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" " MIGRANT LABOR BUREAU  
DEPARTMENT OF LABOR AND INDUSTRY,

MIGRANT LABOR CODE  
(Revised)

As approved by the Migrant Labor Board  
on January 22, 1959  
and promulgated by  
Commissioner of Labor and Industry  
on January 26, 1959  
to become  
effective February 1, 1959

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1959

Migrant Labor Bureau  
Department of Labor and Industry  
Trenton 25, New Jersey

PENALTY:

Any camp which does not conform to this article shall be deemed a public nuisance and if not made to conform within five days or within such longer period of time as may be allowed by the Commissioner by written notice, shall be abated by proper suit brought by the Attorney-General upon request of the Commissioner.

As an alternative to any other sanctions herein or otherwise provided by law, the commissioner may impose a penalty not exceeding two hundred dollars (\$200.00) for any violation of this act or of any rule or regulation duly issued hereunder. He may proceed in a civil suit for the recovery of such penalty for the use of the State, in any court of competent jurisdiction.

## MIGRANT LABOR CODE

The rules and regulations herein set forth shall apply to every migrant labor camp in the State of New Jersey, as defined in the Migrant Labor Act, Chapter 71, P. L. 1945.

### Section 1. General

1:1 Every camp operator or manager shall register each camp for migrant workers with the Migrant Labor Division, Department of Labor, Trenton, N.J., on a form supplied by said Division. A separate application shall be required for each camp at least 30 days before the opening of any new camp or the reopening of an already established camp. (Camps now in operation and likely to so continue after October 15, 1945, shall be registered within 30 days after September 15, 1945.)

1:2 Upon approval by this Division, a separate certificate shall be issued for each camp. An Emblem may also be issued at the discretion of the Migrant Labor Division for exterior display at an approved camp.

1:3 Only a camp for which a Certificate of Compliance or an Emblem has been issued, and during the period of its validity, shall be advertised, represented or described as a "Certified Labor Camp."

1:4 Such Certificate and Emblem shall, upon reasonable notice to the holder thereof, become invalid and may be withdrawn if the Commissioner later finds that any such camp no longer complies with these rules and regulations.

1:5 Every camp operator or manager shall be required to maintain a register of all camp occupants, who shall register upon their arrival.

1:6 Separate facilities for different sexes shall be provided for sleeping, bathing, and toilets, except that members of the same family may occupy the same quarters.

### Section 2. Housing

2:1 Suitable sleeping and living quarters on well-drained sites, adequate in size to prevent overcrowding of buildings, shall be provided for all occupants.

2:2 All buildings shall be substantially constructed and maintained, with due regard for the seasonal use thereof, to shelter the occupants, against the elements: they shall be adequate in size and easy to keep clean, with provisions against fire hazards.

2:3 Floors shall be constructed of wood, concrete, or other material which can be readily cleaned, and each type floor must be constructed in such a manner as to avoid dampness.

2:4 Sleeping quarters shall be so constructed as to afford proper light and ventilation and there shall be not less than 30 square feet of floor surface and 225 cubic feet of room volume for each occupant. Between November 1 and March 31, 40 square feet of floor surface and 320 cubic feet of room volume per occupant shall be required.

2:5 All exterior openings shall be effectively screened with at least 16-mesh material.

2:6 When both males and females are housed in one building, a separate room divided from the remainder of the building by solid partitions extending to the ceiling without openings except for doorways, shall be provided for each family, when both males and females not members of the same family are housed in one building, a separate room divided from the remainder of the building shall be provided for each sex, as specified above.

2:7 In every sleeping place, windows opening to outer air shall have an area at least equal to five percent of the floor area; at least one-half of the window space shall be openable, with cross ventilation.

2:8 All buildings and the adjacent grounds shall be kept clean and in a sanitary condition, free from vermin, dirt, garbage and deleterious matter at all times.

2:9 Quarters shall be confined to buildings used exclusively for such purposes, or fully partitioned rooms in buildings used also for other purposes excepting the housing of livestock; or approved trailers; provided that tents may be used in emergencies between May 15th, to September 15th, and shall meet all other requirements as provided by law.

2:10 Every dwelling unit used prior to May 15, or after September 15, shall be provided with properly vented heating equipment of adequate capacity to supply comfortable temperature to the occupants.

(a) Heating equipment and flues shall be maintained in a state of good and safe repair. Adequate ventilation shall be provided. In a room with 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 outside the base of the stove.

Where a stove or other heating device is closer than 36 inches to a non-fire resistant wall, this wall shall be covered with asbestos sheeting or other fire resistant material, at least six inches larger than the stove or heating device in each direction. All stove pipes shall be insulated with fire resistant material where they pass through walls, ceilings or floors.

(b) Whenever the heat-producing equipment provided is automatically operated, it shall have safety controls which cut off the fuel supply upon failure or interruption of the flame or ignition or whenever a predetermined safe temperature or pressure is exceeded.

### Section 3. Sleeping

3:1 Beds or bunks of wood, steel, canvas or other sanitary material, so constructed as to afford reasonable comfort, with clean mattresses or clean straw filled ticks and clean mattress covers shall be provided for all occupants with preferably a single cot for each unmarried adult. Sufficient clean blankets, for the seasonal use thereof, when not provided by the migrant worker, shall also be provided.

3:2 Beds or bunks shall be arranged so as to provide a clear space of at least 20 inches from floor to ceiling between beds or bunks. They shall be elevated from the floor and so constructed that all parts are accessible for cleaning. Where double bunks are used a space between the lower bunk and upper bunk shall be at least 2 feet and there shall be at least a 3 feet space from the top of the upper bunk and the ceiling.

3:3 Artificial lighting shall be provided. If electricity is not available, clean well-trimmed lanterns will be accepted. Hallways and stairways to upper floors shall be lighted at night.

#### Section 4. Cooking

4:1 Every camp shall be provided with adequate stoves or similar cooking facilities, with gas or electric fuel desirable.

4:2 All utensils in which food is prepared or kept, or from which food is to be eaten, and all implements used in the preparation and eating of food shall be kept in a clean, unbroken, and sanitary condition.

4:3 Adequate facilities shall be provided for storage of food, with refrigeration desirable.

4:4 The cooking of meals by a family unit within its assigned living quarters shall be permitted, provided that safe and adequate area is available but a separate kitchen in each shelter is desirable.

4:5 Camps in which occupants do their own cooking in a central kitchen shall have a room or building, separate from sleeping quarters and toilets, to be used for the preparation of meals.

In camps where meals are furnished by operator, manager or concessionaire, these additional rules (4:6:a to and including 4:6:e) shall prevail:

4:6:a A central kitchen and dining room shall be provided separate from sleeping places and toilets. The kitchen and dining room shall be adequately equipped for the sanitary storage, preparation and serving of food.

4:6:b Walls, floors, and ceilings of kitchen and dining room shall be so constructed as to permit ready cleaning, and shall be kept clean at all times.

4:6:c Adequate facilities, including a plentiful supply of hot water, shall be available for the washing of dishes, glasses, cutlery and utensils, which shall be promptly cleansed after use and effectively sanitized.

4:6:d No person who is afflicted with any communicable disease, or who is a carrier of the causative agent of such disease, shall be employed or permitted to work in the preparation, cooking, serving or other handling of food, food stuffs, or materials therein, in any kitchen or dining room operated in connection with a labor camp, or regularly used by persons living in a labor camp.

4:6:e Adequate refrigeration for all perishable foods, cooked or raw, shall be provided. Refrigerators, food boxes and other receptacles for the storage of food shall be kept clean. Serving of tainted or spoiled foods is prohibited.



6:2 The number of water closets or privy seats for each sex shall be based on the maximum number of persons living in the camp any one time and shall conform to the following:

<u>No. of Persons</u>	<u>No. of Water Closets or Privy Seats</u>
Less than 100	1 for every 15 persons
100 or more	1 for every 25 persons

6:3 When toilets without water flush are provided they shall be reasonably convenient but separate and apart from sleeping quarters, kitchen and mess hall and not near any well.

6:4 Each privy shall have a pit at least three feet deep.

6:5 Privy pits shall be constructed and maintained so that flies cannot gain access to the excreta.

6:6 A privy pit shall not be filled with excreta to nearer than one foot from the surface of the ground; the excreta in the pit shall then be covered with earth, ashes, lime or other similar material.

6:7 Seat openings shall be covered with tight-fitting, hinged lids.

6:8 Seats and other parts of interior of shelter must be kept clean at all times.

#### Section 7. Garbage, Trash and Waste Water Disposal

7:1 Water-tight receptacles, with tight-fitting covers, for garbage and for trash shall be provided.

7:2 Garbage and other waste shall be collected frequently and disposed of in a manner that shall not be offensive or unsanitary.

7:3 All waste water shall be disposed of so as not to form pools on the ground nor create a nuisance, nor pollute any drinking water supply.

#### Section 8. Fire Protection

8:1 All buildings or structures of a camp in which persons are housed must conform to all applicable State and local fire laws and regulations and shall be equipped with suitable type fire extinguishers or other necessary fire protection equipment.

8:2 At least two safe means of egress, located at opposite sides or ends of structure, shall be provided where occupants are quartered above the first floor in buildings not ordinarily constructed for dwelling purposes.

#### Section 9. Health

9:1 It shall be the duty of the person in charge of a camp to report immediately to the local health authority the name and address of any individual in the camp known to have or suspected of having a communicable disease. Until official action in such case has been taken, strict isolation shall be maintained.

9:2 Whenever there shall occur in any camp an outbreak 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 person in charge of the camp to report immediately the existence of such an outbreak or disease prevalence to the State Director of Health, district or local health officer verbally, or by telegram or telephone.

9:3 Under Chapter 102 N. J. Public Laws of 1945, every migrant who cannot show satisfactory evidence of examination for venereal disease having been performed within 90 days prior to entry into New Jersey is required to have an examination performed immediately upon arrival. Every camp occupant must present satisfactory evidence to the Camp Manager or arrange through him for an examination.

9:4 The camp operator should ascertain where a physician or clinic is available nearest to the camp area so that any sick or injured occupant of the camp may receive prompt medical attention. It is desirable that a first aid kit should be provided for every camp.

9:5 All effective means shall be undertaken to prevent breeding of rats, mice, flies, mosquitoes, bed bugs, and insects, and to exterminate insect pests.

#### Section 10. Supervision

10:1 A responsible person shall be appointed to assist in keeping the camp clean.

10:2 When any camp is vacated, all garbage, rubbish and other deleterious matter shall be collected and burned. Privy vaults shall be cleaned out or the contents covered with earth, ashes or lime. All grounds and buildings shall be left in a clean and sanitary condition.

10:3 All employers or their agents at camps to which these regulations apply, shall be responsible for the carrying out of the provisions of this code.

#### Section 11. Crew Leader Registration - Definitions

- (a) "Department" shall mean the Department of Labor and Industry.
- (b) "Commissioner" shall mean the Commissioner of Labor or any of his authorized deputies, representatives, agents or employees.
- (c) "Person" includes any individual, firm, partnership, association, or corporation.
- (d) "Farm labor contractor" includes any person who, for any money or other valuable consideration paid or promised to be paid, recruits, transports, supplies or hires farm workers to work for, or under the direction, supervision, or control of, a third person.
- (e) "Crew leader" includes any person who recruits, transports, supplies, or hires farm workers and who, for any money or other valuable consideration paid or promised to be paid, directs, supervises, or controls all or any part of the work of such workers.
- (f) The terms "Farm labor contractor" and "crew leader" shall not include any person who is the owner or lessee of a farm or food processing plant who recruits or hires workers for work on such farm or in such plant, and these terms shall not include an employee of the owner or lessee of a farm or food processing plant when such employee recruits or hires workers exclusively for work on such farm or in such plant.

- (g) The term "Migrant Worker" shall mean any worker as defined in the rules and regulations to which these rules are a supplement.
- (h) The term "Camp" shall mean any migratory labor camp as defined in the rules and regulations to which these rules are a supplement.

## Section 12. Specifications

### 12:1-A Registration

No person shall act as a farm labor contractor or as a crew leader until he shall receive a certificate of registration for which he shall apply upon forms prescribed by the Commissioner, and unless such certificate is in full force and effect.

Except as is otherwise provided, the Commissioner shall issue to each registrant a certificate of registration which the registrant shall keep in his immediate personal possession and shall display upon request of the Commissioner.

12:1-B - The Commissioner may refuse to issue, may revoke, and may suspend any certificate of registration if it appears to him after investigation and hearing upon reasonable notice that the issuance or continued existence of such certificate would be contrary to the meaning and purpose of the Migrant Labor Act or the rules and regulations promulgated pursuant thereto and detrimental to the best interest and welfare of migrant workers.

12:1-C - A certificate of registration as a farm labor contractor or crew leader may not be transferred or assigned, and shall expire at midnight on the thirty-first day of December of the year for which it is granted, unless sooner revoked or suspended by the Commissioner. A certificate of registration may be renewed each year upon the filing of an application for renewal on a form prescribed by the Commissioner.

12:2-Housing - No person shall act as a crew leader for a camp in which housing or living quarters are not fit for human habitation or are not in accordance with the requirements of the Migrant Labor Act and the rules and regulations promulgated pursuant thereto.

12:3-Sanitation - No person shall act as a crew leader for a camp in which sanitation facilities are not provided in accordance with the requirements of the Migrant Labor Act and the rules and regulations promulgated pursuant thereto.

12:4-Delegation of Authority - Where crew leaders are unable to personally carry out their duties at all times as set forth in the Migrant Labor Act and the rules and regulations promulgated pursuant thereto, or to exercise constant personal supervision over migratory workers in camps, they shall designate a responsible person to act as foreman of the crew for them and on their behalf. Such delegation of authority shall not serve to relieve the crew leaders from full responsibility for the performance of the duties and obligations as set forth in the Migrant Labor Act and the rules and regulations promulgated pursuant thereto.