash

tub or other laundry facility for every 25 occupants of the camp, or fraction thereof, shall be provided for laundry purposes and shall be convenient to all living quarters. Hot and cold water shall be provided at each laundry tray or wash tub.

11. Cooking and Eating Facilities

a. In camps where workers are permitted or required to cook in their individual quarters, a separate room shall be provided and equipped for use as a kitchen.

b. In camps where cooking facilities are used in common, the kitchen area shall be screened. Stoves (in a ratio of 1 to 10 persons or 1 stove to 2 families) shall be provided. Provision shall be made for safe storage and refrigeration of food.

c. In camps where there is a central mess or multi-family feeding operation the kitchen and mess hall shall be constructed in accordance with the regulations of the State health authority. The size of such facilities should be in proper proportion to the capacity of the camp, and separate from the sleeping quarters. The floors, walls, ceilings, tables and shelves of all kitchens, dining rooms, refrigerators, and food storage rooms shall be so constructed that they can always be maintained in a clean and sanitary condition. The exterior wall openings of all dining rooms, kitchens and food storage rooms shall be screened and rendered fly-tight at all times during the period that the camp is in operation. Screen doors shall be self-closing and installed to open outward from the area to be protected.

12. Garbage and Other Refuse Disposal

a. Provision shall be made for disposing of garbage and other refuse by incineration, grinding, burial or incorporation in a sanitary landfill. Metal cans with tight-fitting metal coverings and 10 to 20 gallons capacity shall be provided for storage of garbage pending collection and final disposal.

E. OPERATION AND MAINTENANCE

1. Camp Area

a. The camp grounds shall be maintained in a clean, safe and sanitary condition free from rubbish, debris, waste paper, garbage, and other refuse.

b. When the camp is to be closed for the season, all garbage, rubbish, manure and other refuse shall be collected and so disposed of as to prevent nuisance. All camp grounds, buildings and facilities shall be left in a clean and sanitary condition.

2. Water Supply

a. Water supplies which may have become exposed to contamination accidentally or following repair work shall be thoroughly disinfected in accordance with State regulations before being placed in use.

b. A water sample from the camp's supply shall be submitted for bacteriological examination to an approved laboratory prior to the initial operation of the camp and thereafter when any major repair to or alteration of the water supply system has been made.

c. Delivery of water to a camp in portable containers shall not be permitted after 1 year following the effective date of these standards. Where it is necessary to haul water the containers for transporting and distributing it shall have tight fitting covers and spigots and shall be cleaned and disinfected daily. The water drawn from the containers shall have a residual chlorine content of at least 0.3 parts per million.

d. The use of a common drinking cup is prohibited. Drinking fountains shall be of a type approved by the State health authority.

3. Shelter

a. All living and sleeping quarters shall be maintained in a clean, sanitary condition. Floors shall be scrubbed with hot water and suitable cleansing agents as often as necessary to maintain them in a clean, sanitary condition.

b. All shelters shall be kept in good repair.

c. All living quarters not constructed with closet space for storage of personal effects shall be provided with lockers or other suitable storage facilities.

4. Beds and Bedding

a. Sleeping facilities shall be provided for each worker. Such facilities shall consist of beds, cots, or bunks, complete with springs and shall include clean mattresses and mattress covers or mattress ticks filled with clean straw or other suitable material free from dust or vermin. Mattresses and mattress ticks shall be laundered or otherwise sanitized between assignment to different employees. They shall also be treated, as necessary, with an insecticide to prevent vermin infestation.

b. All sheets, pillow cases, blankets or other bed covers provided by the camp operator shall be kept in a sanitary condition.

c. Every bed, bunk, or cot shall have a clear space of at least 12 inches from the floor. Triple-deck facilities shall be prohibited and in dormitory or quarters housing other than family groups double beds shall be prohibited. Single beds shall be spaced not closer than 36 inches laterally or end to end. Double deck facilities shall be spaced not less than 48 inches laterally or 36 inches end to end. There shall be a clear ceiling height above a mattress of not less than 36 inches. The clear space above the lower mattress of a double deck facility and the bottom of the upper bunk shall be not less than 27 inches.

d. Sleeping quarters for a group of people of one sex shall be separate from the sleeping quarters occupied by people of a group of the opposite sex except in the housing of families.

e. Regular inspections of beds and bedding shall be made to insure freedom from vermin. When vermin are found or reported, extermination measures shall be undertaken immediately.

5. Toilets

a. Toilets and urinals shall be inspected regularly to assure that they are operating properly.

b. Toilet rooms shall be maintained in a clean and sanitary condition.

c. Where common toilet facilities are provided an adequate supply of toilet paper shall be provided in each toilet.

6. Laundry, Handwashing and Bathing Facilities

a. Laundry and bathing facilities shall be maintained in a clean and sanitary manner.

7. Cooking and Eating Facilities

a. Where a central mess or multi-family feeding operation is conducted it shall be done in accordance with regulations of the State health authority.

8. Garbage and Other Refuse Storage and Collection

a. Fly-tight metal containers approved by the State health authority shall be provided adjacent to each shelter for garbage and other refuse.

b. Whenever garbage receptacles are full, and at least three times a week the garbage and refuse shall be collected and after emptying, cans shall be thoroughly cleaned.

9. Insect and Rodent Control

a. Effective measures shall be taken to control rats and flies, mosquitoes, bedbugs, and other insect vectors or parasites within the camp premises.

10. Safety and Fire Prevention.

a. First-aid facilities approved by the State health authority or other appropriate State agency shall be maintained and made available in every labor camp for the emergency treatment of injured persons.

b. First-aid facilities shall be in charge of a responsible person, and shall be readily accessible for use at all times.

c. All buildings or structures of a camp shall be maintained and used in accordance with the provisions of the State or local regulations relative to fire prevention.

d. Units of fire-extinguisher equipment shall be so located that a person will not have to travel more than 100 feet from any point to reach the nearest unit and at least one unit shall be provided for each 1,000 square feet of floor space.

e. The number of appliances of size indicated below shall constitute one unit of fire-extinguisher equipment:

(1) Soda and acid:

1 - 2½ gallons

2 - 1½ gallons

(2) Foam:

1 - 2½ gallons

2 - 1½ gallons

(3) Vaporizing liquid (carbon tetrachloride):

2 - any size from 1 quart to 1 gallon

(4) Water type:

1 - 2½ gallons (stored pressure)

2 - 5 gallons (pump type)

f. All fire-fighting equipment must be maintained in good operating condition so that the use of such equipment may be instantaneous as the need arises.

g. Adult occupants shall be properly instructed in fire prevention and in the proper use of such equipment.

SUGGESTED LANGUAGE FOR A STATE BILL AUTHORIZING REGULATION OF AGRICULTURAL LABOR CAMPS

NOTE: In these suggestions, the name of the administrative agency has been left blank. State laws regulating labor camps, or authorizing the regulation of such camps, place administration either in the State department of health or in the State department of labor.

SECTION 1. DEFINITIONS

For the purposes of this act:

(a) **Agricultural labor camp** includes one or more buildings or structures, tents, trailers, or vehicles, together with the land appertaining thereto, established, operated or used as living quarters for five or more seasonal or temporary workers engaged in agricultural activities, including related food processing.

(b) **Person** means an individual or group of individuals, association, partnership or corporation.

SECTION 2. RESPONSIBILITY FOR COMPLIANCE

Every person operating or maintaining an agricultural labor camp shall comply with the requirements of this act and of any regulations issued hereunder.

SECTION 3. PERMIT REQUIRED FOR OPERATION OF CAMP

No person directly or indirectly shall operate an agricultural labor camp until he has obtained from the _____ * a permit to operate said camp and unless such permit is in full force and effect and is posted and kept posted in the camp to which it applies at all times during maintenance and operation of the camp.

SECTION 4. APPLICATION FOR PERMIT; ISSUANCE OF PERMIT

Application to operate an agricultural labor camp shall be made to the _____ * in writing on a form and under regulations prescribed by the _____ *. The _____ * shall issue such a permit for the operation of an agricultural labor camp, if he is satisfied, after investigation or inspection, that the camp meets the minimum standards of construction, sanitation, equipment, and operation required by regulations issued under Section 6 of this act. Such permit shall be valid for 1 year unless revoked. It shall not be transferrable. If an applicant is refused a permit, the _____ * shall upon request afford the applicant a fair hearing, in accordance with regulations prescribed by the _____ *.

SECTION 5. PERMIT MAY BE REVOKED¹

The _____ * may, after reasonable notice and opportunity for fair hearing, in accordance with regulations¹ issued by the said _____ * revoke a permit authorizing the operation of an agricultural labor camp, if he finds that the holder of such permit has failed to comply with any provision of this act or of any regulation or order issued hereunder.

* Insert the title of head of agency to be vested with administration of the act.

¹ If the State has an administrative procedures act, applicable sections of that act may be substituted for the provision authorizing regulations with respect to notice and opportunity for hearing.

**SECTION 6. AUTHORITY TO ISSUE REGULATIONS;
PUBLIC HEARINGS REQUIRED; EFFECTIVE
DATE; PUBLICATION¹**

(a) The _____* shall formulate and issue such rules and regulations, as he may find necessary to protect the health, safety, and welfare of persons living in agricultural labor camps, prescribing standards for living quarters at such camps, including provisions relating to construction of camps, sanitary conditions, light, air, safety protection from fire hazards, equipment, maintenance and operation of the camp, and such other matters as may be appropriate for security of the life and health of occupants. Rules and regulations issued under this section shall be effective as provided in subsection (c) of this section and shall have the force and effect of law.

In the preparation of such rules and regulations the _____* shall consult with and request technical assistance from other appropriate State agencies and may appoint and consult with committees of technically qualified persons and of representatives of employers and employees.

(b) Before any rule or regulation is issued, amended or repealed, there shall be a public hearing thereon, notice of which shall be published at least once, not less than _____ days prior thereto in such newspaper or newspapers of general circulation, as the _____* may prescribe. Notice of such public hearing shall be furnished by the _____* to anyone filing a request therefor.¹

(c) All rules and regulations shall unless otherwise prescribed by the _____* take effect _____ days after publication, and a copy thereof shall be filed as a public record in the _____**, and in the office of the Secretary of State. A copy of every regulation issued under this act shall be sent

to each health officer in the State and to the heads of other State agencies with specific or related responsibility affecting agricultural labor camps and to any person requesting same. The regulations affecting agricultural labor camps, issued under this act, shall be published from time to time in such manner as the _____* may determine.¹

SECTION 7. ENFORCEMENT; RIGHT OF ENTRY

The _____* shall administer and enforce the provisions of this act and regulations issued hereunder. The _____* and his authorized representatives may enter and inspect agricultural labor camps at reasonable hours and may question such persons, and investigate such facts, conditions, and practices or matters, as he may deem necessary or appropriate to determine whether any person has violated any provisions of this act or to aid in the enforcement of the provisions of this act or in the formulation of rules or regulations thereunder. He may, to the extent appropriate, utilize the services of any other State department or agency of the government for assistance in such inspections and investigations.

SECTION 8. COURT REVIEW

(a) Any person aggrieved by an order of the _____* denying or revoking a permit to operate an agricultural labor camp may, within 30 days after the permit is denied or revoked, petition the _____*** court for a review of said action, praying that such order be modified or set aside.

(b) Any person aggrieved by any rule or regulation issued under Section 6 of this act by the _____*, may within _____ days after the rule or regulation becomes effective petition the _____*** court to modify or set aside such rule or regulation in whole or in part, but only on the ground that it is unlawful or unreasonable.

* Insert the title of head of agency to be vested with administration of the act.

** Insert agency to be vested with administration.

*** Insert name of court to which appeal is to be permitted.

¹ If the State has an administrative procedures act, applicable sections of such act may be substituted for the provisions in subsections (b) and (c) relating to public hearing, notice, publication and effective date.

(c) A copy of the petition filed under subsections (a) or (b) above, shall be served upon the _____.*. The _____* shall keep and, upon notice of filing of the petition, shall certify and file in the court, a full record in the proceeding before him upon which the action complained of is based. The review authorized in subsections (a) and (b) above shall be limited to questions of law. Findings of fact by the _____*, if supported by substantial evidence, shall be conclusive. The jurisdiction of the court shall be exclusive and its judgment shall be final, except that the same shall be subject to review by the _____** court.

SECTION 9. PENALTY

Any person failing to comply with any provision of this act, or with any rule, regulation, or order issued thereunder, or interfering with, impeding or obstructing in any manner, the _____* or his authorized representatives in the performance of their official duties under this act, shall be guilty of a violation of this act, and upon conviction thereof shall be subject to a fine of not less than _____ dollars nor more than _____ dollars or to imprisonment for not less than _____ nor more than _____, or both such fine and imprisonment, for each such offense.

SECTION 10. INJUNCTION

(a) Upon the determination by the _____* of any violation of the provisions of this act or any regulation issued under Section 6, relating to agricultural labor camps, the _____* may serve the operator of such camp with an

order requiring compliance with such provision or regulation within such time as the _____* determines is reasonable. It shall be sufficient service of such order, if it is posted in a conspicuous place upon the premises affected and a copy thereof mailed, on the same day it is posted, to the camp operator at the address filed by him in the _____***.

(b) If compliance with such provisions is not had within the period specified in the order of compliance, the _____* may institute proceedings to enjoin such violation in the _____** court of the judicial district within which any person charged with violating such provision of this act resides or is maintaining an agricultural labor camp, and such court shall have jurisdiction to issue temporary or permanent restraining orders or grant other appropriate equitable relief to assure compliance with the provisions of this act and any applicable rule or regulation issued thereunder.

(c) In order to adequately place and care for workers and their families housed in any such camp, the court to which application is made for such restraining order shall, prior to the granting thereof, require proof that notice of such application has been given to (a) the county agricultural agent, (b) the representative of the nearest office of the public employment service, whose duty it is to aid in placing such workers in suitable employment, and (c) the _____****.

SECTION 11. EFFECTIVE DATE

This act shall take effect _____.

* Insert the title of head of agency to be vested with administration of the act.

** Insert name of court before whom injunction proceedings are to be brought.

*** Insert Agency to be vested with administration.

**** Insert the name of the agency in the county or other appropriate political subdivision in charge of welfare.

EXHIBIT B

Suggested Regulations



Transportation of Agricultural Workers by Motor Vehicle

The President's Committee on Migratory Labor
U. S. DEPARTMENT OF LABOR
Washington 25, D. C.

James P. Mitchell, Secretary of Labor, Chairman
Ezra Taft Benson, Secretary of Agriculture
Douglas McKay, Secretary of Interior
Marion B. Folsom, Secretary of Health, Education, and Welfare
Albert M. Cole, Administrator of Housing and Home Finance Agency

Henry K. Arneson, *Executive Secretary*
U. S. DEPARTMENT OF LABOR
Washington 25, D. C.

FOREWORD

Suggested Regulations

Transportation of Agricultural Workers by Motor Vehicle

President Eisenhower, in appointing the President's Committee on Migratory Labor, said: "It is my hope that this Committee will aid the various Federal agencies in mobilizing and stimulating more effective programs and services for migrants and in providing service to State and local areas through their constituent members."

At its first meeting the President's Committee on Migratory Labor agreed that the transportation of migrant workers was an area in which immediate action should be undertaken to improve conditions for migrants.

Several hundreds of thousands of migrant agricultural workers annually travel thousands of miles from their homes to and from places where work is available. Most of these workers are transported by private carrier truck. There has been comparatively little regulation of such transportation by the States and no Federal regulation.

It is recognized that the transportation of passengers by truck can achieve neither the safety nor the comfort of vehicles designed for passenger use. However, much improvement can be made through applying these suggested regulations. Some States have recognized the problem and have made substantial progress.

This proposed Code was developed to provide information to the States for use in the development and enactment of legislation to regulate private carrier truck transportation of workers. It was drafted with the assistance and advice of national organizations and State agencies concerned with motor vehicle safety. It was anticipated that the States may wish to make adaptations to meet various conditions; for example, to make the code applicable to long or short hauls.

Both State and Federal action are needed to meet the problem fully. Since the transportation of agricultural workers in private carrier trucks is not now subject to regulation by the Interstate Commerce Commission, the President's Committee is working with the Commission on the development of proposed regulations for the interstate aspects of the transportation of migrant workers.

February 8, 1956

TRANSPORTATION OF AGRICULTURAL WORKERS BY MOTOR VEHICLE

PART 0 - DEFINITIONS:

The following words when used in this Chapter shall have the meanings respectively ascribed to them in this Part.

Sec. 0-1 Bus

Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons; and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

Sec. 0-2 Truck

Any motor vehicle designed, used or maintained primarily for the transportation of property.

Sec. 0-3 Truck Tractor

Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Sec. 0-4 Semitrailer

Any vehicle with or without motive power other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Sec. 0-5 Highway

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Sec. 0-6 Private Carrier

Any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle" as defined in section 203(a) of the Interstate Commerce Act, as amended, 49 U.S.C. 303(a), who or which transports workers by any motor vehicle other than a passenger automobile.

Sec. 0-7 Worker

Any individual engaged in, proceeding to or returning from employment in agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 203(f).

Sec. 0-8 Applicability

Parts 0 to 8 of this Chapter shall be applicable to private carriers, their agents and employees. Every private carrier shall comply with the requirements of this part, shall instruct its officers, agents, representatives and drivers with respect thereto, and shall take such measures as are necessary to insure compliance therewith by such persons. All officers, agents, representatives, drivers, and employees of private carriers directly concerned with the management, maintenance, operation, or driving of motor vehicles, shall comply with and be conversant with the requirements of this Chapter.

PART 1 - QUALIFICATIONS OF DRIVERS:

Sec. 1-1 Minimum Requirements

Drivers for private carriers shall be subject to the applicable requirements and driving qualifications specified for drivers of school buses by Sec. 6-101

through 6-306 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances.

PART 2 - DRIVING OF MOTOR VEHICLES:

Sec. 2-1 Driving Rules

Every motor vehicle shall be driven in accordance with the Rules of the Road prescribed by sections 11-101 through 11-1304 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances except insofar as a greater affirmative obligation or restraint may be imposed by this part.

Sec. 2-2 Schedules to Conform With Speed Limits

No private carrier shall schedule a run nor permit or require the operation of any motor vehicle between points in such period of time as would necessitate the vehicle being operated at speeds greater than those prescribed for school buses by the jurisdiction in or through which the vehicle is being operated.

Sec. 2-3 Safe Loading

(a) Distribution and Securing of Load

No motor vehicle shall be driven nor shall any private carrier permit or require any motor vehicle to be driven if it is so loaded, or if the load thereon is improperly distributed or so inadequately secured, as to prevent its safe operation.

(b) Doors, Tarpaulins, Tailgates and Other Equipment

No motor vehicle shall be driven unless the tailgate, tailboard, tarpaulins, doors, all equipment and rigging used in the operation of said vehicle or for the convenience of passengers and all means of fastening the load and protecting the passengers are securely in place.

(c) Interference With Driver

No motor vehicle shall be driven when the passengers or any object obscures the driver's view ahead, or to the right or left side, or interferes with the free movement of his arms or legs, or prevents his free and ready access to the accessories required for emergencies, or prevents the free and ready exit of any person from the vehicle.

(d) Property on Motor Vehicles

No motor vehicle transporting workers and property shall be driven unless such property is stowed in a manner which will assure: (1) unrestricted freedom of motion to the driver for proper operation of the vehicle; (2) unobstructed passage to all exits by any person; and (3) adequate protection to passengers and others from injury as a result of the displacement or falling of such property.

(e) Maximum Passengers on Motor Vehicles

No motor vehicle shall be driven if the total number of passengers, less one if a passenger is carried in the truck cab, exceeds the seating capacity permitted on the seats prescribed in section 3-3(d) and all passengers thereon shall remain seated while the motor vehicle is in operation.

Sec. 2-4 Rest Stops

Every private carrier shall provide not less than one rest stop of not less than 15 minutes at not more than two hour intervals. Stops for meals shall be made whenever necessary and shall be for no less than 30 minutes.

Sec. 2-5 Kinds of Motor Vehicles in Which Workers may be Transported

Workers may be transported by private carriers in or on only the following types

of motor vehicles: a bus, a truck with no trailer attached, or a semitrailer attached to a truck tractor provided that no other trailer is attached to the semitrailer.

Sec. 2-6 Interval of day for Travel

No motor vehicle other than a bus shall be driven nor shall any private carrier permit or require any such motor vehicle transporting workers to be driven before 6 o'clock in the morning nor after 8 o'clock in the evening. For the purpose of this section the time standard in effect at the place of beginning the day's travel shall be used. This section shall not be applicable to vehicles transporting workers to and from their employment in the same day.

Sec. 2-7 Obscured Lamps or Reflectors

No motor vehicle shall be driven when any of the required lamps or reflectors are obscured by the tailboard, by any part of the load, by dirt, or otherwise.

Sec. 2-8 Ignition of Fuel: Prevention

No driver or any employee of a private carrier shall: (a) Fuel a motor vehicle with the engine running, except when it is necessary to run the engine to fuel the vehicle; (b) Smoke or expose any open flame in the vicinity of a vehicle being fueled; (c) Fuel a motor vehicle unless the nozzle of the fuel hose is continuously in contact with the intake pipe of the fuel tank; (d) Permit any other person to engage in such activities as would be likely to result in fire or explosion.

Sec. 2-9 Reserve Fuel

No supply of fuel for the propulsion of any motor vehicle or for the operation of any accessory thereof shall be carried on that motor vehicle except in a properly mounted fuel tank or tanks.

Sec. 2-10 Driving by Unauthorized Person

Except in case of emergency, no driver shall permit a motor vehicle to which he is assigned to be driven by any person not authorized to drive such vehicle by the private carrier in control thereof.

PART 3 - EQUIPMENT OF VEHICLES:

Sec. 3-1 Equipment Required

Every bus, truck, or semitrailer shall be equipped and operated in accordance with the applicable requirements of Sections 12-101 through 12-410 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances, except insofar as a greater affirmative obligation or restraint is imposed by this part.

Sec. 3-2 Coupling Devices and Towing Methods

(a) Fifth Wheel Mounting

The lower half of every fifth wheel mounted on any truck tractor or dolly shall be securely affixed to the frame thereof by U-bolts of adequate size, securely tightened, or by other means providing at least equivalent security. Such U-bolts shall not be of welded construction. The installation shall be such as not to cause cracking, warping, or deformation of the frame. Adequate means shall be provided positively to prevent the shifting of the lower half of a fifth wheel on the frame to which it is attached.

(c) Fifth Wheel, Securing

The upper half of every fifth wheel shall be fastened to the motor vehicle with at least the security required for the securing of the lower half to a truck tractor or dolly.

(c) Fifth Wheel, Locking

Locking means shall be provided in every fifth wheel mechanism

including adapters when used, so that the upper and lower halves may not be separated without the operation of a positive manual release. A release mechanism operated by the driver from the cab shall be deemed to meet this requirement. On fifth wheels designed and constructed as to be readily separable, the fifth wheel locking devices shall apply automatically on coupling for any motor vehicle the date of manufacture of which is subsequent to December 31, 1952.

Sec. 3-3 Passenger Compartment

Every motor vehicle transporting workers for a private carrier, which was not designed and constructed to carry passengers, shall have a passenger compartment in accordance with the following requirements:

(a) Floors

A substantially smooth floor, without protruding obstructions more than two inches high, except as are necessary for securing seats or other devices to the floor, and without cracks more than one inch wide or holes more than one inch in diameter.

(b) Sides

Side walls and ends above the floor at least 60 inches high, by attachment of sideboards to the permanent body construction if necessary. Stake body construction shall be constructed to comply with this requirement only if all six-inch or larger spaces between stakes are suitable closed to prevent passengers from falling off the vehicle.

(c) Nails, Screws, Splinters

The floor and the interior of the sides and ends of the passenger carrying space shall be free of inwardly protruding nails, screws, splinters, or other projecting objects, likely

to be injurious to passengers or their apparel.

(d) Seats

A seat for each worker transported. The seats shall be: (1) securely attached to the vehicle during the course of transportation; (2) not less than 16 inches nor more than 19 inches above the floor; (3) at least 13 inches deep; (4) equipped with backrests extending to a height of at least 36 inches above the floor, with at least 24 inches of space between the backrests or between the edges of the opposite seats when face to face; (5) designed to provide at least 18 inches of seat for each passenger; (6) without cracks more than one-fourth inch wide, and the backrests, if slatted, without cracks more than two inches wide, and (7) the exposed surfaces, if made of wood, planed or sanded smooth and free of splinters.

(e) Protection From Weather

Whenever necessary to protect the passengers from inclement weather conditions a top at least 80 inches high above the floor and facilities for closing the sides and ends of the passenger carrying compartment. Tarpaulins or other such removable devices for protection from the weather shall be secured in place.

(f) Exit

Adequate means of ingress and egress to and from the passenger space shall be provided on the rear or at the right side. Such means of ingress and egress shall be at least 18 inches wide. The top shall be at least 60 inches high. The bottom shall be at the floor of the passenger space, except where ingress and egress requires climbing over an obstruction. The clear opening shall in any event be not less than 36 inches high.

(g) Gates or Doors

Gates or doors shall be provided to close the means of ingress and egress and each such gate or door shall be equipped with at least one latch or other fastening device of such construction as to keep the gate or door securely closed during the course of transportation; and readily operative without the use of tools.

(h) Ladders or Steps

Ladders or steps for the purpose of ingress or egress shall be used when necessary and shall remain firmly attached to the vehicle during the course of transportation. The maximum vertical spacing of footholds shall not exceed 12 inches, except that the lowest step may be not more than 18 inches above the ground when the vehicle is empty.

(i) Hand Holds

Hand holds or devices for similar purposes shall be provided to permit ingress and egress without hazard to passengers.

(j) Emergency Exit

Vehicles with permanently affixed roofs shall be equipped with at least one emergency exit having a gate or door, latch and hand hold as prescribed in paragraphs (g) and (i) of this section and located on a side or rear not equipped with the exit prescribed in paragraph (f) of this section.

(k) Communication With Driver

Means shall be provided to enable the passengers to communicate with the drivers. Such means may include telephone, speaker tubes, buzzers, pull cords, or other mechanical or electrical means.

Sec. 3-4 Heaters

Every motor vehicle not designed to carry passengers when used in temperatures below 60°F shall be equipped with a heater adequate to maintain a temperature of 60°F under all ordinary weather conditions expected during the seasons and in the locations where it is used for the transportation of workers. The term "heater" as used in this section means any device or assembly of devices or appliances used to heat the interior of any motor vehicle. The installation or uses of the following types of heaters is prohibited: (1) Exhaust heaters - any type of exhaust heater in which the engine exhaust gases are conducted into or through any space occupied by persons or any heater which conducts engine compartment air into any such space. (2) Unenclosed flame heaters - any type of heater employing a flame which is not fully enclosed. (3) Heaters permitting fuel leakage - any type of heater from the burner of which there could be spillage or leakage of fuel upon the tilting or overturning of the vehicle in which it is mounted. (4) Heaters permitting air contamination - any heater taking air, heated or to be heated, from the engine compartment or from direct contact with any portion of the exhaust system; or any heater taking air in ducts from the outside atmosphere to be conveyed through the engine compartment, unless said ducts are so constructed and installed as to prevent contamination of the air so conveyed by exhaust or engine compartment gases. (5) Solid fuel heaters except wood charcoal - any stove or other heater employing solid fuel except wood charcoal. This section shall not be applicable to vehicles transporting workers to and from their employment in the same day.

PART 4 - REPORTING OF ACCIDENTS:**Sec. 4-1 Accidents and Accident Reports**

Every driver of a motor vehicle shall in the event of accident comply with the

requirements specified in Section 10-102 through 10-108, 10-111, and 10-114 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances.

PART 5 - HOURS OF SERVICE OF DRIVERS:

Sec. 5-1 Maximum Driving Time

Except as otherwise provided in this section, no private carrier shall permit or require a driver employed or used by it to drive or operate for more than 10 hours in the aggregate excluding rest stops and stops for meals in any period of 24 consecutive hours, unless such driver be off duty for 8 consecutive hours immediately following the 10 hours aggregate driving and within said period of 24 consecutive hours. The term "24 consecutive hours" as used in this part means any such period starting at the time the driver reports for duty. In case of snow, sleet, fog, or other adverse weather conditions, a driver may be permitted to drive or operate a motor vehicle for not more than 12 hours in the aggregate in any period of 24 consecutive hours in order to complete the run, without being off duty for a period of 8 consecutive hours, subject to the limits prescribed by section 2-6.

PART 6 - INSPECTION AND MAINTENANCE OF MOTOR VEHICLES:

Sec. 6-1 Inspection and Maintenance of Private Carrier

Every private carrier shall systematically inspect and maintain or cause to

be systematically maintained, all motor vehicles and their accessories subject to its control, to insure that such motor vehicles and accessories are in safe and proper operating condition.

Sec. 6-2 Official Inspection

Motor vehicles operated by private carriers shall be subject to official inspection as provided in Sections 13-101 through 13-109 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances.

PART 7 - SANCTIONS:

Sec. 7-1

Except as otherwise provided in those provisions of the Uniform Vehicle Code made applicable by this Chapter, it shall be a misdemeanor for any private carrier or his agent to do any act forbidden or fail to perform any act required by this Chapter.

PART 8 - FINANCIAL RESPONSIBILITY:

Sec. 8-1

Private carriers shall be subject to the financial responsibility provisions specified in Sections 7-101 through 7-505 of the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances.

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EXHIBIT C

TAX DEDUCTION INFORMATION FOR FARM LABOR EMPLOYERS

To: ALL EMPLOYERS OF SEASONAL AGRICULTURAL WORKERS

Employers planning to furnish various types of benefits to their employees are interested in whether contributions or expenses for these purposes are deductible for Federal income tax purposes.

To help clarify for employers of seasonal agricultural workers the conditions under which tax deductions are allowable, the President's Committee on Migratory Labor asked several questions of the Internal Revenue Service. The answers to these questions are summarized on the attached sheet.

Further information may be obtained from the "Farmers' Tax Guide," available either at the office of the Internal Revenue Service or the office of the county Agricultural Agent.

TAX DEDUCTIONS ALLOWABLE FOR EXPENSES INCURRED IN FURNISHING VARIOUS TYPES OF BENEFITS TO EMPLOYEES

(Including seasonal agricultural workers)

As an employer, you may be furnishing certain benefits to your employees and their families. These may include transportation, housing, day care for children, medical and hospital care, and others. Under certain conditions, the cost of these benefits may be used to reduce your income tax. Other persons in addition to your employees may use the services or facilities to which you contribute. This fact alone will not affect your possible tax advantage.

You may pay for or provide these benefits as an individual employer, or you may contribute to an association or cooperative which pays for or provides these benefits to your employees. In either case, your expenditure for such purposes may be

deductible—either as a business expense or as a charitable contribution.

In claiming credit for expenditures, of course, you should be able to submit evidence in case you are called upon by the Internal Revenue Service to do so, showing in detail what the expenditures were for, their relationship to your business, and that they were made with a reasonable expectation of a financial return commensurate with the amount of the expenditure. The determination of these questions is under the jurisdiction of the District Director of Internal Revenue who can answer specific tax questions.

In general terms, the conditions under which you may obtain such tax advantages are as follows:

Types of expenditure deductible as a business expense

For any of the following to be considered as a business expense and therefore deductible for tax purposes, your business must have gained some benefit from the expenditure.

▶ If you pay for transportation or housing for your employees, either as an individual or through an association or cooperative, the cost ordinarily can be deducted from your gross income.

▶ If you maintain transportation or housing facilities for your employees, maintenance costs and a reasonable allowance for depreciation can be deducted.

▶ If you pay the salaries of teachers, doctors and nurses, or other personnel in a school, child care center, clinic or other type of facility, your payments are deductible as business expenses only if made



in consideration of a binding agreement on the part of the facility to furnish their services for your employees.

If you own a building and donate its use for educational, health or similar services, you can deduct the maintenance costs and depreciation as a business expense if you can show a financial benefit to your business. (You cannot ordinarily deduct the rental value of a building.) If you donate the use of a building which you rent from the owner, the rental cost may be deductible as a business expense if you can show a financial benefit to your business.

If you voluntarily pay for facilities or services for medical care and hospitalization of your employees, the cost can be deducted from gross income as ordinary and necessary business expenses.

Payment for medical care or hospitalization for your employees can be deducted as a business expense. (Instead of paying for medical care or hospitalization, you or your association may contribute to an accident or health plan providing your employees compensation—through insurance or otherwise—for personal injuries or sickness. The costs of such contributions on behalf of your employees may be deducted as a business expense. However, the cost of

such contributions does not constitute additional compensation to your employees, and need not be reported as part of their gross income.

Your contribution or gift, either as an individual or through your association or cooperative, to or for the use of an organization which meets Internal Revenue Service requirements, may be deducted from your taxable income as a charitable contribution. Payments made to such an organization for services rendered or to be rendered by the organization which directly benefit the taxpayer personally or any particular individual are not considered to be charitable contributions but may be business expenses. Whether such payments may be considered as business expenses depends upon whether it can be shown that any benefit flows to the business.

A "charitable contribution" has been defined by the Internal Revenue Service as a contribution or gift to or for the use of any governmental body or other organization that qualifies as a charitable organization under the 1954 Internal Revenue Code. These may include groups that maintain facilities such as health centers, child care centers, and schools.

The "Farmers Tax Guide" may be obtained at the Office of the Internal Revenue Service or the Office of the County Agricultural Agent. The Internal Revenue Service Office can also help you with specific income tax questions.

THE PRESIDENT'S COMMITTEE ON MIGRATORY LABOR

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