





## STANDARDS FOR EMPLOYEE/MIGRANT HOUSING

The table **Standards for Employee/Migrant Housing** summarizes major federal and California standards for safe and sanitary housing conditions. Those standards are printed side-by-side for comparison purposes. The table contains a *Subject* column, a *Code/Regulation Authority* column, and columns briefly summarizing statutory and regulatory language. The symbol  points to the more restrictive language. Operators of farmworker housing must comply with the more restrictive of the federal and state requirements to ensure compliance with both.

The table also contains subject headings *Enforcement and Penalties*, *Permits to Operate Housing* and *Posting of Required Information*.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
CARETAKERS	CA HSC 17038	A responsible person must be assigned by the operator to maintain the buildings and surrounding areas.	 Use State standard.
	CCR 626,627		
COMMUNICABLE DISEASES	CCR 738	Cooks for central mess halls must be certified by local health departments	 Equal to State standard.  <u>In addition.</u> . . .  Caretakers must report any communicable diseases, outbreak of food poisoning, and prevalent illnesses, such as jaundice, hepatitis, etc., to the local health department.
	Federal OSHA Reg. 1910.142(1)		
CONSTRUCTION AND REPAIR	CCR 6252	All new construction and repairs must meet current building codes and standards or standards that were effect when construction or repair occurred. Contact the local building department for information and permits.	 Equal to State standard.

COOKING,  
KITCHENS, AND  
MESS HALLS

CCR 736-742

Federal OSHA Reg. 1910.142(i),  
1910.142(b)(9), 1910.142(b)(10)

KITCHENS:

Kitchens, when provided, must be of adequate size and proper construction.

Cooking areas must be kept clean and sanitary.


Refrigeration capable of maintaining a temperature of 45°F or below must be provided.

Sufficient shelving space to store food supplies off the floor must be provided.

Floors, walls, ceilings, tables, shelves, and counter tops must be made of cleanable materials and kept clean and sanitary.  
(Also, see "Heating.")


MESS HALLS:


Mess halls must be certified by the local health department and must comply with the California Retail Food Facilities Law. Health certificates must be posted.

 KITCHENS: Equal to State standard.



In addition. . . .


Stoves provided must be at a ratio of not less than one stove to ten occupants or one stove to two families.






 MESS HALLS: Equal to State standard.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
ELECTRICAL	CCR 850-896  Federal OSHA Reg. 1910.142(g) Federal MSPA Reg. 500.134	Electrical equipment, devices, safeguards and service equipment must be maintained as follows: <ul style="list-style-type: none"> <li>* good working order</li> <li>* secured in an approved manner when in use</li> <li>* protected from the weather</li> </ul> Fuses or circuit breakers must be used to protect electrical parts of electrical conductors.  Grounding is required for fixed non-current-carrying metal parts of electrical equipment.  Grounded cords must be used with appliances such as washing machines and electrical systems of gas stoves.  Outlets located adjacent to fixed appliances, lavatories, sinks, laundry tubs or within reach of a grounded surface must be in good working order.  For lighting requirements see page 12.	 Equal to State and local building codes.
ENFORCEMENT AND PENALTIES	CA HSC 17037, 17050, 17054, 17060, 17061, 17061.5, 17061.7, 17061.9, 17062  Federal MSPA Sec. 500.140-500.146	The Employee Housing Act establishes authority for inspections, investigations and punitive action as follows: <ul style="list-style-type: none"> <li>* suspension of a permit to operate</li> <li>* assessment of penalties</li> <li>* issuance of citations with civil penalties</li> <li>* civil action for an award of civil penalties (monetary)</li> <li>* criminal prosecution to obtain imprisonment and/or monetary fines</li> </ul> The Employee Housing Act is Enforced by HCD, except where local government assumes enforcement responsibility.  Tenants/workers also may seek judicial remedies.	The Migrant and Seasonal Agricultural Worker Protection Act (MSPA) establishes authority for inspections, investigations and punitive action as follows: <ul style="list-style-type: none"> <li>* revocation of Federal permit</li> <li>* assessment of civil money penalties up to \$1,000 per violation</li> <li>* criminal prosecution to obtain imprisonment and/or monetary fines</li> </ul> The MSPA is enforced by DOL-WHD.  Tenants/workers also may seek some judicial remedies.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
FIRE SAFETY	CCR 744, 746 Federal MSPA Reg. 500.134	<p>FIRE EXTINGUISHERS are required as follows:</p> <ul style="list-style-type: none"> <li>* Mess hall kitchens: Approved Class B-C extinguisher; minimum size 20 units</li> <li>* Dormitories: Approved Class A extinguisher; minimum size, 2 units per each 5,000 square feet of floor area</li> </ul> <p>No article or material that the enforcement agency determines to be a fire hazard may be maintained in or on the premises of employee housing.</p>	<p>☞ Equal to State standard.</p>
FIRST AID	Federal OSHA Reg. 1910.142(k)	<p>Use Federal standards.</p>	<p>☞ First aid facilities must be maintained and made available.</p> <p>A person trained to administer first aid must oversee first aid facilities.</p>
GARBAGE AND REFUSE	CCR 742 Federal OSHA Reg. 1910.142(h), 1910.142(a)(4), 1910.142(i)	<p>Use Federal standards.</p>	<p>☞ Garbage containers must be:</p> <ul style="list-style-type: none"> <li>* fly and rodent resistant, cleanable, plus single service containers must be provided on a metal or concrete stand.</li> <li>* provided at a ratio of one container for each family or unit within 100 feet of shelter.</li> <li>* equipped with tight-fitting lids when located in a kitchen.</li> <li>* emptied when full, but not less than twice a week.</li> </ul>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
HAND WASHING, BATHING, AND LAUNDRY	CCR 760, 762, 764, 766, 768, 774, 788, 790, 792 Federal OSHA Reg. 1910.142(f)	<p data-bbox="726 298 1346 342">HOT AND COLD RUNNING WATER MUST BE PROVIDED FOR BATHING.</p> <p data-bbox="726 375 1346 440">HAND WASHING: Lavatories must be located adjacent to toilet facilities. Use Federal standard. </p> <p data-bbox="726 526 831 545">BATHING:</p> <ul data-bbox="783 578 1346 878" style="list-style-type: none"> <li data-bbox="783 578 1346 699">* One bathing facility must be provided for each 10 occupants of each sex when constructed after February 21, 1973. Employee housing constructed before February 22, 1973, must provide one bathing facility for each 15 occupants of each sex.</li> <li data-bbox="783 732 1346 781">* Bathing facilities must be clearly identified for "Men" or "Women" or by proper symbols.</li> <li data-bbox="783 813 1346 878">* Shower must have adequate floor drains with walls and floors constructed of cleanable, noncorrosive and nonabsorbent waterproof materials.</li> </ul> <p data-bbox="726 911 1346 954">LAUNDRY: Clothes washing machines, when provided, must be maintained with proper vents and drains.</p>	<p data-bbox="1381 298 1881 370">HOT AND COLD RUNNING WATER MUST BE PROVIDED FOR HAND WASHING, BATHING AND LAUNDRY.</p> <p data-bbox="1381 402 1881 474">HAND WASHING (lavatories): Basins must be provided at a ration of one basin to every six occupants and/or one for each family unit.</p> <p data-bbox="1381 516 1881 545"> BATHING: Equal to State standards.</p> <p data-bbox="1381 578 1881 607"><u>In addition.</u> . . .</p> <p data-bbox="1381 634 1881 678">Shower heads to be provided at a ratio of one for every 10 occupants.</p> <p data-bbox="1381 911 1881 1084">LAUNDRY:</p> <ul data-bbox="1438 959 1881 1084" style="list-style-type: none"> <li data-bbox="1438 959 1881 1008">* Laundry tray is required at a ratio of one to every 30 occupants.</li> <li data-bbox="1438 1040 1881 1084">* Facilities for drying clothes must be provided (clothesline).</li> </ul>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
HEATING	CCR 800-838  Federal OSHA Reg. 1910.142(b)(11), 1910.142(f)(4)	<p>Heating equipment is not required, except in shower rooms, unless it is necessary to maintain a mean temperature of 70°F during occupancy.</p> <p>Heating and cooking equipment must be maintained and equipped as follows:</p> <ul style="list-style-type: none"> <li>* good working order</li> <li>* clean and free of grease</li> <li>* vented</li> <li>* shut-off valve must be provided for gas heating appliances</li> </ul> <p>Gas hot plates, cook stoves and ranges may not be used as room heaters.</p> <p>Clearances between the heating appliance and combustible materials must be maintained as follows:</p> <ul style="list-style-type: none"> <li>* solid or liquid fuel radiant heaters - 36 inches</li> <li>* solid or liquid fuel circulating heaters - 12 inches</li> <li>* gas circulating space heaters - 6 inches</li> </ul> <p>Open space under heating appliance must be a minimum of 4 inches.</p> <p>Combustible floors must be protected with sheet metal, extending a minimum of 6 inches on all sides and 18 inches at the front or side where ashes are removed.</p>	 Equal to State standards.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
HOUSING SITE	CCR 700-704, 710 Federal OSHA Reg. 1910.142(a)	<p><b>DRAINAGE:</b> Premises must be free from depressions. Areas such as natural sinkholes and swamps within 200 feet of housing sites must be drained or filled. Irrigation drain ditches must be treated to prevent the breeding of mosquitoes, vermin, or vectors as approved by the local health department.</p> <p><b>LIVESTOCK:</b> Domestic animals and poultry cannot be permitted to run freely through camp areas.</p> <p><b>MAINTENANCE:</b> Buildings and surrounding areas must be kept safe, in a sanitary condition, in good working order, and free of rubbish, debris, and poisonous plants.</p>	<p> <b>DRAINAGE:</b> Equal to State standards</p> <p><u>In addition.</u> . .</p> <p>Drainage may not endanger any domestic or public water supply.</p> <p><b>LIVESTOCK:</b> No livestock can be quartered within 500 feet of housing structures.</p> <p> <b>MAINTENANCE:</b> Equal to State standards.</p>
HOUSING STRUCTURE	CCR 708-734, 736 CCR Title 24 Federal OSHA Reg. 1910.142(a), 1910.142(b), 1910.142(d), 1910.142(f)	<p><b>GENERAL</b></p> <p>Buildings must protect occupants from elements and be in good repair, safe and sanitary.</p> <p>Names or numbers must be clearly displayed to identify each building.</p> <p><b>FLOORS:</b> Kitchen floors must be covered with cleanable, moisture-resistant material.</p> <p><b>WINDOWS:</b> All living quarters must have windows with size minimally equal to 10 percent of usable floor space and must be able to open at least one-half-way for ventilation.</p> <p><b>CEILINGS:</b> Must be a minimum average of 7 feet high.</p>	<p> Equal to State standards.</p> <p><b>FLOORS:</b> Floors must be constructed of wood, asphalt or concrete.</p> <p>Wood flooring must be elevated at least one foot from ground and be of smooth, tight construction.</p> <p> <b>WINDOWS:</b> Equal to State Standards.</p> <p><u>In addition.</u> . .</p> <p>Toilet rooms must have at least six-square-foot window or similar ventilation.</p> <p> <b>CEILINGS:</b> Equal to State Standards.</p>

SUBJECT

CODE/REGULATION AUTHORITY

STATE

FEDERAL

HOUSING  
STRUCTURE  
(CONTINUED)

ROOMS

Kitchens and mess halls:

- \* Must be of adequate size and properly constructed.
- \* Cannot be used for sleeping purposes.

Toilet and bathing facilities: Separate toilet room and bathing facilities required, with adjacent lavatories.

SLEEPING FACILITIES

Sleeping room: Must be separated from other living space with at least 50 square feet of floor space for each occupant.

Beds: A suitable, separate bed, constructed of sturdy and comfortable material, must be provided to each occupant.

In addition . . .


Occupants must be supplied with bedding upon request. A reasonable charge is allowed. This bedding must be maintained in a clean and sanitary manner.

Spacing of single beds: Use Federal standards.


Spacing of bunk beds:

- \* 4 feet between beds
- \* 30 inches between lower and upper bunk
- \* triple beds are not allowed.

Storage: Use Federal Standards.

 Kitchens and mess halls: Equal to State standards.


Toilet and bathing facilities: Toilet rooms must be accessible without passing through sleeping room.

 Sleeping room: Equal to State standards.

Beds: A clean bed, cot or bunk must be provided to each occupant.



Spacing of single beds:




- \* 3 feet between beds
- \* 1 foot above floor



 Bunk beds: Equal to State standards.







Storage: Storage facilities such as lockers must be provided in rooms.



SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
INSECTS AND RODENTS	CCR 704 Federal OSHA Reg. 1910.142(j)	Shelter must be free of vermin, vectors, and other matter of an infectious or contagious nature.	 Equal to State standards.
LIGHTING	CCR 872, 874, 878, 880, 882, 884 Federal OSHA Reg. 1910.142(g)	Habital rooms: <ul style="list-style-type: none"> <li>* At least one convenience outlet and one light fixture.</li> <li>* Bathroom and toilets: at least one light fixture.</li> <li>* Light fixtures over tub or shower must be moisture proof, with enclosure and gaskets, and in good condition.</li> <li>* Switches for tub or shower lighting or fan must be in dry location outside tub or shower space.</li> <li>* Pull-chain switches must not be in damp location, and not over or within reach of a plumbing fixture, cook stove, range, furnace, and other grounded surface, such as concrete floor.</li> </ul>	 Equal to State standards.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
LIQUID PROPANE (LP) GAS	CCR 806-816 Federal MSPA Reg. 500.134	<p>LOCATION:</p> <ul style="list-style-type: none"> <li>* LP tanks or cylinders cannot be located inside housing units or within 5 feet of an ignition source. Outlet must be 5 feet or more from any building opening lower than the outlet.</li> <li>* LP tanks and cylinders cannot be stored under <u>any</u> housing unit.</li> <li>* Clearance requirements from nearest building, mobilehome, or recreational vehicle are as follows: <ul style="list-style-type: none"> <li>-minimum clearance of 10 feet for 61 to 576 gallon tanks</li> <li>-25 feet for 576 to 2000 gallon tanks</li> </ul> </li> </ul>	 Equal to State standards.
MOBILEHOMES, RECREATIONAL VEHICLES, AND COMMERCIAL COACHES	CCR 900, 902, 904, 908 Federal Reg. 500.135 Federal MSPA Sec. 203(b)(1)	<p>SAFETY:</p> <ul style="list-style-type: none"> <li>* LP tanks located adjacent to driveways and parking areas must be maintained to prevent mechanical damage.</li> <li>* NO SMOKING signs must be displayed on all LP tanks.</li> <li>* LP tanks must be positioned on a firm pad or foundation.</li> <li>* Existing gas-supply tubing and connectors must be properly maintained and cannot extend through walls or partitions.</li> <li>* Gas-supply outlets must be capped when not in use.</li> </ul> <p>Mobilehomes (constructed before June 15, 1976), recreational vehicles, and commercial coaches provided by the employer must display an insignia of approval issued by HCD. Mobilehomes constructed after June 14, 1976, must display a label indicating compliance to the Federal Mobilehome Construction and Safety Standards.</p>	 Equal to State standards.
			 Equal to State standards.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
PERMITS TO OPERATE HOUSING	CCR 626, 627, 631, 633, 634, 641 Federal MSPA Sec. 203(a), 203(b)(1) and (2) Federal MSPA Reg. 500.135	Operators must apply for and obtain a permit to operate before having five or more employees occupy a facility.  Operators must apply for a permit at least 45 days before occupancy.  Permit applications must be submitted to the applicable State or local enforcement agency.  Permit (or copy) must be displayed in conspicuous place at the housing facility.	Operators must obtain from an applicable local or State agency a permit to operate before any migrant worker occupies facility.  For FACILITIES HOUSING FEWER THAN FIVE WORKERS contact the DOL-WHD office nearest your location (see page 4).  Permit (or copy) must be displayed in a conspicuous place at the housing facility.
POSTING OF REQUIRED INFORMATION	CCR 624, 625 Federal MSPA Reg. 500.75(f), 500.75(g)	The following must be posted in a conspicuous place at facility through duration of housing use:  * Information Notice from enforcement agency  * Permit to operate (or copy)  * Name, address and telephone number of caretaker.	The following must be posted in a conspicuous place at facility through duration of housing use:  * Permit to operate (or copy)  * Name and address of housing provider and caretaker  * Mailing address and telephone number of the facility  * Terms and conditions of housing
SCREENS	CCR 728 Federal OSHA Reg. 1910.142(b)(8), 1910.142(d)(2)	Windows that open to the outside in rooms used for living, dining, cooking, sleeping purposes, bathing and toilet facilities must be maintained with insect screening of no less than 16 mesh per inch material.  Exterior door openings must have insect-proof screen doors or solid doors with self-closing devices.	 Equal to State standards.
SEWAGE	CCR 784-792 Federal OSHA Reg. 1910.142(e) Federal MSPA Reg. 500.134	Facilities must be provided for disposal of sewage.  Waste liquids cannot be permitted to collect on ground.  Traps, vents, lines and drains related to underground septic tanks and sewage systems must be covered, structurally sound, maintained and water tight.	 Equal to State standards.  <u>In addition</u> . . .  Facilities must be connected to public sewer lines, if available.

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
TENTS	CCR 910 Federal MSPA Sec. 203(a) Federal MSPA Reg. 500.134	Floors must meet the following requirements: <ul style="list-style-type: none"> <li>* construction of tight wooden material</li> <li>* at least four inches off ground</li> <li>* baseboards on all sides to a height of at least 6 inches</li> </ul> Tents are not considered suitable sleeping facilities when temperatures fall below 60°F.	 Use State standards.
TOILETS	CCR 760-766 Federal OSHA Reg. 1910.142(a)(4), 1910.142(d)	TYPE: Water flush toilets are generally required and may be combined with urinals. Other systems, such as chemical toilets, may be used with written approval from local health department.	 TYPE: Equal to State standards.
		LOCATION: Use Federal standards	 <p>LOCATION: Toilet facilities must be located within 200 feet of living units.</p> <p><u>In addition.</u> . .</p> <p>Privies/chemical toilets (when permitted by local health department) must be 100 to 200 feet from living unit.</p>
		QUANTITY: One toilet for each 10 occupants of each sex for facilities constructed after February 22, 1973. One toilet for each 15 occupants in facilities constructed before February 23, 1973.	 QUANTITY: Equal to State standards.
		<ul style="list-style-type: none"> <li>* Toilets shall be clearly identified for "Men" or "Women" or by proper symbols.</li> <li>* Urinals: One of every three required toilets may be substituted with an approved urinal in toilet rooms designed for men.</li> </ul>	 URINALS: Use State standard. <p><u>In addition.</u> . .</p> <p>Urinals must be provided; ratio at one unit for each 25 men.</p>
		MAINTENANCE: Use and repairs cannot be hazardous to public health, safety or welfare. Plumbing systems must be kept clean and in good working order.	 MAINTENANCE: Equal to State standards. <p><u>In addition.</u> . .</p> <ul style="list-style-type: none"> <li>* toilet paper must be provided</li> <li>* facilities must be cleaned daily</li> <li>* lights must be on in toilet room during dark hours</li> </ul>

SUBJECT CODE/REGULATION AUTHORITY

WATER SUPPLY

CCR 770, 772, 774

Federal OSHA Reg. 1910.142(c),  
1910.142(f)(3), 1910.142(i)

STATE

MAINTENANCE: Supply system and distribution lines must be maintained to provide service at normal operating pressure to all fixtures.

QUALITY: Drinking water must be potable. Testing by the local health department is required annually, also when major repairs or alterations have been made to system or when purity is questioned. Hot and cold water under pressure required for cooking and bathing facilities. Any toilet or other pumping fixture must be maintained to prevent siphonage of water back into the water supply.

AVAILABILITY: Exterior faucets must be placed at suitable and convenient locations. Common drinking cups are not allowed.


QUANTITY: Use Federal standards.

STORAGE: Storage tanks or receptacles must be clean and covered.

FEDERAL

 MAINTENANCE: Equal to State standards.


 QUALITY: Equal to State standards.

 AVAILABILITY: Equal to State standards.

In addition . . .

Drinking fountain is required if camp has water pressure.

QUANTITY: Minimal requirement is 35 gallons per day for each person, with peak rate at 2 1/2 times average hourly demand.

 STORAGE: Equal to State standards.