

Chapter Ind 49

MIGRANT LABOR CAMPS

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Note: Emergency repeal and recreate, effective March 1, 1975; chapter Ind 49 as it existed on June, 30, 1975 was repealed and a new chapter Ind 49 was created effective July 1, 1975.

Ind 49.001 Scope. This code is to set forth minimum standards for design, construction, operation, repair, maintenance and inspection of all structures including the site for migrant labor camps as defined in section 101.20, Wis. Stats.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.01 Application for certification. Application to operate a migrant labor camp shall be made annually to the department no later than April 1, or 30 days prior to the opening of a new camp. (See 101.20 Wis. Stats.) Issuance of a certificate to operate will be contingent on the camp satisfying the minimum standards of this code.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.02 Definitions. (1) Camp operator is a person who maintains a migrant labor camp.

(2) Common use facilities means structures or areas other than sleeping or living quarters designed to be used by camp occupants not members of the same family (see service building).

(3) Department means the department of industry, labor and human relations.

(4) Migrant labor camp is the site and all structures maintained as living quarters and common use facilities for any seasonal or migrant agricultural, horticultural, arboricultural or herbaceous worker by any person or for him or under his control and supervision, but not including premises occupied by the employer as his own residence. Where an employer employs a migrant worker, each housing location for such worker shall be considered a migrant labor camp.

(5) Migrant worker is a worker engaged primarily in agricultural, horticultural, arboricultural or herbaceous industry, who must move so far in the course of his seasonal employment that he must establish a temporary residence at one or more locations away from the place he calls home.

(6) Occupants means migrant workers and family dependents who move with the workers living in the camp.

(7) Service buildings means common use facilities for housing toilets, lavatories, showers and laundry facilities.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.03 Plans and specifications. (1) Plans and specifications for all new construction including additions to existing buildings intended for use as housing or common use facilities shall be approved by the department before letting contracts or commencing work.

(a) Exception. No prior approval of plans shall be required for the following:

1. Single story buildings for use as housing for not more than 2 families.

2. Buildings for use by not more than 10 persons not members of the same family.

3. Common use facilities containing less than 25,000 cubic feet total volume providing they have no floor or roof span greater than 30 feet and are not more than 2 stories high.

(b) Buildings for which the submission of plans and specifications is waived shall comply with the requirements of this code.

(2) Three copies of plans and one copy of specifications are required for approval.

(3) Plans shall include:

(a) A plot plan of the migrant camp which includes the location and grades of adjoining streets, alleys, lot lines and any other buildings on the same lot or property.

(b) Name of owner.

(c) Intended use or uses of all rooms, and the number of persons to be accommodated therein.

(4) All requirements of the Wis. Adm. Code chapters 50-60 [50-64] Building and Heating, Ventilating and Air Conditioning Code applicable to approval of plans shall apply unless specifically exempted from this code.

(5) One set of approved plans shall be kept by the owner or camp operator and made available to the inspector.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.04 Variations. (1) The department may from time to time grant written permission to individual camp operators to vary from particular provisions set forth in this part when the extent of the variation is clearly specified and it is demonstrated to the department that:

(a) Such variation is necessary to obtain a beneficial use of an existing facility.

(a) Exception: on two-story buildings a modified class 'A' fire escape constructed of wood may be provided as a second exit serving not more than eight persons.

1. The fire escape and its connectors shall be capable of supporting 100 pounds per square foot and shall be fastened to the building by through bolts (at least 7/8 inch diameter), nut and washer (at least 4 inch diameter).

(5) Exit lights and signs shall be provided in accordance with Wis. Adm. Code chapters 50-64, Building and Heating, Ventilating and Air Conditioning.

(6) Fire extinguishing equipment shall be provided in a readily accessible place located not more than 100 feet from each housing unit.

(a) Such equipment shall provide protection equal to a 2½ gallon stored pressure or 5 gallon pump type water extinguisher.

(7) First aid facilities shall be provided and readily accessible for use at all times.

(a) Such facilities shall be equivalent to the 16 unit First Aid Kit recommended by the American Red Cross, and provided in a ratio of 1 per 50 persons.

1. A kit supplied to each family shall be deemed equivalent to the foregoing if it contains at least the following items:

- a. 3½ yards gauze bandage 1 inch width.
- b. 1½ yards ½ inch adhesive tape.
- c. 12 adhesive bandages.
- d. 7/8 oz. first aid cream.
- e. Two 2 x 2- 12 ply gauze pads.

(8) No flammable or volatile liquids or materials shall be stored in or adjacent to rooms used for living purposes, except for those needed for current household use.

(9) Agricultural pesticides and toxic chemicals shall not be stored in the housing area during the period of occupancy.

History: Cr. Register, June, 1975, No. 234, aff. 7-1-75.

Ind 49.19 Camp operators' and occupants' responsibilities. (1) The camp operator or his agent shall clearly explain to camp occupants their responsibilities as to camp occupancy and care.

(a) The camp operator or his agent shall at least once a week inspect the camp area, structures, toilets, showers, and other facilities and see that each is maintained in a clean and orderly condition and that broken or damaged property is promptly repaired.

(b) The camp operator shall designate an individual to maintain the grounds and common use facilities in a clean and orderly condition at least daily.

(c) In camps occupied by 100 or more persons, the camp operator shall provide a full-time person to perform these duties.

(2) Each occupant of a camp shall use the sanitary and other facilities furnished for his convenience and shall comply with applicable camp regulations which may concern or affect his conduct.

(a) Each occupant shall keep in a clean and orderly manner that part of the camp and premise which he occupies or uses.

(b) Each occupant to whom a dwelling unit has been assigned shall be responsible for the cleanliness of that unit and adjacent grounds.

(c) Each occupant shall dispose of his rubbish and garbage by placing it in containers provided for this purpose.

(3) The camp operator shall designate some individual or employe to be responsible for the compliance with these standards and such person's name is to appear on the regulations posted in accordance with section Ind 49.21.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.20 Inspection. (1) All migrant labor camps including individual dwelling units shall be opened to inspection at all reasonable hours by representatives of the department.

(a) The inspector shall make his presence known to the camp operator or an adult member of the operator's immediate family or the person designated as responsible for compliance with these standards before making an inspection.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.21 Posting of rules. A summary of these rules, prepared by the department, shall be posted in the camp where they can be easily seen by the camp occupants and shall state where copies of the rules may be obtained.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75.

Ind 49.22 Fees. (1) **REGISTRATION FEE.** A registration fee of \$10.00 annually shall be submitted to the department for a certificate of operation prior to April 1 or 30 days prior to the opening of a new migrant labor camp. A late registration fee of \$25.00 shall be submitted to the department for a certificate of operation for all owners or operators of migrant labor camps who fail to make application by April 1 or within 30 days prior to the opening of a new migrant labor camp.

(2) **CERTIFICATE OF OPERATION.** The department will issue an annual certificate of operation for each migrant labor camp after the registration fee has been received and the department determines the camp is in compliance with the rules for migrant labor camps.

History: Cr. Register, January, 1975, No. 229, eff. 1-1-76; renum. from Ind 89.12, Register, June, 1977, No. 258, eff. 7-1-77.