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BILL ANALYSIS

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Senate Bill 134

Sponsor: Senator Frederick Dillingham

Committee: Human Resources and Senior Citizens

Date Completed: 3-14-89

SUMMARY OF SENATE BILL 134 as introduced 2-14-89:

The bill would amend the Michigan Occupational Safety and Health Act to require agricultural employers to do the following:

- Provide, at no cost to agricultural employees, drinking water in locations readily accessible to all employees, as well as one toilet facility and one hand-washing facility for each 20 employees.
- Maintain water, toilet, and washing facilities according to appropriate public health sanitation practices and practices specified in the bill.
- Inform employees of the importance of good hygiene practices.

"Agricultural employer" would mean a person, corporation, association, or other legal entity that employed at least 11 agricultural employees, excluding members of the employer's family, in the production of food, fiber, or other agricultural products including seed, seedlings, plants, or parts of plants. "Agricultural employee" would mean a person paid to work in hand labor operations (e.g., cultivating, planting, harvesting, or packing produce), whether paid on an hourly or piece-rate basis.

Agricultural employers would be required to notify each agricultural employee of the location of the potable water (water that meets the standards for drinking water prescribed in the Safe Drinking Water Act) and the toilet and hand-washing facilities, and allow each employee reasonable opportunities during the workday to use them. The potable water would have to be suitably cool and in sufficient amounts, taking into account the air temperature, humidity, and nature of the work performed, to meet the needs of all agricultural employees, and it would have to be dispensed in single-use drinking cups or by fountains.

Toilet facilities would have to be adequately ventilated, screened, and constructed to ensure privacy, and have doors that could be closed and latched from the inside. Toilet and washing facilities would have to be accessible to agricultural employees and be located not less than one-quarter mile from the field or place of work. Where, due to terrain, it was not feasible to locate facilities as the bill would require, they would have to be located at the point

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of closest vehicular access. Toilet and washing facilities would not be required for employees who performed field work for three hours or less during the day, including transportation time to and from the field.

Potable water, toilet facilities, and hand-washing facilities would have to be maintained in accordance with appropriate public health sanitation practices, including all of the following:

- Potable water containers would have to be constructed of materials that maintain water quality, refilled daily or as often as necessary, covered, and regularly cleaned.
- Toilet facilities would have to be operational and maintained in a clean and sanitary condition.
- Hand-washing facilities would have to be refilled with potable water as necessary to ensure an adequate supply and would have to be maintained in a clean and sanitary condition.
- The waste from toilet and washing facilities would have to be disposed of in a manner that would not cause unsanitary conditions.

Agricultural employers would have to inform each agricultural employee of the importance of all of the following good hygiene practices to minimize exposure in the field to the hazards of heat, communicable diseases, retention of urine, and agrichemical residues:

- Using water and facilities provided for drinking, hand-washing, and elimination.
- Drinking water frequently, especially during hot weather.
- Urinating as frequently as necessary.
- Washing hands both before and after the use of toilet facilities.
- Washing hands before eating and smoking.

Proposed MCL 408.1025-408.1025e

Legislative Analyst: S. Margules

#### FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: K. Lindquist

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.