



2003 Handbook of Employment Regulations Affecting Florida Farm Employers and Workers: Field Sanitation and Drinking Water [State]¹

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Purpose

To provide state standards of field sanitation and drinking water for hand laborers.

Who Must Comply

The Florida State Field Sanitation Standard requires toilets, handwashing facilities, and drinking water where five to ten farmworkers are employed in one location at one time.

Employer Responsibilities

- *Location of facilities.* Where five to ten hand-laboring farmworkers are employed in one location at one time, one toilet facility and one handwashing unit shall be provided. The toilet

and handwashing unit shall be located adjacent to each other. The facilities shall be located within a one-quarter mile walk of any hand-laborer's place of work in the field. Where it is unfeasible to locate facilities as required above due to terrain, the facilities shall be located at the point of closest vehicular access.

- *Field toilet facilities.* These shall be constructed and maintained in accordance with provisions of Section 10D-6.051, F.A.C., emptied at least weekly, and provide a minimum storage capacity of fifty gallons per unit. Septage from all field toilet facilities shall be disposed by a method approved by the county public health unit. The department shall approve portable, water-flushed units when determined appropriate for a particular situation. Toilet facilities shall have a

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screened ventilation opening and self-closing doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

- *Field handwashing units.* These shall be convenient and supplied with potable water in portable containers and shall be provided with soap or other cleanser and single-use hand-drying towels. A waste container shall be provided for the used towels, and the wastewater from the handwashing unit shall not cause a sanitary nuisance.
- *Drinking water.* This shall be potable and provided in containers constructed of smooth, impervious, corrosion-resistant material and shall be maintained by sanitary methods. The containers shall be marked with the words *Drinking Water* in English and the native language of the majority of the workers. Single service cups shall be provided unless water is dispensed from a fountain equipped with an angled, protected jet outlet. Ice used for cooling drinking water shall be made from potable water. The water shall be suitably cool and in sufficient amounts, taking into account the air temperature, humidity, and the nature of the work performed, to meet the needs of all employees. County public health unit staff, during the normal course of their work, shall take water samples at random to ensure the potability of the drinking water.

Fines

- No soap, hand drying towels, or waste container for towel disposal (\$50).
- Toilet facilities that are not screened or self-closing and do not ensure privacy (\$75).
- Handwashing facilities not available or not located adjacent to the toilet. Facilities not located within one-quarter mile walking distance of farmworkers (\$100).
- Water containers improperly constructed or not marked in English and the native language of the majority of the workers. Single service cups not

provided and ice not from an approved source (\$100).

- Waste water from handwashing facility causes a sanitary nuisance. The amount of drinking water available is insufficient to prevent dehydration or disease. Toilet facilities do not provide a minimum fifty gallon storage capacity (\$250).
- Sewage from toilet facilities is not properly disposed or toilet and drinking water facilities are not provided:
 - First Offense (\$250).
 - Second Offense (\$500).

Department of Business and Professional Regulation crew chief (labor contractor) compliance officers shall also issue field sanitation citations to violators of requirements of this section.

To have the amount of the imposed fine reduced up to one-half, the citation recipient must submit physical proof to the department's county public health unit director, administrator, or other authorized staff that the violation was corrected within twenty-four hours from the time of the citation. In reducing the amount of the fine, department staff shall take into consideration such factors as the gravity of the violation and the history of compliance of the violator.

The citation recipient may request an administrative hearing within twenty-one days of the date of receipt of the citation by following procedures listed on the citation HRS-H Form 4084.

Note: The Florida State Field Sanitation Standard provides coverage where five to ten farmworkers are employed in one location at one time; the federal OSHA standard covers employers of eleven or more workers engaged in hand labor operations in the field. Under these two sets of laws, most employers are either covered by the state standard or the federal OSHA standard, but not both.

Related Information

- Chapter 381.006(7), Florida Statutes.
- Chapter 10D-10.038(1)(b) 1, 2, 3, & 4, Florida Administrative Code.
- Labor Bulletin No. 439, Florida Fruit and Vegetable Association, Orlando, April 2, 1986.
- Labor Bulletin No. 501, Florida Fruit and Vegetable Association, November 17, 1994.

Responsible Agency

Department of Health

Division of Environmental Health

4042 Bald Cypress Way

Tallahassee, FL 32399

(850) 245-4250

<http://www.doh.state.fl.us.index.html>

Requests for information concerning permits, compliance and other problems should be referred to the local County Public Health Unit.