

## **Fact Sheet #51: Field Sanitation Standards under the Occupational Safety and Health Act**

The Occupational Safety and Health Act of 1970 was enacted to assure safe and healthful working conditions for working men and women. In 1987, the [Occupational Safety and Health Administration](#) issued regulations establishing minimum standards for field sanitation in covered agricultural settings. Authority for enforcing these field sanitation standards in most states has been delegated to the Wage and Hour Division of the U.S. Department of Labor.

### **Summary**

The OSHA field sanitation standards require covered employers to provide: toilets, potable drinking water, and hand-washing facilities to hand-laborers in the field; to provide each employee reasonable use of the above; and to inform each employee of the importance of good hygiene practices. Covered employers who fail to comply with the statute or regulations may be subjected to a range of sanctions, including the administrative assessment of civil money penalties and civil or criminal legal action.

### **Scope of Coverage**

In general, the field sanitation standards apply to any agricultural establishment employing 11 or more workers on any one day during the previous 12 months, to perform “hand labor” field work. “Hand labor” includes hand-cultivation, hand-weeding, hand-planting, and hand-harvesting of vegetables, nuts, fruits, seedlings, or other crops, including mushrooms, and the hand-packing of produce in the field into containers, whether performed on the ground, on moving machinery, or in a shed. “Hand labor” does not include the care and feeding of livestock, or hand labor operations in permanent structures (e.g. canning facilities or packing houses.) Except for hand labor reforestation work, the term “hand labor” also does not include forestry operations, such as logging.

### **Drinking Water**

Covered agricultural employers must provide potable drinking water, suitably cool and in sufficient amounts, dispensed in single-use cups or by fountains, located so as to be readily accessible to all employees.

### **Toilets and Handwashing Facilities**

Covered agricultural employers must provide one toilet and handwashing facility for every 20 employees, located within a quarter-mile walk, or if not feasible, at the closest point of vehicular access. Premoistened towelettes, once allowed by some state regulators, cannot be substituted for handwashing facilities. Toilets and handwashing facilities are not required for employees who do field work for three hours or less each day, including travel to and from work.

Employers must maintain such facilities in accordance with public health sanitation practices, including upkeep of water quality through daily change (or more often if necessary); toilets clean, kept sanitary, and operational; handwashing facilities refilled with potable water as necessary and kept clean, sanitary, and safe; and proper disposal of wastes from the facilities.

### **Employee Notification and Other Requirements**

Covered agricultural employers must provide notification to each employee of the location of the water and sanitation facilities, and must allow employees reasonable opportunities during the workday to use them. The

employer also must inform the employee of the relevant health hazards in the field and the practices necessary to minimize them. Employees cannot be made to bear the costs incurred by the employer for providing required facilities.

### **Wage and Hour Division Authority**

On February 3, 1997, the Wage and Hour Division assumed authority to enforce these field sanitation standards nationwide, except for Puerto Rico and the following OSHA State-Plan states: Arizona, California, Hawaii, Maryland, Michigan, New Mexico, Nevada, North Carolina, Oregon, Tennessee, Virginia, Vermont and Washington.

### **Where to Obtain Additional Information**

**For more information on standards in any of these states (or Puerto Rico), contact the state labor department or the [nearest office of the Occupational Safety and Health Administration](#). For information on the federal field sanitation standards for a state not listed, visit the Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).**

Certain states have adopted standards more stringent than the federal requirements. Where both federal and state requirements apply to an agricultural establishment, the employer is obligated to comply with the stricter requirement. Contact the state labor agency or department of health to find out whether your state has such requirements

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

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