

CR 85-50

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Field Sanitation Standards were duly approved and adopted by this department on 8/26/85.
(Subject) (Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 3:30 in the city of Madison, this 26th day of August A.D. 19 85.

Howard S. Bellman
Secretary

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ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 103.90, Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 209.09 Field Sanitation Standards
(Number) (Title)

The attached rules shall take effect on January 1, 1986

_____, pursuant to section 227.026, Stats.

Adopted at Madison, Wisconsin, this 26th
day of August, A.D., 1985.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Howard S. Bellman
Secretary

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Pursuant to the authority vested in the Department of Industry, Labor and Human Relations by s. 103.905(1), Stats., the Department of Industry, Labor and Human Relations hereby adopts rules interpreting ss. 103.90 to 103.97, Stats., as follows:

SECTION 1. Ind. 201.09 is created to read:

Ind. 201.09 FIELD SANITATION STANDARDS. In operations where 6 or more migrant workers are engaged in hand labor, the employer shall meet the requirements of subs. (1) to (5) without cost to the worker.

(1) TOILET FACILITIES. (a) Toilet facilities shall be provided in the ratio of one facility per every 20 workers, regardless of gender, located within 1/4 mile of each employe's work place in the field or, if not feasible, at the closest vehicular access. Toilet facilities shall have doors that can be closed and latched from the inside.

(b) Notwithstanding the exception in s. 146.20, Stats., toilet facilities shall meet the applicable requirements of ILHR 52.63.

(2) HANDWASHING FACILITIES. (a) Handwashing facilities shall be provided in the ratio of one facility per every 20 workers, regardless of gender, located within 1/4 mile of each employe's work place in the field, or if not feasible, at the closest vehicular access.

(b) The department may authorize the substitution of prepackaged towelettes for handwashing facilities when such a variation is necessary to prevent a practical difficulty or unnecessary hardship and the substitution does not compromise the health and safety of the worker.

(c) Written application for a variance under paragraph (b) shall be filed with the department on the DILHR-JSD 5942 form. A variance shall not be effective until granted in writing by the department.

(3) DRINKING WATER. Potable drinking water to meet worker needs shall be provided at a readily accessible location. The water provided to the workers shall be cool and kept in insulated containers which are clean and sanitary. A supply of water shall be available in sufficient amount to meet worker needs. The water shall be dispensed in single serving drinking cups. The use of common drinking cups or dippers is prohibited.

(4) MAINTENANCE. (a) Toilet and handwashing facilities shall be clean and sanitary.

(b) Potable water containers shall be covered, cleaned and refilled daily.

(c) Disposal of wastes from facilities shall not cause unsanitary conditions.

(d) Toilet facilities shall be provided with an adequate supply of toilet paper.

The Wisconsin Department of Industry, Labor and Human Relations

August 27, 1985

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Douglas LaFollette
Secretary of State
Room 271, GEF-1
201 East Washington Avenue
Madison, Wisconsin

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Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 85-50

RULE NO. Ind. 201.09

RELATING TO: Field Sanitation Standards

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,



Howard S. Bellman
Secretary

cc: Agency Contact Person