

REQUEST FOR HOUSING INSPECTION

Date Requested: _____
MUST be submitted to inspection agency at least 45 days prior to occupancy

Date of Occupancy: _____

TO:

Name of Federal, State or Local Health Inspection or Other Appropriate Agency

Mailing Address

SUBMITTED BY:

Housing Owner/Provider

Farm Labor Contractor

Name

Mailing Address

It is requested by this letter that the facility/real property described below be inspected and certified (permitted) for occupancy by migrant agricultural workers pursuant to Section 203(b) of the Migrant and Seasonal Agricultural Worker Protection Act, (PL 97-470) 29 U.S.C. 1801 et seq. The law requires that such facility or real property meet applicable Federal and State safety and health standards as certified by the appropriate agency. A copy of the certification/permit is required to be posted at the site.

Camp Name: _____

Physical Location: _____

County: _____

Construction: _____
Wood, block, mobile home, barracks, etc.

Number of Units: _____

of workers to be housed: _____

Owner's Name: _____

Owner's Mailing Address: _____

Include Zip Code

Owner's Telephone Number: _____

Include Area Code

Housing facility/real property will be occupied by the following Farm Labor Contractor (if known):

Farm Labor Contractor Name: _____

Social Security or MSPA Number: _____

Certification/permit should be sent to:

Contractor

Owner

Distribution:

Original to Inspecting Agency

First copy to Farm Labor Contractor Registration

Second copy to person making request

Signature of Applicant

GEORGIA

Atlanta District Office US Dept. of Labor Wage & Hour Division 61 Forsyth St., SW Room 7M10 Atlanta, GA 3303	Phone: (404) 893-4600 1-866-4-USWAGE (1-866-487-9243)	Janet Campbell District Director Wayne Kotowski Asst. District Director Linda Sneed Asst. District Director
Savannah Area Office US Dept. of Labor Wage & Hour Division Juliette Gordon Low Federal Bldg. Complex 124 Barnard Street, Suite B-210 Savannah, GA 31401-3648	Phone: (912) 652-4221 1-866-4-USWAGE (1-866-487-9243)	Larry Benjamin Asst. District Director

ALL HOUSING INSPECTION REQUEST FORMS MUST BE SENT TO THE SAVANNAH AREA OFFICE.

**US Dept. of Labor
Wage & Hour Division
Juliette Gordon Low Federal Bldg. Complex
124 Barnard Street, Suite B-210
Savannah, GA 31401-3648
FAX# (912) 652-4992**

The Housing Inspection Request Form must be filled out and submitted every year, you intend on using you housing for workers. The form must be submitted at least 90 days before you plan on housing workers. You may fax the form to the following number: (912) 652-4992

HOUSING CHECKLIST

Owner: _____ Housing Identification: _____

Location and Directions:

Inspected by: _____ Date of Inspection: _____

Housing Approved on: _____ Expiration: _____

Housing Capacity: _____ Number of showers: _____

Family Ready/Adaptable: _____

Number of toilets: _____ Number of sinks: _____

Number/size of hot water tanks: _____

Costs: Estimated cost to bring housing up to compliance with regulations: \$ _____

Site:

- ❖ Is the site graded, ditched, free of depressions in which water may become a nuisance?
- ❖ Is the site large enough to prevent over crowding?
- ❖ Is the site free of debris?
- ❖ How often, and by whom, is waste collected?
- ❖ Must be twice weekly!!!!
- ❖ Site cannot be within 500 feet of area in which livestock is kept! Entrance and exit areas should be free of objects, which would restrict entry or be an obstruction.

Electrical and Gas Fixtures:

- ❖ Are all fixtures properly grounded, vented and operational? (Stoves, heaters, water heaters, refrigerators, etc.)

Shelter:

- ❖ Does the building protect the occupants from the elements, bugs and rodents?
- ❖ Do occupants have 50 square feet per person in sleeping rooms or 100 square feet per person in combination rooms, with at least 7 foot ceilings?
- ❖ Are beds off the floor 12 or more inches to allow for ventilation and placed so that overcrowding does not occur?
- ❖ Are floors, walls, ceilings of good repair and not prone to dampness or mildew?
- ❖ Do windows operate correctly and are at least 10% of floor area in each room?
- ❖ Have you insured that there are no hazards present in the building, which could cause injury to the occupants?

Water:

- ❖ If the location has 25 or more occupants, is water tested monthly by the proper state agency?
- ❖ If there are less than 25 occupants, do you have a valid water test for the duration of the occupancy anticipated?
- ❖ Valid at this time?
- ❖ If public water is used, no testing is required?
- ❖ Is adequate hot water provided?

Electrical:

- ❖ Do all buildings have electrical service with adequate lighting and a receptacle in each room?
- ❖ Are paths and walkways illuminated at night?
- ❖ Are there any exposed wires, missing switch and receptacle covers?
- ❖ Are all extension cords adequate for the gauge of the application?

Sewage:

- ❖ Do all sinks, commodes, faucets and drains work correctly?
- ❖ Is there at least 1 shower per 10 persons?
- ❖ Is there at least 1 toilet for each sex of 15 persons?
- ❖ Is there an adequate and accessible supply of toilet tissue?
- ❖ Is there at least 1 handwash basin per 6 workers?
- ❖ Is there at least 1 laundry tub for every 30 occupants and clothes drying facilities?
- ❖ Do sewage drains hook to city sewers, to working septic systems or drain away from the housing site so no hazard is present?
- ❖ Do you pass through a sleeping area to get to a toilet room?

Cooking:

- ❖ Is the kitchen and dining area clean and of adequate size for the number of occupants?
- ❖ Do you provide at least 1 stove per 10 occupants?
- ❖ Is there refrigeration adequate for the number of occupants related to the frequency of opportunities to get groceries?
- ❖ Is there a clean, non porous, food preparation area and adequate storage for food items?
- ❖ Do you go from any sleeping area directly into the dining and kitchen area?

Safety and Health:

- ❖ Do you provide a working fire extinguisher, smoke detector and first aid kit for each building in which workers sleep, eat or bathe?
- ❖ Do you insure that no flammable materials are stored in the housing units?

Comments:

- ❖ What is the potential life expectancy of this housing unit?

Notes on corrections needed or how housing could be better suited for the workers:

LISTA DE CHEQUEO PARA LA INSPECCIÓN DE VIVIENDA

Dueño: _____ Identificación de vivienda: _____

Localidad y direcciones:

Inspeccionado por: _____ Fecha de inspección: _____

Vivienda aprobada en: _____ Expiración: _____

Capacidad de Vivienda: _____ Número de duchas: _____

Lista / adaptable para familia: _____

Número de excusados: _____ Número de lavabos: _____

Número / tamaño de depósitos de agua caliente: _____

Costos: Costo estimado para cumplir con las regulaciones: \$ _____

Lugar:

¿Es el lugar nivelado, zanjado, libre de depresiones en que agua puede ser una molestia?

¿Es el lugar bastante grande para provenir de apiñar?

¿Es el lugar libre de desecho?

¿Cuándo y quién colecciona el desecho?

¡¡Hay que ser dos veces por semana!!

¡El lugar no puede estar a menos de 500 pies de área en que se guarde el ganado! Las áreas de entrada y salida deben estar libres de objetos que podría limitar entrada o ser una obstrucción.

Instalaciones de electricidad o gas:

¿Todas las instalaciones apropiadamente conectadas con tierra, desfogadas y operísticas?

(Estufas, calentadores, depósitos de agua caliente, refrigeradores, etc.)

Cubierta:

¿Protege el edificio a los ocupantes de los elementos del medio ambiente, insectos y roedores?

¿Tienen los ocupantes 50 pies cuadrados por persona en las recamaras o 100 pies cuadrados por persona en cuartos combinatorios con techos a lo menos de 7 pies?

¿Están a 12 pulgadas o más las camas del piso para permitir ventilación y colocadas para no estar apiñadas?

¿Están los pisos, las paredes y los techos en buena condición y no pronos a humedad o moho?

¿Operan bien las ventanas y son a lo menos 10% le la área del piso por cuarto?

¿Está seguro Ud. que no hay riesgos presentes en el edificio que les puede causar herido a los ocupantes?

Agua:

- ¿Si la localidad tiene 25 o más ocupantes, ¿está analizado el agua mensualmente por la agencia estatal apropiada?
- ¿Si hay menos de 25 ocupantes, ¿tiene un análisis válido para el agua por la duración de ocupación anticipada?
- ¿Está válido en este tiempo?
- ¿Si se usa agua público, ¿no requiere análisis?
- ¿Se proporciona agua caliente suficiente?

Eléctrico:

- ¿Tienen todos los edificios servicio eléctrico con luz suficiente y un enchufe en cada cuarto?
- ¿Iluminados en la noche las sendas y los pasillos?
- ¿Hay alambres expuestas, cubiertos de interruptor y enchufe perdidos?
- ¿Son adecuados los cables de extensión para la aplicación?

Aguas inmundas

- ¿Funcionan adecuadamente los lavabos, excusados, grifos y desagüe?
- ¿Hay a lo menos 1 ducha por cada 10 personas?
- ¿Hay a lo menos 1 excusada por cada sexo de 15 personas?
- ¿Hay suministro adecuado y accesible de papel higiénico?
- ¿Hay a lo menos 1 lavabo por cada 6 trabajadores?
- ¿Hay a lo menos 1 bote para lavar ropa e instalaciones de secado por cada 30 ocupantes?
- ¿Se conectan los desagües al sistema desagüe de ciudad, a sistemas desagüe o desagüe fuera del lugar de la vivienda para no causar peligro?
- ¿Hay que pasar por el área de dormir para llegar al cuarto de baño?

Cocinar:

- ¿Está limpia/o la cocina y el comedor y de tamaño adecuado para el número de ocupantes?
- ¿Proporciona Ud. a lo menos 1 estufa por cada 10 ocupantes?
- ¿Hay refrigeración adecuada para el número de ocupantes en relación a la frecuencia de oportunidades para comprar comida?
- ¿Hay un área no poroso para preparar comida limpia, y lugar adecuado para guardar alimentos?
- ¿Se entra directamente de un área de dormir al comedor y área de cocina?

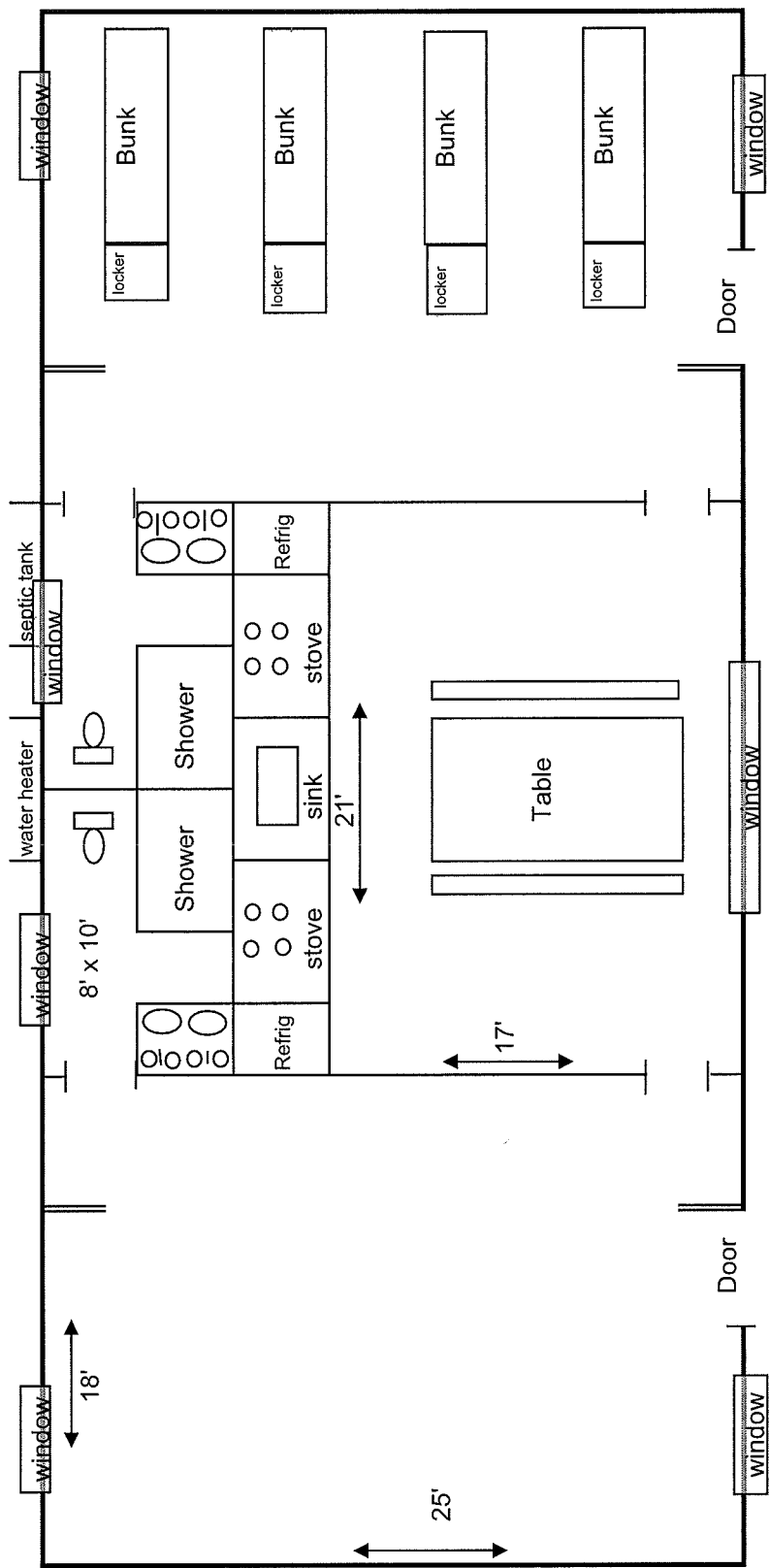
Seguridad y Salud:

- ¿Proporciona Ud. extintores de incendio, detectores de humo que funcionan y suministros de primeros auxilios en cada edificio en que se duermen, comen o se bañan los trabajadores?
- ¿Asegura Ud. que no hay materiales incendios guardados en las viviendas?

Comentarios:

- ¿Cuánto tiempo se espera durar la vivienda?

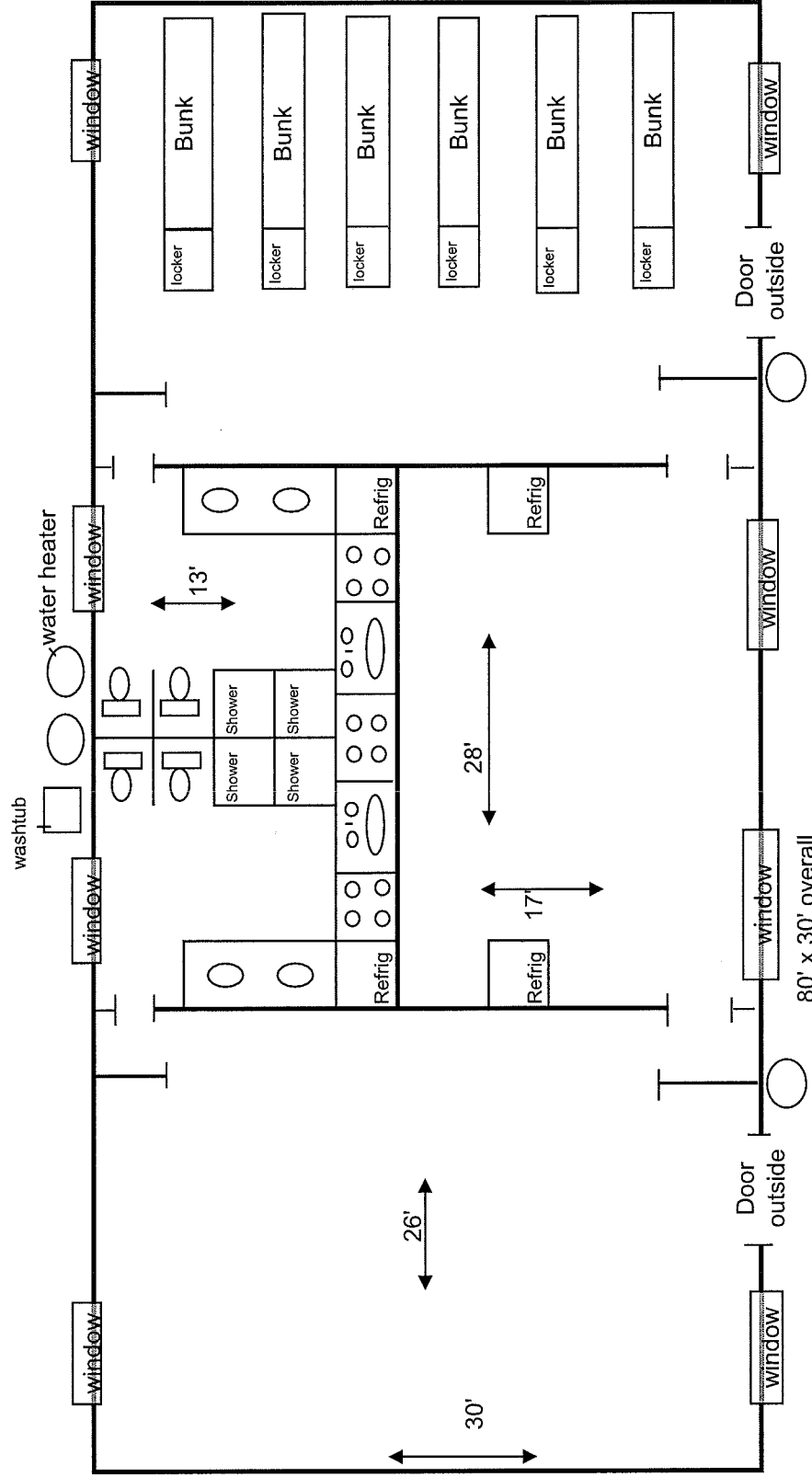
Apuntes de correcciones necesarios o como la vivienda puede ser mejor para los trabajadores:



- 16 people
- 5 sinks
- 2 stoves
- 2 refrigerators
- 2 toilets
- 2 showers

- metal building
- same metal inside
- metal electrical conduit
- insulated
- concrete floor (or joist)

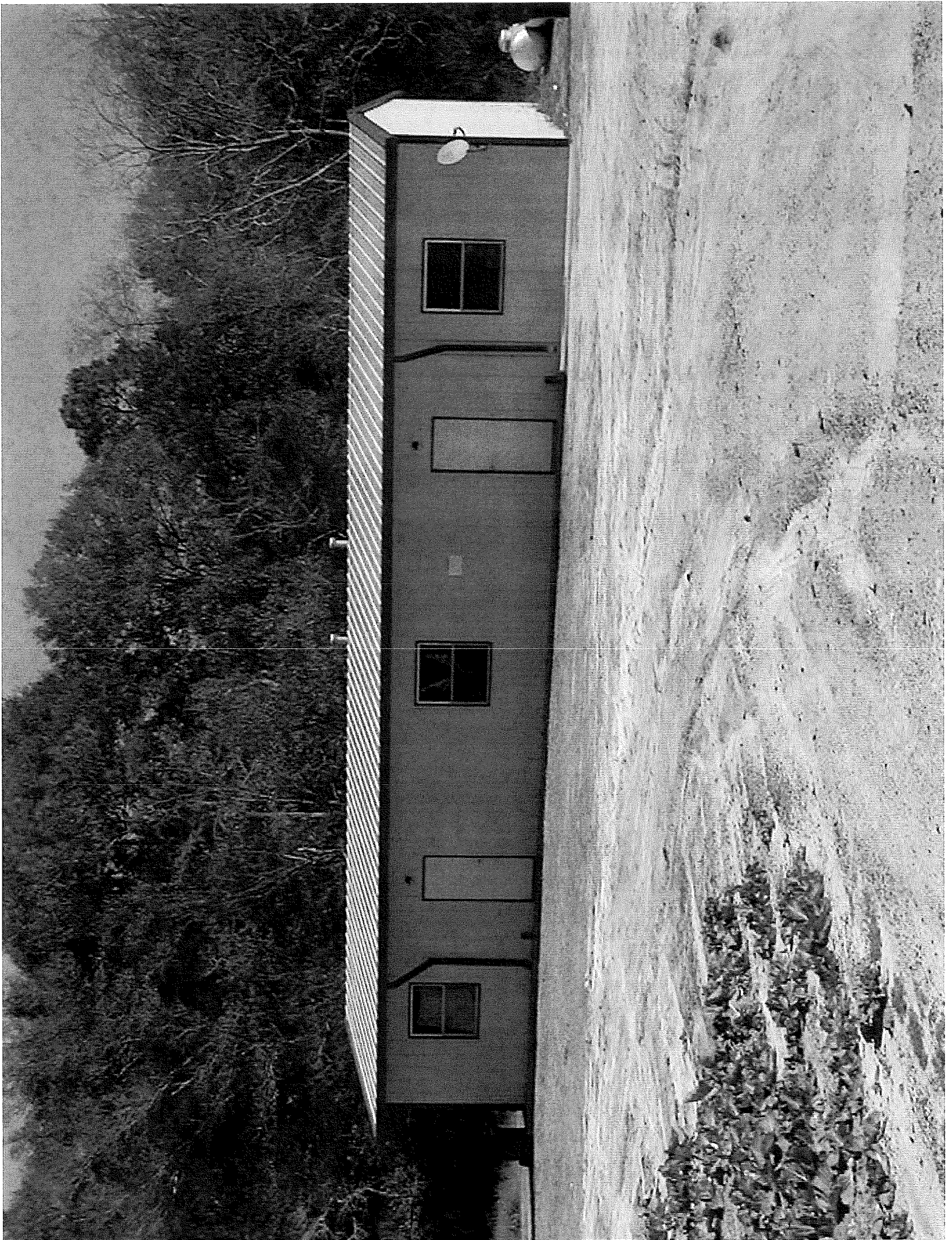
Dan Bremer
 (800) 280-8063



Windows must equal 10% of floor
 Water heaters outside bathrooms
 Electrical Outlet in Sleeping room for every worker.

- 24 workers
- 6 sinks
- 3 stoves
- 4 refrigerators
- 4 toilets
- 4 showers

Dan Bremer
 (800) 280-8063



By Standard Number / 1910.142 - Temporary labor camps.

- **Part Number:** 1910
- **Part Number Title:** Occupational Safety and Health Standards
- **Subpart:** 1910 Subpart J
- **Subpart Title:** General Environmental Controls
- **Standard Number:** 1910.142
- **Title:** Temporary labor camps.
- **GPO Source:** e-CFR

1910.142(a)

"Site."

1910.142(a)(1)

All sites used for camps shall be adequately drained. They shall not be subject to periodic flooding, nor located within 200 feet of swamps, pools, sink holes, or other surface collections of water unless such quiescent water surfaces can be subjected to mosquito control measures. The camp shall be located so the drainage from and through the camp will not endanger any domestic or public water supply. All sites shall be graded, ditched, and rendered free from depressions in which water may become a nuisance.

1910.142(a)(2)

All sites shall be adequate in size to prevent overcrowding of necessary structures. The principal camp area in which food is prepared and served and where sleeping quarters are located shall be at least 500 feet from any area in which livestock is kept.

1910.142(a)(3)

The grounds and open areas surrounding the shelters shall be maintained in a clean and sanitary condition free from rubbish, debris, waste paper, garbage, or other refuse.

1910.142(a)(4)

[Removed]

1910.142(b)

"Shelter."

1910.142(b)(1)

Every shelter in the camp shall be constructed in a manner which will provide protection against the elements.

1910.142(b)(2)

Each room used for sleeping purposes shall contain at least 50 square feet of floor space for each occupant. At least a 7-foot ceiling shall be provided.

1910.142(b)(3)

Beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles shall be provided in every room used for sleeping purposes. Such beds or similar facilities shall be spaced not closer than 36 inches both laterally and end to end, and shall be elevated at least 12 inches from the floor. If double-deck bunks are used, they shall be spaced not less than 48 inches both laterally and end to end. The minimum clear space between the lower and upper bunk shall be not less than 27 inches. Triple-deck bunks are prohibited.

1910.142(b)(4)

The floors of each shelter shall be constructed of wood, asphalt, or concrete. Wooden floors shall be of smooth and tight construction. The floors shall be kept in good repair.

1910.142(b)(5)

All wooden floors shall be elevated not less than 1 foot above the ground level at all points to prevent dampness and to permit free circulation of air beneath.

1910.142(b)(6)

Nothing in this section shall be construed to prohibit "banking" with earth or other suitable material around the outside walls in areas subject to extreme low temperatures.

1910.142(b)(7)

All living quarters shall be provided with windows the total of which shall be not less than one-tenth of the floor area. At least one-half of each window shall be so constructed that it can be opened for purposes of ventilation.

1910.142(b)(8)

All exterior openings shall be effectively screened with 16-mesh material. All screen doors shall be equipped with self-closing devices.

1910.142(b)(9)

In a room where workers cook, live, and sleep a minimum of 100 square feet per person shall be provided. Sanitary facilities shall be provided for storing and preparing food.

1910.142(b)(10)

In camps where cooking facilities are used in common, stoves (in ratio of one stove to 10 persons or one stove to two families) shall be provided in an enclosed and screened shelter. Sanitary facilities shall be provided for storing and preparing food.

1910.142(b)(11)

All heating, cooking, and water heating equipment shall be installed in accordance with State and local ordinances, codes, and regulations governing such installations. If a camp is used during cold weather, adequate heating equipment shall be provided.

1910.142(c)

"Water supply."

1910.142(c)(1)

An adequate and convenient water supply, approved by the appropriate health authority, shall be provided in each camp for drinking, cooking, bathing, and laundry purposes.

1910.142(c)(2)

A water supply shall be deemed adequate if it is capable of delivering 35 gallons per person per day to the campsite at a peak rate of 2 1/2 times the average hourly demand.

1910.142(c)(3)

The distribution lines shall be capable of supplying water at normal operating pressures to all fixtures for simultaneous operation. Water outlets shall be distributed throughout the camp in such a manner that no shelter is more than 100 feet from a yard hydrant if water is not piped to the shelters.

1910.142(c)(4)

Where water under pressure is available, one or more drinking fountains shall be provided for each 100 occupants or fraction thereof. Common drinking cups are prohibited.

1910.142(d)

"Toilet facilities."

1910.142(d)(1)

Toilet facilities adequate for the capacity of the camp shall be provided.

1910.142(d)(2)

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 or otherwise be satisfactorily ventilated. All outside openings shall be screened with 16-mesh material. No fixture, water closet, chemical toilet, or urinal shall be located in a room used for other than toilet purposes.

1910.142(d)(3)

A toilet room shall be located within 200 feet of the door of each sleeping room. No privy shall be closer than 100 feet to any sleeping room, dining room, lunch area, or kitchen.

1910.142(d)(4)

Where the toilet rooms are shared, such as in multifamily shelters and in barracks 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, or marked with easily understood pictures or symbols. 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.

1910.142(d)(5)

Where toilet facilities are shared, the number of water closets or privy seats 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 two units for any shared facility.

1910.142(d)(6)

Urinals shall be provided on the basis of one unit or 2 linear feet of urinal trough for each 25 men. The floor from the wall and for a distance not less than 15 inches measured from the outward edge of the urinals shall be constructed of materials impervious to moisture. Where water under pressure is available, urinals shall be provided with an adequate water flush. Urinal troughs in privies shall drain freely into the pit or vault and the construction of this drain shall be such as to exclude flies and rodents from the pit.

1910.142(d)(7)

Every water closet installed on or after August 31, 1971, shall be located in a toilet room.

1910.142(d)(8)

Each toilet room shall be lighted naturally, or artificially by a safe type of lighting at all hours of the day and night.

1910.142(d)(9)

An adequate supply of toilet paper shall be provided in each privy, water closet, or chemical toilet compartment.

1910.142(d)(10)

Privies and toilet rooms shall be kept in a sanitary condition. They shall be cleaned at least daily.

1910.142(e)

"Sewage disposal facilities." In camps where public sewers are available, all sewer lines and floor drains from buildings shall be connected thereto.

1910.142(f)

"Laundry, handwashing, and bathing facilities."

1910.142(f)(1)

Laundry, handwashing, and bathing facilities shall be provided in the following ratio:

1910.142(f)(1)(i)

Handwash basin per family shelter or per six persons in shared facilities.

1910.142(f)(1)(ii)

Shower head for every 10 persons.

1910.142(f)(1)(iii)

Laundry tray or tub for every 30 persons.

1910.142(f)(1)(iv)

Slop sink in each building used for laundry, hand washing, and bathing.

1910.142(f)(2)

Floors shall be of smooth finish but not slippery materials; they shall be impervious to moisture. Floor drains shall be provided in all shower baths, shower rooms, or laundry rooms to remove waste water and facilitate cleaning. All junctions of the curbing and the floor shall be covered. The walls and partitions of shower rooms shall be smooth and impervious to the height of splash.

1910.142(f)(3)

An adequate supply of hot and cold running water shall be provided for bathing and laundry purposes. Facilities for heating water shall be provided.

1910.142(f)(4)

Every service building shall be provided with equipment capable of maintaining a temperature of at least 70 deg. F. during cold weather.

1910.142(f)(5)

Facilities for drying clothes shall be provided.

1910.142(f)(6)

All service buildings shall be kept clean.

1910.142(g)

"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 convenience outlet. Laundry and toilet rooms and rooms where people congregate shall contain at least one ceiling- or wall-type fixture. Light levels in toilet and storage rooms shall be at least 20 foot-candles 30 inches from the floor. Other rooms, including kitchens and living quarters, shall be at least 30 foot-candles 30 inches from the floor.

1910.142(h)

"Refuse disposal."

1910.142(h)(1)

Fly-tight, rodent-tight, impervious, cleanable or single service containers, approved by the appropriate health authority shall be provided for the storage of garbage. At least one such container shall be provided for each family shelter and shall be located within 100 feet of each shelter on a wooden, metal, or concrete stand.

1910.142(h)(2)

Garbage containers shall be kept clean.

1910.142(h)(3)

Garbage containers shall be emptied when full, but not less than twice a week.

1910.142(i)

"Construction and operation of kitchens, dining hall, and feeding facilities."

1910.142(i)(1)

In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities shall comply with the requirements of the "Food Service Sanitation Ordinance and Code," Part V of the "Food Service Sanitation Manual," U.S. Public Health Service Publication 934 (1965), which is incorporated by reference as specified in Sec. 1910.6.

1910.142(i)(2)

A properly constructed kitchen and dining hall adequate in size, separate from the sleeping quarters of any of the workers or their families, shall be provided in connection with all food handling facilities. There shall be no direct opening from living or sleeping quarters into a kitchen or dining hall.

1910.142(i)(3)

No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

1910.142(j)

"Insect and rodent control." Effective measures shall be taken to prevent infestation by and harborage of animal or insect vectors or pests.

1910.142(k)

"First aid."

1910.142(k)(1)

Adequate first aid facilities approved by a health authority shall be maintained and made available in every labor camp for the emergency treatment of injured persons.

1910.142(k)(2)

Such facilities shall be in charge of a person trained to administer first aid and shall be readily accessible for use at all times.

1910.142(l)

"Reporting communicable disease."

1910.142(l)(1)

It shall be the duty of the camp superintendent to report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.

1910.142(l)(2)

Whenever there shall occur in any camp a case of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, or jaundice is a prominent symptom, it shall be the duty of the camp superintendent to report immediately the existence of the outbreak to the health authority by telegram, telephone, electronic mail or any method that is equally fast.

[39 FR 23502, June 27, 1974, as amended at 47 FR 14696, Apr. 6, 1982; 49 FR 18295, Apr. 30, 1984; 61 FR 5507, Feb. 13, 1996; 61 FR 9227, March 7, 1996; 63 FR 33450, June 18, 1998; 70 FR 1141, Jan. 5, 2005; 70 FR 53929, Sept. 13, 2005]

UNITED STATES DEPARTMENT OF LABOR

Occupational Safety & Health Administration
200 Constitution Ave NW
Washington, DC 20210
800-321-6742 (OSHA)
TTY
www.OSHA.gov

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**Vehicle Mechanical Inspection Report for Transportation
Subject to Department of Transportation Requirements**

U.S. Department of Labor
Wage and Hour Division



NAME OF APPLICANT _____

WAGE AND HOUR DIVISION

OMB NO: 1235-0016
Expires: 03/31/2020

ADDRESS _____

STATE _____

ZIP CODE _____

IMPORTANT:

The Migrant and Seasonal Agricultural Worker Protection Act requires that farm labor contractors subject to this law who transport any migrant and seasonal agricultural workers for agricultural employment obtain from the U.S. Department of Labor a certificate of registration. Applicants for a certificate of registration must produce evidence that the vehicles they use for this purpose meet Department of Transportation requirements. Provided below is a list of major items which should be checked. On the reverse side of this form is a brief summary of the Department of Transportation standards for each of these items. A check (✓) should be placed adjacent to each item which meets these minimum standards. In those instances where an item does not meet these standards, necessary repairs must be completed before the transportation of migrant and seasonal agricultural workers will be authorized. This form must be properly completed and signed, certifying that the vehicle meets Department of Transportation requirements. ***This inspection must be performed by an independent inspection company not affiliated with the applicant.***

If the farm labor contractor possesses a valid current state vehicle safety inspection sticker from the jurisdiction in which the vehicle is registered, the items listed below need not be checked. However, in the Remarks section, the farm labor contractor must identify the state where the inspection was performed, list the appropriate state vehicle safety inspection number and license tag number and then sign and date the form.

Serial or Motor No.: _____ Registration No.: _____ State: _____ License Plate No.: _____

Make: _____ Model: _____ Year: _____ Color: _____ No. of Seats: _____

Truck Tractor Semitrailer Full Trailer Bus Passenger Car Station Wagon Van

This vehicle is used to pull a trailer: Yes No

LIGHTING DEVICES

- (1) Headlights
- (2) Stop lights
- (3) Tail lights
- (4) Clearance lights
- (5) Side markers
- (6) Reflectors
- (7) Turn signals

BRAKES

- (8) Service (foot)
- (9) Parking brake
- (10) Brake tubing
- (11) Brake hoses

- (12) Connections
- (13) Brake warning device or vehicles with air or vacuum brakes

PASSENGER COMPARTMENT

- (14) Windshield/windows
- (15) Floors
- (16) Sides
- (17) Seats
- (18) Exit
- (19) Gates/doors
- (20) Emergency exit

EMERGENCY EQUIPMENT

- (21) Fire extinguisher

- (22) Fuses
- (23) Flares, reflectors, lanterns
- (24) Simultaneous flashing turn signals
- (25) Tires
- (26) Wiring
- (27) Steering
- (28) Horn

PARTS AND ACCESSORIES

- (29) Windshield wipers
- (30) Rear vision mirrors
- (31) Fuel system
- (32) Exhaust system

REMARKS:

AUTHORIZED INSPECTION NUMBER (IF APPLICABLE) _____

EXPIRATION DATE OF INSPECTION NUMBER (IF APPLICABLE) _____

NAME OF SHOP (GARAGE) _____

ADDRESS OF SHOP (GARAGE) _____

TELEPHONE NUMBER _____

DATE OF INSPECTION _____

NAME OF INSPECTOR _____

TITLE OF INSPECTOR _____

PUBLIC BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Administrator, U.S. Department of Labor, Wage and Hour Division, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

DO NOT SEND THE COMPLETED FORM TO THIS OFFICE

1. **Headlights:** On the front, at least two headlamps, an equal number at each side, shall provide an upper and lower distribution of light selected at the driver's will.
2. **Stoplights:** On the rear, two stop lamps, one at each side; shall be actuated from application of the service brakes.
3. **Taillights:** On the rear, two tail lamps, one at each side.
4. **Clearance lights:** On the front, two amber clearance lamps, one at each side. Three amber identification lamps located at center. On rear, two red clearance lamps, one at each side. Three red identification lamps located in the center.
5. **Side markers:** On each side, one amber side marker lamp at or near the front, one red side marker lamp at or near the rear.
6. **Reflectors:** On each side, one amber reflector located at or near the front and one red reflector at or near the rear. On the rear, two red reflectors, one on each side.
7. **Turn signals:** On the front, two amber turn signals, one on each side; on the rear, two red turn signals, one on each side.
8. **Service brake (foot):** Shall be equipped with one application valve, which, when applied, operates all service brakes. It shall be adequate to control the movement of, and to stop the vehicle.
9. **Parking brake:** Must be capable of holding the vehicle under any condition of loading on any grade despite exhaustion of any source of energy or leakage of any kind.
10. and 11. **Brake tubing, brake hose:** Must be secured against chafing, kinking or other mechanical injury.
12. **Connections:** Must be free of leaks, constrictions or other devices.
13. **Brake warning device:** Equipped with either audible or visual warning signals to indicate any loss of air or lack of vacuum.
14. **Protection from weather:** Be equipped with a top at least 80 inches high above the floor and facilities for enclosing side and ends of passenger-carrying compartment.
15. **Floors:** Substantially smooth floor, without protruding obstructions more than 2 inches high (except when necessary to secure seats or other devices to the floor) and void of cracks and holes.
16. **Sides:** At least 60 inches high by attachment of side boards to the permanent body construction if necessary.
17. **Seats:** A seat shall be provided for each worker transported, and must be securely attached to the vehicle; not less than 16 inches, nor more than 19 inches above the floor; at least 13 inches deep; equipped with back rests extending to a height of at least 36 inches above the floor, with at least 24 inches between seats.
18. **Exit:** Adequate means of ingress and egress shall be provided on the rear or at the right side.
19. **Gates/Doors:** Designed to close the means of ingress and egress and shall be equipped with at least one latch or other fastening device constructed so as to keep the gates or doors securely closed.
20. **Emergency exit:** Vehicles with permanently affixed roofs shall be equipped with at least one emergency exit; shall be in addition to the exit provided above, and comply with the requirements of gates or doors.
21. **Fire extinguisher:** At least one fire extinguisher, properly mounted.
22. **Fusee:** At least one burning red fusee.
23. **Flares, reflectors, lanterns:** At least three flares, red electric lanterns, or red emergency reflectors.
24. **Simultaneous flashing turn signals:** A switch must be provided that will cause the two front and two rear turn signals to flash simultaneously as a vehicular hazard traffic warning. This must be capable with the ignition of the vehicle turned on or off.
25. **Tires:** Shall have tread configuration on all parts of the tire which are in contact with the road surface. Cannot use re-grooved, recapped, or retread tires on front wheels.
26. **Wiring:** Bare, loose, dangling, chafing, or poorly constructed wires prohibited.
27. **Steering:** All parts of steering mechanism, including wheel bearings, tie rods, king pins, and bushings, centered control assembly, drag link, springs, shackles, etc., shall be maintained in safe operating conditions.
28. **Horn:** Must be capable of giving adequate and reliable warning signal.
29. **Windshield wipers:** At least two automatically operating blades, one on each side of the center line of the windshield.
30. **Rear vision mirrors:** Two required, one at each side firmly attached to the outside provided that only one shall be required which shall be at the driver's side on those vehicles so constructed that the driver has a view by the means of an interior mirror.
31. **Fuel system:** Cannot be located in or above passenger carrying portion. Shall be free of leaks, securely attached to the vehicle, and shall have a properly fitted plug cap to cover its filling opening. Cannot project beyond overall width of vehicle, nor shall it be located forward of the front axle of the power unit from which it is located.
32. **Exhaust system:** Shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the vehicle.

United States Department of Labor

Wage and Hour division

WAGE AND HOUR ADVISORY MEMORANDUM No. 2006-1

MEMORANDUM FOR REGIONAL ADMINISTRATORS

FROM: ALFRED B. ROBINSON, JR.
Acting Administrator

SUBJECT: Guidance on MSPA Vehicle Safety Standards

INTRODUCTION

The purpose of this memorandum is to provide guidance on vehicle terms and vehicle safety standards for the vehicle safety obligations found in the Migrant and Seasonal Agricultural Worker Act (MSPA) regulations in 29 CFR §§ 500.100 to 500.128 (Subpart D).

Section 401 of the MSPA requires vehicles subject to the Act's requirements to conform to standards prescribed by the Secretary and other applicable Federal and State safety standards when transporting migrant or seasonal workers. Subpart D of the MSPA regulations apply different vehicle safety standards to the transportation of MSPA workers depending on the vehicle type and how the vehicle is to be used. However, the different types of vehicles named in Subpart D are not defined.

The Wage and Hour Division (WHD) of the U.S. Department of Labor enforces vehicle safety standards found in 29 CFR § 500.104 (referred to as the DOL standards) and in 29 CFR § 500.105 (referred to as the DOT standards). The criteria for determining whether the standards in 29 CFR § 500.104 or the standards in 29 CFR § 500.105 apply can be found in 29 CFR § 500.102.

While terms used in the regulation should be given their ordinary meaning, the WHD recognizes the need to provide additional guidance to the field and to the regulated community. Thus, this memorandum provides specific definitions for the vehicle terms used in the regulations at Subpart D.

BACKGROUND

The MSPA vehicle safety requirements in 29 CFR § 500.105 were adopted from DOT regulations at 49 CFR § 398 titled "Transporting Migrant Workers." 49 CFR § 398 does not define "passenger automobile or station wagon" but does provide a definition of a "bus" and a "truck."

DOT regulations provide definitions for several vehicle types in 49 CFR § 571 Federal Motor Vehicle Safety Standards. These definitions are used by the National Highway Traffic Safety Administration (NHTSA) in their Federal Motor Vehicle Safety Standards (FMVSS) and the Federal Motor Carrier Safety Administration (FMCSA) makes reference to these definitions in their regulatory guidance for Federal Motor Carrier Safety Regulations (FMCSR). Additional definitions are also provided in 49 CFR § 523 Vehicle Classifications.

GUIDANCE ON VEHICLE TYPES

Subpart D of the MSPA regulations uses several specific vehicle terms as well as "*passenger automobile or station wagon*" and "*any vehicle other than a passenger automobile or station wagon*" to broadly distinguish vehicle types.

WHD will use the following descriptions of vehicle types when enforcing the motor vehicle safety standards in Subpart D.

The information below is largely based on DOT regulations and guidance. Adopting the same definitions used by US DOT agencies will provide consistency for the regulated community.

- Passenger automobile: a motor vehicle with motive power designed for carrying 10 persons or less (except a low-speed vehicle, a multipurpose passenger vehicle, a truck, a motorcycle, or a trailer). This includes a vehicle designated by the manufacturer as a station wagon.
- Bus: a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.
- Multipurpose passenger vehicle: a motor vehicle with motive power, except a low-speed vehicle or trailer, designed to carry 10 persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation (e.g. SUV). For MSPA enforcement purposes, a multipurpose passenger vehicle will be treated as a passenger automobile with the exception of those that meet the criteria of a truck (see below).
- Pickup truck: a truck (see below) whether extended cab, crew cab, etc. When transporting passengers only within the cab they will be treated as a station wagon as allowed in 29 CFR § 500.102(f).

(a) Designed to perform at least one of the following functions:

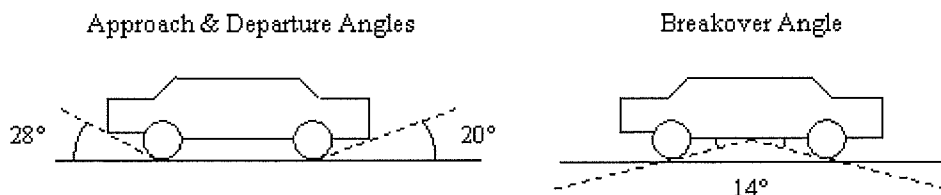
- (1) Transport more than 10 persons;
- (2) Provide temporary living quarters;
- (3) Transport property on an open bed;
- (4) Provide greater cargo-carrying than passenger-carrying volume; or
- (5) Permit expanded use of the automobile for cargo-carrying purposes or other nonpassenger-carrying purposes through the removal of seats by means installed for that purpose by the automobile's manufacturer or with simple tools, such as screwdrivers and wrenches, so as to create a flat, floor level surface extending from the forward most point of installation of those seats to the rear of the automobile's interior.

(b) Designed for off-highway operation:

- (1)
 - (i) That has 4-wheel drive; or
 - (ii) Is rated at more than 6,000 pounds gross vehicle weight; and
- (2) That has at least four of the following characteristics calculated when the automobile is at curb weight, on a level surface, with the front wheels parallel to the automobile's longitudinal centerline, and the tires inflated to the manufacturer's recommended pressure:
 - (i) Approach angle of not less than 28 degrees (see diagram below);
 - (ii) Breakover angle of not less than 14 degrees (see diagram below);
 - (iii) Departure angle of not less than 20 degrees (see diagram below);
 - (iv) Running clearance of not less than 20 centimeters;
 - (v) Front and rear axle clearances of not less than 18 centimeters each.

(See 49 CFR § 523.2 for further details.)

off-highway operation



A light truck designed to transport more than 10 passengers that meets all the passenger compartment requirements in 29 CFR § 500.105(b)(3)(vi) and none of the other characteristics above as a “truck” will be treated as a “bus.”

- Van: a light truck (see (a)(5) under truck above). A van with windows along both sides of the passenger-carrying area which is designed to carry 10 persons or less will be treated as a passenger automobile or when designed to carry more than 10 persons will be treated as a “bus” as long it meets all of the passenger compartment requirements in 29 CFR § 500.105(b)(3)(vi) and no other “truck” characteristics other than passenger capacity. A van designed for carrying cargo, typically without windows along both sides of the passenger-carrying area, is a truck. This regulation specifically prohibits the use of closed vans without windows or means to assure ventilation.
- Trailer: a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle.
- Semi-trailer: a trailer so constructed that a substantial part of its weight rests upon or is carried by another motor vehicle.

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

- Low-speed vehicle: a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1.6 km (1 mile) is more than 32 kilometers per hour (20 miles per hour) and not more than 40 kilometers per hour (25 miles per hour) on a paved level surface.

“Designed” as used in this memorandum is restricted to actions taken by the original manufacturer of the vehicle. Where further guidance is needed beyond the above definitions, the manufacturer’s designation of the vehicle type can be determined by researching the specific vehicle identification number (VIN). Aftermarket modifications or alterations are not a part of the vehicle design. The driver is included in the term “person” or “passenger” when determining seating capacity.

GUIDANCE ON APPLICABLE SAFETY STANDARDS ACCORDING TO VEHICLE TYPE AND USE

The chart below is provided as a guide for determining which vehicle safety standard applies to vehicles used to transport migrant or seasonal workers under MSPA. The chart is an aid and is not a substitute for the regulatory language.

Types of vehicles and the safety standard that applies by use.

<u>TYPE OF VEHICLE</u>	<u>TYPE OF USE & SAFETY STANDARD</u> - trip 75 miles or less*	<u>TYPE OF USE & SAFETY STANDARD</u> - trip more than 75 miles or day haul operation
	Passenger Automobile	500.104
Station Wagon	500.104	500.104
1.1 Van - 10 or fewer passengers	500.104	500.104
1.1 Van - more than 10 passengers	500.104	500.105
1.1 Van - "windowless" cargo van	500.104	500.105**
Bus	500.104	500.105
Truck/Truck Tractor/Semi-trailer	500.104	500.105
1.2 Pickup Truck - workers riding only in cab	500.104	500.104
1.2 Pickup Truck - workers riding in truck bed	500.104	500.105
Multipurpose Passenger Vehicle - not meeting truck features	500.104	500.104
Multipurpose Passenger Vehicle - meeting truck features	500.104	500.105
Low-speed Vehicle	500.104	500.105

*The mile limitation applies to the entire trip. One trip may have numerous intermediate stops and normally ends when the vehicle returns to its starting point.

**Vans without windows or means to assure ventilation are not permitted.

GUIDANCE ON TRAILER TOWING

Towing a trailer behind any vehicle (other than a truck subject to DOT standards) transporting MSPA workers is permitted only if it meets the applicable DOL or DOT safety standards. A truck subject to DOT standards while transporting MSPA workers may not tow a trailer.

A vehicle transporting MSPA workers and towing a trailer will be examined to insure that both the vehicle and towed trailer meet the applicable safety standards. Safety standards applicable to towed trailers include the following:

When subject to DOL standards:

- external lights 29 CFR § 500.104(a)
- brakes 29 CFR § 500.104(b)

- tires 29 CFR § 500.104(c)
- safe loading 29 CFR § 500.104(k)

When subject to DOT standards:

- equipment and emergency devices 29 CFR § 500.105(b)(2)(vi)
(including trailer brake connections
and coupling devices)
- safe loading 29 CFR § 500.105(b)(2)(vii)
- lighting devices and reflectors 29 CFR § 500.105(b)(2)(xi)
- parts and accessories (including 29 CFR § 500.105(b)(3)
lighting devices, brakes, and tires)

Additional safety factors to consider include, but are not limited to, whether workers were transported in the trailer and the overall safe operation of the vehicle and trailer.

Factors to consider in determining that the vehicle and trailer have been safely loaded include, but are not limited to, whether the load has been balanced from side to side and cargo weight distributed evenly along the length of the trailer; whether items have been secured and braced to prevent them from moving during travel; and for most situations, whether the trailer and tow vehicle are level (parallel to the ground) during travel (information from the trailer manufacturer may be needed to make sure this is correct for this combination of vehicles). This guidance is based on materials provided by DOT's Federal Motor Carrier Safety Administration (FMCSA).

Some states and municipalities may have special requirements and DOT may have requirements applicable to vehicles under its jurisdiction that are towing trailers (e.g. some states require brakes on loaded trailers weighing in excess of a set amount; special permits based on the size and weight of a trailer; or additional equipment such as side view mirrors). Vehicles subject to MSPA transportation safety requirements must meet other applicable Federal and State safety standards.

Vehicles towing trailers must also carry proper insurance coverage.

Fact Sheet #21: Recordkeeping Requirements under the Fair Labor Standards Act (FLSA)

This fact sheet provides a summary of the FLSA's recordkeeping regulations, 29 CFR Part 516.

Records To Be Kept By Employers

Highlights: The FLSA sets minimum wage, overtime pay, recordkeeping, and youth employment standards for employment subject to its provisions. Unless exempt, covered employees must be paid at least the minimum wage and not less than one and one-half times their regular rates of pay for overtime hours worked.

Posting: Employers must display an official poster outlining the provisions of the Act, available at no cost from local offices of the Wage and Hour Division and toll-free, by calling 1-866-4USWage (1-866-487-9243). This poster is also available electronically for downloading and printing at <http://www.dol.gov/osbp/sbrefa/poster/main.htm>.

What Records Are Required: Every covered employer must keep certain records for each non-exempt worker. The Act requires no particular form for the records, but does require that the records include certain identifying information about the employee and data about the hours worked and the wages earned. The law requires this information to be accurate. The following is a listing of the basic records that an employer must maintain:

1. Employee's full name and social security number.
2. Address, including zip code.
3. Birth date, if younger than 19.
4. Sex and occupation.
5. Time and day of week when employee's workweek begins.
6. Hours worked each day.
7. Total hours worked each workweek.
8. Basis on which employee's wages are paid (e.g., "\$9 per hour", "\$440 a week", "piecework")
9. Regular hourly pay rate.
10. Total daily or weekly straight-time earnings.
11. Total overtime earnings for the workweek.
12. All additions to or deductions from the employee's wages.
13. Total wages paid each pay period.
14. Date of payment and the pay period covered by the payment.

How Long Should Records Be Retained: Each employer shall preserve for at least three years payroll records, collective bargaining agreements, sales and purchase records. Records on which wage computations are based should be retained for two years, i.e., time cards and piece work tickets, wage rate tables, work and time schedules, and records of additions to or deductions from wages. These records must be open for inspection by the Division's representatives, who may ask the employer to make extensions, computations, or transcriptions. The records may be kept at the place of employment or in a central records office.

What About Timekeeping: Employers may use any timekeeping method they choose. For example, they may use a time clock, have a timekeeper keep track of employee's work hours, or tell their workers to write their own times on the records. Any timekeeping plan is acceptable as long as it is complete and accurate.

The following is a sample timekeeping format employers may follow but are not required to do so:

DAY	DATE	IN	OUT	TOTAL HOURS
Sunday	6/3/07	-----	-----	-----
Monday	6/4/07	8:00am	12:02pm	
		1:00pm	5:03pm	8
Tuesday	6/5/07	7:57am	11:58am	
		1:00pm	5:00pm	8
Wednesday	6/6/07	8:02am	12:10pm	
		1:06pm	5:05pm	8
Thursday	6/7/07	-----	-----	-----
Friday	6/8/07	-----	-----	-----
Saturday	6/9/07	-----	-----	-----
Total Workweek Hours:				24

Employees on Fixed Schedules: Many employees work on a fixed schedule from which they seldom vary. The employer may keep a record showing the exact schedule of daily and weekly hours and merely indicate that the worker did follow the schedule. When a worker is on a job for a longer or shorter period of time than the schedule shows, the employer must record the number of hours the worker actually worked, on an exception basis.

Where to Obtain Additional Information

For additional information, visit our 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).

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.

U.S. Department of Labor
 Frances Perkins Building
 200 Constitution Avenue, NW
 Washington, DC 20210

1-866-4-USWAGE
 TTY: 1-866-487-9243
Contact Us



Records

There are three laws that affect agriculture employers in regard to employee earnings records.

1. The Fair Labor Standards Act - This is the federal minimum wage and overtime law. It has record keeping requirements in Section 516. This law applies to every one of your workers, both domestic and international, and the office employees and others not directly participatory in agricultural operations.
2. The Migrant and Seasonal Agricultural Worker Protections Act - This law applies to workers who do seasonal work on the farm, who are not H2A workers. Year around workers on your farm would not be subject to this law. However, if you only had one domestic crop worker, this law would apply to that worker. So it is impossible to keep some records on some workers and not on others.
3. The H2A rules - These record keeping laws apply to all international visa holding workers and any domestic workers who are in corresponding employment (performing any of the same duties, or performing any duties listed in your job order.) Again, it is not possible to keep some records on some and other records on others.

The Fair Labor Standards Act requires:

- Daily Tally Sheets with Start and Stop Times
- Tabulation of Units Produced when paid Piece Rates
- Name, home address, date of birth if under 19, sex and occupation
- Time of day and day of week when workweek begins
- Regular hourly rate
- Hours worked each day and week
- Additions to and deductions from pay
- Total wages paid each pay period
- Date of payment
- Pay period covered

The MSPA requires:

- Name
- Permanent address
- Social Security Number
- Basis on which wages are paid
- Number of piece rate units earned
- Number of hours worked
- Total pay period earnings
- Sums withheld and reason for each
- Net pay
- A Wage Statement with all of above plus the Employer name, address, Employer Identification Number

The H2A rules require:

- Field Tally Records
- Supporting summary payroll records
- Nature and amount of work performed
- Number of hours offered each day
- Number of hours actually worked each day
- Time workers began and ended each day
- Rate of Pay (piece rate and or hourly)
- Earnings per pay period
- Workers home address
- Amount of and reason for any deductions
- Reason worker did not work the contract hours each day if they did not work that many hours
- A Wage Statement with total earnings for the pay period, hourly rate or piece rate, hours offered, hours actually worked, Itemization of all deductions and daily production if paid on a piece rate

By combining all of these three laws together I come up with the following records requirements:

- Employee name, home address, permanent address, and social security number (suggest only last four digits) (Date of birth if under 19), sex and designation of visa holding worker or domestic worker
- Start Time each day and end time each day
- Listing of what the employee did each day
- Hours worked each day and each week
- Hours offered each day and each week
- Reason worker did not work the offered hours in the contract if in fact they did not work that many hours
- Units of production done each day and each week if paid on a piece rate basis

- Total pay period earnings
- Listing of all deductions from and additions to the pay with an explanation of each
- Gross pay and net pay
- Listing somewhere of time of day and day of week that the workweek starts (start and stop dates of the pay period)
- Listing of hourly rates, piece rates if piece rate work done
- Date of payment of the wages

A Wage Statement that says:

- All the above
- Employer name, address and EIN number

Some of the things I recommend are not required by the three laws. However, they are useful to the employee to see that they are being paid for all their hours, at the correct rates, and what the employee did for the week.

Record Keeping Requirements

A. FOR THREE YEARS - KEEP:

1. Basis on which wages paid, like piece rate, hourly wage
2. Number of piece rate units produced
3. Start time and stop time
4. Number of hours worked each day and each week
5. Total pay period earnings by week
6. Specific sums withheld and the reason for each
7. The net pay
8. The date of payment

B. PAY STUB

1. All of the above
2. Employer name, address, and Employer Identification Number (EIN)

C. US DEPT. OF LABOR PAYMENT RECORD

1. Form WH-501
2. Available in English & Spanish
3. Can be used as pay record and pay stub
4. Make a copy and give it to the worker

D. POSTER REQUIREMENTS

1. Housing Terms and Conditions
2. OSHA Poster
3. MSPA Poster
4. FLSA Poster
5. FMLA Poster
6. EEOC Poster
7. Polygraph
8. USERRA
9. Worker Compensation
10. H2A Poster

**20 CFR 655.122 – Contents of job offers LII /
Legal Information Institute**

(j) *Earnings records.*

(1) The employer must keep accurate and adequate records with respect to the workers' earnings, including but not limited to field tally records, supporting summary payroll records, and records showing the nature and amount of the work performed; the number of hours of work offered each day by the employer (broken out by hours offered both in accordance with and over and above the three-fourths guarantee at paragraph (i)(3) of this section); the hours actually worked each day by the worker; the time the worker began and ended each workday; the rate of pay (both piece rate and hourly, if applicable); the worker's earnings per pay period; the worker's home address; and the amount of and reasons for any and all deductions taken from the worker's wages.

(2) Each employer must keep the records required by this part, including field tally records and supporting summary payroll records, safe and accessible at the place or places of employment, or at one or more established central recordkeeping offices where such records are customarily maintained. All records must be available for inspection and transcription by the Secretary or a duly authorized and designated representative, and by the worker and representatives designated by the worker as evidenced by appropriate documentation (an Entry of Appearance as Attorney or Representative, Form G-28, signed by the worker, or an affidavit signed by the worker confirming such representation). Where the records are maintained at a central recordkeeping office, other than in the place or places of employment, such records must be made available for inspection and copying within 72 hours following notice from the Secretary, or a duly authorized and designated representative, and by the worker and designated representatives as described in this paragraph.

(3) To assist in determining whether the three-fourths guarantee in paragraph (i) of this section has been met, if the number of hours worked by the worker on a day during the work contract period is less than the number of hours offered, as specified in the job offer, the records must state the reason or reasons therefore.

(4) The employer must retain the records for not less than 3 years after the date of the certification.

(k) Hours and earnings statements. The employer must furnish to the worker on or before each payday in one or more written statements the following information:

- (1) The worker's total earnings for the pay period;
- (2) The worker's hourly rate and/or piece rate of pay;
- (3) The hours of employment offered to the worker (showing offers in accordance with the three-fourths guarantee as determined in paragraph (i) of this section, separate from any hours offered over and above the guarantee);
- (4) The hours actually worked by the worker;
- (5) An itemization of all deductions made from the worker's wages;
- (6) If piece rates are used, the units produced daily;
- (7) Beginning and ending dates of the pay period; and
- (8) The employer's name, address and FEIN.

29 CFR 500.80

(a) Each farm labor contractor, agricultural employer and agricultural association which employs any migrant or seasonal agricultural worker shall make and keep the following records with respect to each worker including the name, permanent address, and Social Security number:

- (1) The basis on which wages, are paid;
- (2) The number of piecework units earned, if paid on a piecework basis;
- (3) The number of hours worked;
- (4) The total pay period earnings;
- (5) The specific sums withheld and the purpose of each sum withheld; and
- (6) The net pay.

(b) Each farm labor contractor, agricultural employer and agricultural association which employs any migrant or seasonal agricultural worker shall preserve all payroll records with respect to each such worker for a period of three years.

(c) When a farm labor contractor furnishes any migrant or seasonal agricultural worker, and the farm labor contractor is the employer, the farm labor contractor must furnish the agricultural employer, agricultural association or other farm labor contractor to whom the workers are

furnished, a copy of all payroll records required under paragraph (a) of this section which the farm labor contractor has made regarding such worker for that place of employment. The person receiving such records shall maintain them for a period of three years.

(d) In addition to making records of this payroll information, the farm labor contractor, agricultural employer and agricultural association shall provide each migrant or seasonal agricultural worker employed with an itemized written statement of this information at the time of payment for each pay period which must be no less often than every two weeks (or semi-monthly). Such statement shall also include the employer's name, address, and employer identification number assigned by the Internal Revenue Service. This responsibility does not require needless duplications such as would occur if each provided the worker with a written itemized statement for the same work.

Wage Statement
(Optional Form)

U.S. Department of Labor
Wage and Hour Division



Employee		Social Security No.							OMB No.: 1235-0002	Expires: 08/31/2020
Permanent Address									Workweek Ending (Month, Day, Year)	
Day/Date	Sun/	Mon/	Tues/	Wed/	Thurs/	Fri/	Sat/	Total Hours Worked in Week	Itemized Deductions	
Starting Time										FICA
Quitting Time									Federal Tax	
Hours Worked									State Tax	
Hours Offered									Rent	
Crop/Task Units Done									Food	
Reason for not work- ing hours offered									Transportation	
Rate of Pay (Hour- ly or Piece Rate)									Other	
Daily Pay									Other	
Employer								Total Gross Pay	Total Deductions	
Address									Net Pay (Amount Due Employed)	Date Paid:
Employer identification number										

Instructions

Properly filled out, this optional form will satisfy the requirements of sections 201 (d) (e), and (g) and sections 301 (c), (d), and (f) of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA). 29 U.S.C. §§ 1821(d)-(e),(g), 1831(c)-(d),(f); 29 C.F.R. § 500.80. This form also satisfies statutory requirements under section 11 (c) of the Fair Labor Standards Act (FLSA). 29 U.S.C. § 211(c).

PAYROLL INFORMATION: Enter the month, day and year on which the MSPA worker's payroll workweek ends. Enter the calendar date of the day worked. Enter the time work started and ended each day. Enter the total time actually worked each day. Subtract bona fide meal periods. Crop/Task - Units done - Enter the kind of work (such as picking oranges per bin) and the number of units produced if the employee is paid on a piece work or task basis. Enter the hourly or piece rate of pay. Enter the amount of the gross daily pay computed at the hourly and/or piece rate.

ITEMIZED DEDUCTIONS: In addition to FICA (Social Security), federal tax, state tax, and rent, food, and transportation deductions (if any), enter any other specified deductions in right column and then transfer to left column. Subtract total deductions from total Gross Pay. Enter the result as Net Pay (Amount Due Employee). Enter date worker is paid.

PUBLIC BURDEN STATEMENT

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. This collection of information is authorized by MSPA sections 201(d) and 301(c). 29 U.S.C. §§ 1821(d), 1831(c), 1851-1853; 29 C.F.R. § 500.80. While use of this form is optional, it is mandatory for MSPA-covered entities to maintain the information and to provide it in written form. 29 U.S.C. §§ 1821(d),(e),(g), 1851, 1853, 1854; 29 C.F.R. § 500.80. The DOL uses this form to determine employer compliance with the MSPA.

We estimate it will take an average of one (1) minute to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspects of this information collection, including suggestions for reducing this burden, send them to the U.S. Department of Labor, Wage and Hour Division, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210. **DO NOT SEND THE COMPLETED FORM TO THIS OFFICE.**

Declaración de Salario
(Formulario Opcional)

Departamento de Trabajo De EEUU
Sección de Horas y Salarios



U.S. Wage and Hour Division

OMB No.: 1235-0002 Vence: 08/31/2020
Semana laboral que termina (mes, día, año)

Número del Seguro Social: _____

Obrero: _____
Dirección Permanente: _____

Día/fecha	domingo/	lunes/	martes/	miércoles/	jueves/	viernes/	sábado/	Total de horas trabajadas en la semana	DEDUCCIONES ENUMERADAS
Hora de comenzar									FICA
Hora de terminar									Impuesto federal
Horas trabajadas									Impuesto estatal
Horas Ofrecidas									Alquiler
Cosecha/faena									Comida
Unidades terminadas									Transporte
Razón por no trabajar horas ofrecidas									Otra deducción
Tasa de pago (por hora o pago a destajo)									Otra deducción
Salario diario									Total de deducciones
Total de Pago Bruto									Pago neto (Cantidad debida al obrero)
Empresario									Fecha de pago
Dirección									
Número de identidad del empresario:									

INSTRUCCIONES

Correctamente rellenado, este formulario opcional satisficará las exigencias de las secciones 201 (d), (e), y (g) y de las secciones 301 (c), (d), (e), y (f) de la Ley para la Protección de los Obreros Agrícolas Migratorios y Temporeros (MSPA-siglas en inglés), 29 U.S.C. §§ 1821 (d)-(e), (g), 1831 (c)-(d), (f); 29 C.F.R. § 500.80. Este formulario también satisface las exigencias estatutarias bajo la sección 11 (c) de la Ley de Normas Justas de Trabajo (FLSA-siglas en inglés), 29 U.S.C. § 211 (c).
INFORMACIÓN SOBRE LA NÓMINA DE PAGOS: Rellene el mes, día y año en los cuales la semana laboral de la nómina de pago bajo MSPA del empleado termina. Rellene la fecha civil del día trabajado. Rellene a qué hora el trabajo comenzó y a qué hora terminó cada día. Rellene el total del tiempo trabajado cada día. Reste los períodos de comidas de buena fe. Cosechal/faena -Unidades terminadas -Rellene el tipo de trabajo desempeñado (como recoger naranjas por recipiente) y rellene el número de las unidades producidas si el obrero se le paga a destajo o a base de faena. Rellene el pago por hora o por pieza. Rellene la cantidad del pago diario bruto computado por el pago por hora y/o por pieza.

DEDUCCIONES ENUMERADAS: Además de FICA (Seguro Social), impuesto estatal, alquiler, la comida, y las deducciones por el transporte (si existen), rellene cualquier otra deducción especificada en la columna a la derecha y luego pásela a la columna izquierda. Reste el total de las deducciones del total del pago bruto. Rellene el resultado como pago neto (cantidad debida al obrero). Rellene la fecha cuando se le paga al obrero.

DECLARACIÓN DE RESPONSABILIDAD

Se le avisa al que rellene este formulario que no tiene que responder a esta compilación a menos que se encuentre y se exhiba un número actualmente válido de control de OMB. Las secciones 201 (d) y 301 (c) bajo MSPA autorizan esta compilación de información. 29 U.S.C. §§ 1821 (d), 1831 (c), 1851-1853; 29 C.F.R. § 500.80. Aunque el uso de este formulario es opcional, se le exige a toda entidad bajo el alcance de MSPA que mantenga la información y que la proporcione por escrito. 29 U.S.C. §§ 1821 (d), (e), (g), 1851, 1853, 1854; 29 C.F.R. § 500.80. El Departamento de Trabajo utiliza este formulario para determinar el cumplimiento del empresario con la ley MSPA. Se calcula que tardará un promedio de un (1) minuto para completar esta compilación de información, incluyendo el tiempo que se necesita para repasar las instrucciones, buscar las fuentes de datos existentes, recolectar y mantener los datos necesarios, y para rellenar y repasar la compilación de información. Si Ud. tiene algún comentario sobre estos cálculos de la responsabilidad o sobre cualquier otro aspecto de la compilación de esta información, inclusive sugerencias para reducir esta carga, envíelos al U.S. Department of Labor, Wage and Hour Division, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210. No envíe El Formulario Después de Rellenarlo A Esta Oficina.