

(5) DEFINITIONS. (a) "Camp operator" means a person who maintains a migrant labor camp.

(b) "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.

(c) "Occupant" means any person who lives in a migrant labor camp.

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

(6) PLANS AND SPECIFICATIONS. (a) Except as provided under par. (b), 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.

(b) An operator constructing any of the following buildings shall not be required to submit plans and specifications under par. (a) if the operator submits notice of intent to construct such a building to the department prior to constructing such a building:

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.

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

(d) Plans shall include:

1. 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.
2. Name of owner.
3. Intended use or uses of all rooms, and the number of persons to be accommodated therein.

(e) All requirements of the chs. Ind. 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.

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

(7) VARIATIONS. (a) The department may grant written permission to individual camp operators to vary temporarily from particular provisions set forth in this section, which variation may not extend beyond March 31 of the year immediately following the year of approval, if the extent of the variation is clearly specified and if the camp operator demonstrates to the department that:

1. A variation is necessary to obtain a beneficial use of an existing facility.

2. A variation is necessary to prevent a practical difficulty or unnecessary hardship; and

(b) The department may grant written permission to a camp operator to permanently vary from the provisions of this section if:

1. The camp operator satisfies the requirements of par. (a) 1 and 2.

2. Appropriate alternative measures have been taken to protect the health and safety of the occupants and to assure that the purpose of the provisions from which variation is sought will be observed.

(c) Written application for a variation under this subsection shall be filed with the department on Form SB-8. A variation shall not be effective until granted in writing by the department.

(8) HOUSING SITE. (a) Housing sites shall be well drained and free from depressions in which water may stagnate.

(b) Housing shall not be subject to, or in proximity to conditions which create or are likely to create or attract insects or be subject to noise, traffic, or any similar hazardous condition.

(c) Grounds within the housing site shall be free from debris, noxious plants (poison ivy, etc.) and uncontrolled weeds or brush.

(d) The housing site shall provide a space for recreation reasonably related to the size of the facility and type of occupancy.

(e) No mobile home unit shall be located less than 10 feet from any other building or from the boundary line of the premises on which it is located.

(f) 1. To insure that the housing site is not subject to a hazardous condition arising from pesticide application, the camp operator shall give notice to camp occupants immediately or as soon as reasonably possible, of the aerial application of pesticides on immediately adjacent land, as defined in ch. Ag 29, Wis. Adm. Code, which is owned or controlled by another party, such notice having been received by the camp operator. Camp operators shall request this notice from persons who own or control adjacent land.

2. To insure that the housing site is not subject to a hazardous condition arising from pesticide application, the camp operator shall provide to camp occupants advance notice of at least 24 hours of any pesticide application on any land adjacent to the camp which is owned or controlled by the camp operator. If the application date or time is changed so that the application will occur before or after the intended date or time specified in the original notice of application, a new notice shall be given as soon as possible prior to the application. In this subdivision, "adjacent land" means land within 250 feet of the housing site, including land separated from the camp by a roadway.

3. As used in subs. 1. and 2., notice shall be given in English and in the language of the camp occupants, if other than English, by posting a written statement on a camp bulletin board or at the location where the

camp occupants report for work in a place where it can be easily seen by the camp occupants. The notice shall include, but not be limited to: the intended date and time of applicaiton, the location of the land on which the pesticide is expected to be applied, the trade or common name of the pesticide and a statement from the pesticide lable of the practical treatment for potential side effects, including but not limited to emergency first aid measures and information for physicians on treatment of poisons.

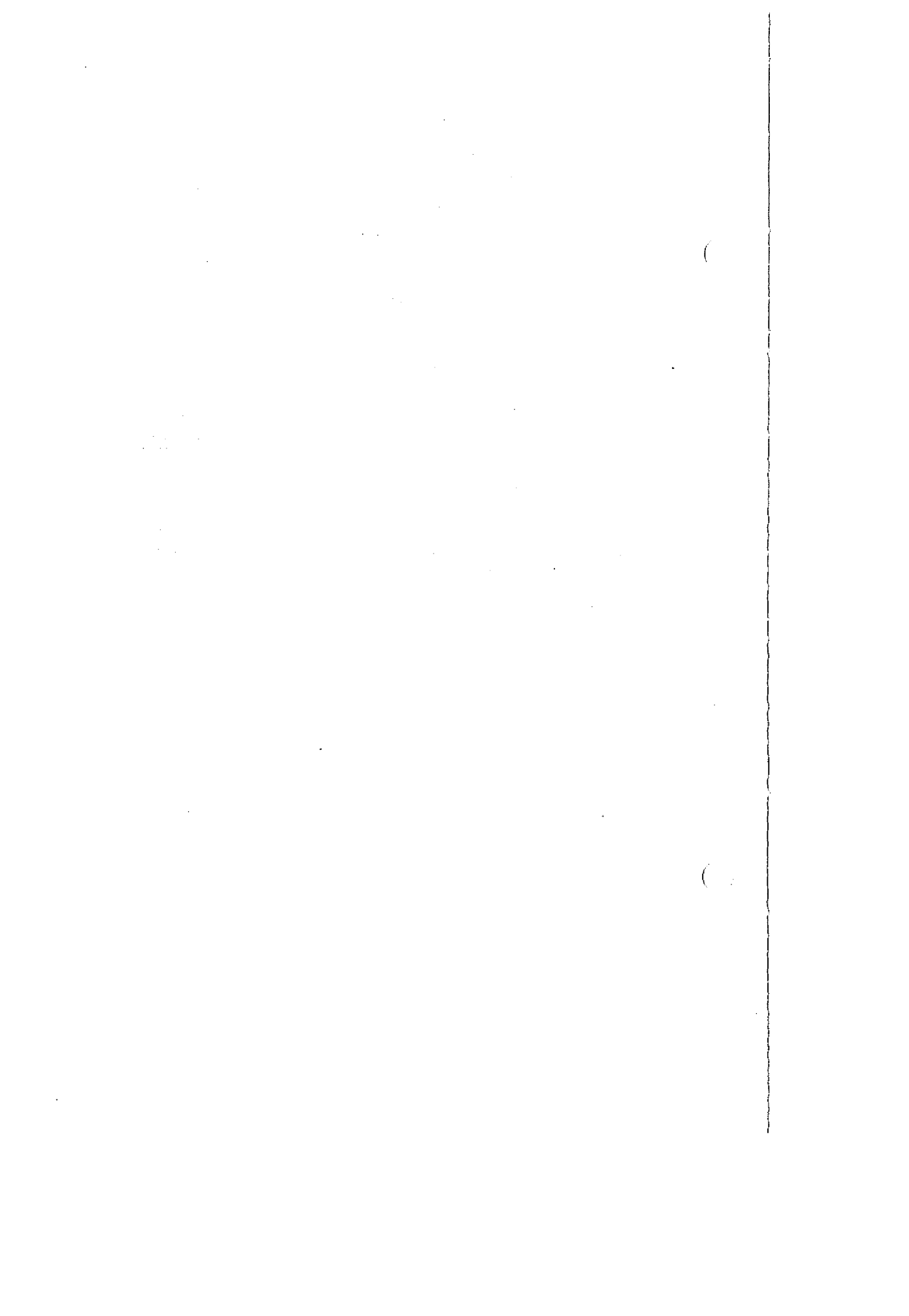
(9) **WATER SUPPLY.** (a) An adequate and convenient supply of water safe for human consumption shall be provided for the camp occupants. As used in this subsection, "safe for human consumption" means:

1. That a water sample obtained within the 6 month period prior to the date the camp is to be occupied has been found bacteriologically safe by a state approved laboratory; and

2. That the water sample has been analyzed by the approved laboratory for nitrate concentration and found to contain a nitrate-nitrogen level not exceeding 10 milligrams per litre. If the nitrate-nitrogen level exceeds 10 milligrams per litre, a camp may be certified provided that:

a. A notice is posted at each water outlet, in language understandable by the camp occupants, stating that the water may be hazardous to the health of infants under 6 months of age; and

b. A supply of water containing a nitrate-nitrogen level not exceeding 10 milligrams per litre is provided for infant consumption and the notice informs the camp occupants that this supply of water for infants is available.



(k) A kit supplied to each family shall be deemed to satisfy the requirements of par. (i) if it contains at least the following items:

1. 3½ yards gauze bandage 1 inch width.
2. 1½ yards ½ inch adhesive tape.
3. 12 adhesive bandages.
4. 7/8 oz. first aid cream.
5. Two 2 x 2 2-12 ply gauze pads.

(l) No flammable or volatile liquids or materials may be stored in or adjacent to rooms used for living purposes, unless needed for current household use.

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

(22) CAMP OPERATORS' AND OCCUPANTS' RESPONSIBILITIES. (a) A camp operator or his/her agent may establish reasonable rules relating to the responsibility of camp occupants as to camp occupancy and care. A copy of all such rules shall be posted in the camp where they can be easily seen by the camp occupants and shall be given to the occupants together with the work agreement. All such rules shall be written in English and, if the customary language of any occupant is not English, in the language of the occupant.

(b) A camp operator or his/her agent shall:

1. Clearly explain to camp occupants their responsibilities under any rules established under par. (a).

2. 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.

3. Designate an individual to maintain the grounds and common use facilities in a clean and orderly condition at least daily, except that in camps occupied by 100 or more persons, the camp operator shall provide a full-time person to perform all duties required under this paragraph.

4. Designate an individual or employe to be responsible for the compliance with this section. Such person's name shall appear on the material posted under sub. (24).

(c) Each occupant of a camp shall:

1. Use the sanitary and other facilities furnished by the camp.

2. Keep in a clean and orderly manner that part of the camp and premise which the occupant occupies or uses.

3. Be responsible for the cleanliness of the dwelling units to which the occupant has been assigned and adjacent grounds.

4. Dispose of his/her rubbish and garbage by placing it in containers provided for rubbish and garbage.

## Ind 201

(23) **INSPECTION.** (a) All migrant labor camps including individual dwelling units shall be opened to inspection at all reasonable daylight hours by representatives of the department.

(b) The department inspector shall make his/her 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 this section and to any affected occupant before making an inspection.

(24) **POSTING OF RULES.** A copy of this section prepared by the department in English and in the language of the camp occupants if other than English, shall be posted in the camp or where the occupants report for work in a place easily seen by the camp occupants. The copy shall state where copies of the rules may be obtained.

**History:** Cr. Register, April, 1978, No. 268, eff. 5-1-78; emerg. am. (11) (c), eff. 1-5-79; am. Register, May, 1979, No. 281, eff. 6-1-79; am. (9) (a) and cr. (1) (cm) and (cn), Register, May, 1981, No. 305, eff. 6-1-81; cr. (8) (f), Register, October, 1982, No. 322, eff. 11-1-82.

**Ind 201.08 Wages.** (1) Drafts or checks shall be made payable to the order of individual workers.

(2) The term "termination of the period of employment for which the worker was employed" means termination by either party for whatever reason.

(3) Partial payment under s. 103.93 (1) (b), Stats., shall not be allowed unless the employer is unable to determine the amount of piece rate wages owed a worker because of a lack of confirmation from a processor buyer.

(4) Any additional wages due a worker under s. 103.92 (1) (b), Stats., shall be paid within 2 days after such wages are determined.

(5) Wage statements shall show the amount of gross and net wages paid by the employer to the worker, the number of hours worked and the amount of and reason for each deduction from the wages of the worker. A reasonable coding system may be used by an employer.

(6) Authorizations for deductions or withholding from wages must be specific as to the amount and reason for the deduction. A general statement authorizing the employer to make deductions for future loans, services, loss or damage to property shall be invalid.

**History:** Cr. Register, April, 1978, No. 268, eff. 5-1-78.