

Contents

Introduction

Overview of the Agricultural Recruitment System

How can you benefit from the Agricultural Recruitment System?

Here is how the process works

Part 1: Preparation of a Clearance Order

Who is eligible to place a Clearance Order?

Your contact point

When to make a request for workers

Who prepares the Clearance Order?

General requirements

Specific information needed

- Employment period
- Wages and benefits
- Housing
- Transportation
- Field visits
- Discrimination
- Workers with school age children

Clearance Order package

- ETA Form 790, Agricultural and Food Processing Clearance Order
- Assurances
- Housing approval

Part 2: Special Conditions

Changes in crop and recruitment situations

Other changes

Extension of employment period

For additional information

Part 3: Appendices – Sample Forms and Statements

Appendix A: ETA Form 790, Agricultural and Food Processing Clearance Order

Appendix B: Assurances

Appendix C: Request for Conditional Access into Agricultural Recruitment System

Appendix D: Employer Furnished Housing & Facilities

Appendix E: Department of Labor Protection for Farmworkers (Worker's Rights)

An Introduction to the Agricultural Recruitment System

The Employment Service, through the Agricultural Recruitment System (ARS), can help you, the employer, find the temporary agricultural (or food processing) workers that you will need. The system links employers who have temporary agricultural and food processing jobs with U.S. workers who need these jobs and are willing to temporarily live away from their local area.

Using a network of State Employment Service Agencies (SESA's), the ARS is able to help you locate and recruit interested and qualified workers wherever they may be in the United States. These are U.S. workers who have proper work documents.

The ARS System should not be confused with the H2A Program. The H2A Program is a separate system which allows agricultural employers to request approval to recruit and hire nonimmigrant alien workers for temporary agricultural work. That program may be accessed only when it is anticipated that there will be a shortage of domestic agricultural workers. The two programs are related, in that, the H2A Program requires that employers requesting H2A certification first attempt to recruit U.S. workers through ARS.

This booklet explains the process of making a request for workers through the Agricultural Recruitment System; explains how special situations are handled, and provides sample forms, statements, and instructions.

An Overview of the Agricultural Recruitment System

The Agricultural Recruitment System is a publicly operated, recruiting and referral system designed to help find qualified agricultural or food processing workers for temporary jobs. (The ARS may, in some cases, be referred to as the Intra/Interstate Clearance System or the Agricultural Clearance System.)

No fees are charged for this service.

State Employment Service Agencies throughout the country cooperatively manage the ARS. The contact point for you is your local Employment Service office.

Through the ARS, your labor needs can be matched against the pool of available workers who have the skills and experience you need.

You accept certain responsibilities when you use the ARS. Wages and working conditions much comply with applicable Federal and State employment-related laws. There is also a requirement that you provide no cost or public housing which meets Federal and State standards.

The staff at your local Employment Service office is ready to help you use the ARS. Based on information you provide, a staff member will prepare a request known as a Job Order or Clearance Order for workers. The ARS may be used to recruit locally, elsewhere in your state, and in other states where workers may be available.

How can you benefit from the Agricultural Recruitment System?

The ARS provides a valuable service at no expense to you. To meet your need for temporary workers, ARS links you with qualified workers in your state and in other states. Some key benefits are:

- Access to workers outside the local area;
- Professional recruiting assistance;
- Use of interviewing facilities in-state and out-of-state, and
- Updates on employment-related laws.

Here is how the process works:

You contact your local Employment Service office well in advance of your date of need (at least 8 weeks) to place an order for recruitment. You must provide specific information about your job openings so that the local Employment Service office can help you meet your needs.

If the Employment Service anticipates that there will be a shortage of workers in your local area, a Clearance Order will be prepared. An Employment Service representative, with your assistance, prepares a Clearance Order. (“Clearance” is the technical term for authority to recruit outside the local area.)

The Employment Service recruits and refers workers within your state and, if necessary, from other states.

If the proposed employment period changes because of crop conditions or other reasons, you must provide timely notice to your local Employment Service office.

Preparation of a Clearance Order

Who is Eligible to Place a Clearance Order?

A Clearance Order requesting recruitment for agricultural workers from outside the local labor market area may be placed by:

- A person, firm, partnership, corporation, association, or organization needing workers to perform agricultural or food processing work of a temporary or seasonal nature.
- A Farm Labor Contractor (sometimes called a Crew Leader) who will employ the workers. (In this case, the Farm Labor Contractor must be listed as the employer on the Clearance Order.)

NOTE: A valid Federal and, if applicable, State Registration Certificate is required for a Farm Labor Contractor who is listed as the employer on the Clearance Order.

Your Contact Point

Call or stop by your local Employment Service office (the one nearest the intended work site) for information and assistance on how to request the workers you'll need.

When to Make a Request for Workers

For better service, prepare the request at least 8 weeks prior to the date workers are needed. This will improve the chances of getting the workers which you'll need.

Who Prepares the Clearance Order?

The local Employment Service representative prepares the Clearance Order forms package with the help of you, the employer. The Employment Service representative will ask for information including these items:

- Type of work to be performed,
- Period of employment,
- Wages,
- Housing,
- Transportation arrangements, and
- Crops.

When you contact your local Employment Service office to place a request through an Agricultural Clearance Order, be ready to furnish this information. The forms that are included in this booklet will assist you in compiling the information you will need to provide.

General Requirements

The requirements you will have to meet are:

- Workers must be paid at least the State minimum wage, Federal minimum wage, or the prevailing wage, whichever is highest.
- Wages and working conditions must comply with applicable Federal and State laws on employment, health and safety, housing, and farm labor contractor registration, as well as other employment-related laws.
- Housing must meet Federal and State standards and be sufficient to house the number of workers you request.

Specific Information Needed

Employment Period

The Clearance Order will include:

- a. Anticipated starting and ending dates of employment,

- b. Anticipated number of hours of work per week you are offering to temporary workers, and
- c. Normal hours of work each day for a 7-day pay period.

Wages and Benefits

a. Wage rate

The wage rate for each activity and unit size must be shown on the Clearance Order. The rate(s) must be no less than the highest of the following:

1. State minimum wage rate,
2. Federal minimum wage rate, or
3. The prevailing wage rate(s) among similarly employed workers in the area of intended employment for the same crop activity.

If the wages offered are in the form of piece rates, or base rates and bonuses, you will need to provide the method of calculating the wage and supporting materials to your local Employment Service office representative. The calculation will be verified to ensure that it is reasonably accurate and that the resulting hourly wage rate will be no less than the applicable prevailing wage rate, the applicable Federal or State minimum wage rate, whichever is highest.

Any bonuses or work incentive payments need to be included in the Clearance Order, along with the conditions that must occur to produce the bonus or work incentive payment. Any quality or quantity standards must be approved by the U.S. Department of Labor.

b. Deductions

All deductions to be made from workers' wages must be listed. Whether or not you are subject to the Fair Labor Standards Act (FLSA), you may not make deductions other than those authorized by law, and if you are FLSA covered, you may not make deductions unauthorized by FLSA which would bring the wage below the federal minimum wage for the pay period.

c. Non-monetary incentives

Identify all non-monetary benefits to be provided, such as food, clothing, health insurance, etc.

Housing

a. Housing arrangements

You must provide no-cost or public housing for workers (and family members, if applicable) who are unable to return to their residence in the same day. You must identify and describe the housing to be provided. You may elect to enter this and all required information about the housing on the form identified as Employer Furnished Housing and Facilities. (See appendix D.)

b. Housing standards

The housing you provide must comply with applicable Federal and State standards. The local Employment Service or some other public agency will conduct a pre-occupancy housing inspection to verify that housing standards are met.

c. Board arrangements

The employer must describe meal arrangements.

Your local Employment Service office can provide more information about housing standards.

Transportation

You must provide or pay for the transportation of the workers and their families on at least the same terms as transportation is commonly provided or paid by employers in the area of intended employment to agricultural workers and their families recruited from the same area of supply.

Field Visits

You must assure that the Employment Service outreach staff will be afforded reasonable access to your premises to talk to you and the workers.

Discrimination

The Clearance Order must not contain discriminatory specifications.

Workers with School-Age Children

Workers with children who need to return home for the beginning of the school year are entitled to any bonuses or incentives which they would have received if they had worked the entire employment period.

Clearance Order Package

The following forms, attachments, and statements are part of the Job Order package:

ETA 790, Agricultural and Food Processing Clearance Order

The ETA Form 790 describes the terms of employment. You must sign this form. (Copies of ETA Form 790 and instructions for filing can be found in Appendix A.)

Assurances

A copy of the Assurance statement is provided as Appendix B. It lists the assurances you must agree to provide and the terms and conditions of employment.

The Assurances you sign must accompany the ETA Form 790. In lieu of the Assurance statement, you may state on ETA Form 790 that you agree to abide by the assurances set forth at 20 CFR 653.501.

Housing Approval

If your workers' housing has been inspected and approved for use in the Agricultural Recruitment System and you have a current housing inspection approval, submit a copy.

If housing has not been inspected and approved, you may submit a Request for Conditional Access into the Agricultural Recruitment System, see Appendix C. You may wish to submit this request when:

- a. The housing you provide is inspected, but does not meet minimum standards at the time the Clearance Order is prepared, or
- b. The housing is not ready to be inspected at the time the Clearance Order is prepared.

The advantages of filing this request are:

- a. It allows you time to bring your housing into compliance and meet the deadline for inspection and approval at least 30 days prior to the date of occupancy, and
- b. It allows the local Employment Service office staff to continue processing the

Clearance Order.

Special Conditions

Changes in Crop and Recruitment Situations

You can change the date of need originally indicated in a Clearance Order. You may wish to do this when:

- a. A crop is maturing earlier or later,
- b. There are changes in the market conditions, or
- c. Weather conditions delay the work to be performed.

Deadline:

Notice of a delay in the start of employment must be filed with the Employment Service office at least 10 working days prior to the original date of need. “Working days” are those days during which the local Employment Service office is open for public business.

Implications:

Failure to inform the local Employment Service office of a delay in the start of employment at least 10 working days prior to the original date can result in costs to you. You could be obligated to pay workers recruited through the Agricultural Recruitment System the first week’s wages, beginning with the originally anticipated date of need on the approved application ETA Form 790.

You can require workers to engage in alternative work during the first week if the wage guarantee is invoked and if the alternative work is stated in the Clearance Order.

Other Changes

Notify your local Employment Service office if there are any other changes you wish to make in your Clearance Order. Changes might include such matters as:

- a. Increasing or decreasing the number of workers needed,
- b. Changing crops or activities, or
- c. Changing board arrangements.

Extension of Employment Period

A worker is not obligated to work beyond the period listed on the Clearance Order. Thus, job extension beyond the period of employment in the Order does not relieve you from:

- a. Paying the wages already earned;
- b. Providing or paying transportation expenses to the worker’s home, if specified in the Clearance Order;
- c. Providing bonuses that may have been paid for completion of the contract, or
- d. Other aspects of the Order.

For Additional Information

This booklet has described how you, the agricultural employer, can use the Agricultural Recruitment System to recruit U.S. workers for the temporary agricultural and food processing workers which you may need. For additional information, talk to the staff at your local Employment Service office. They are ready to assist you.

Appendices Sample Forms

Appendix A

ETA Form 790, Agricultural and Food Processing Clearance Order

The agricultural job order known as the [ETA Form 790, Agricultural and Food Processing Clearance Order](#), may be completed by a local Employment Service representative, or a State Employment Service representative, or by you, if you elect to complete it.

The following instructions have been developed to help you understand what information is required from you in the preparation of an Agricultural Clearance Order and to help you to complete ETA Form 790 yourself, if you choose to do so.

If the space in the form is insufficient:

- Please provide the additional information by attaching a separate page for each item, and
- Identify each attachment with the corresponding item number as indicated in the form.

Once the forms package is completed, please submit it to the nearest Employment Service office and retain a copy for yourself.

The local Employment Service office will review your Clearance Order and help you with any further requirements.

Instructions for Completing ETA Form 790

The space on the ETA Form 790 normally is not sufficient for a detailed and accurate word picture of the terms and conditions of employment. Therefore, it is almost always necessary to completely describe the details of work in attachments to the form. The attachments should be clearly identified by noting the page number and item number at the top of the page.

Item 1 Leave this space blank. (Industry Code)

Item 2 Leave this space blank. (Job Order #)

Item 3 Leave this space blank. (SIC Code)

Item 4 Enter the full name of the individual employer, partnership, or corporation, as well as the complete mailing address and telephone number. If employer is a registered farm labor contractor, enter registration number or numbers.

Item 5 Enter the expected month/date/year the employment period will begin and end.

Item 6 Leave this space blank. (Issue Date)

If not applicable, leave the space blank.

Item 7 If applicable, enter the contractor's name, mailing address, registration number, Social Security number, and telephone number. Check appropriate box(es) to describe the leader's function(s).

If not applicable, leave the space blank.

Item 8 Enter the total number of individuals and/or family type of workers being sought. Make sure that on the “Total Number” line is the sum of the numbers on the other lines.

Item 9 Enter brief descriptive summary information on face of form. Use attachment for detail.

- **Crop Activity**

State specific crop activity and tasks involved. Include tools or equipment used and production or productivity standards, if any. Acreage of crops should also be included, if known.

- **Flat Rate**

Enter at least the highest of the following flat rate (i.e., hourly, weekly, monthly) wages, which the employer must guarantee as a minimum. The employer may offer a higher rate:

- a. Prevailing Wage Rate, as determined by SESA wage survey for crop activity,
- b. State Minimum Wage Rate, or
- c. Federal Minimum Wage Rate.

- **Piece Rate**

Enter the piece rate offered. This rate may not be lower than the prevailing rate in the area for that crop activity as determined by a SESA prevailing wage survey.

- **Unit**

Enter the unit used when piece rates are being paid. Describe the unit size that governs how the piece rate is paid, such as tree size/spacing, weight/size/number of boxes picked/packed, dimensions of bags or boxes filled. For example, 5/8 bushel, 90 pound bag or box, 10 box bin, lug.

- **Hourly Rate Equivalent**

The piece rate must be expressed in estimated hourly wage rate equivalents for each activity and unit size, i.e., what a worker might expect to earn per hour at this rate. The estimated hourly equivalent is not guaranteed. However, the estimated hourly equivalent can be no less than the highest of the applicable Federal or State minimum or the prevailing hourly wage rate.

- **Crew Leader Wage Rate**

Indicate crew leader’s wage rate (override), if applicable.

Additional Information on Attachments May Include:

- a. Any bonus or incentives aside from the flat rate or piece rate, i.e., garden space, milk, eggs, meat, health insurance.
- b. Special conditions on guaranteed weeks of work, under what conditions bonuses or incentives are to be paid, if any.
- c. If the activity is covered by a “schedule of rates”, indicate conditions under which each of the rates on the schedule applies.

- d. Describe frequency of pay arrangements, i.e., daily, weekly, biweekly.
- e. Indicate deductions to be made from workers' wages, such as Social Security, worker's compensation, health insurance, Federal or State tax. If applicable, note whether employer of record or farm labor contractor will be responsible for deductions.

Item 10 Enter the number of anticipated hours the worker will be working. Any special work schedules different from normal situations should be noted in an attachment.

Item 11 Describe the following job specifications

- a. Crops and activities in which the requested workers will be employed.
- b. Tasks to be performed. Include quantitative and qualitative performance standards which may effect job retention. Indicate the time a worker will spend in each activity.
- c. Skills involved and equipment or tools to be used.
- d. Amount and kind of judgment required of the worker for the various tasks, i.e., cut only fully ripe fruit, dig out diseased plants, etc.
- e. Climate, market, soil and crop conditions affecting worker production.

Item 12 Enter complete directions to the job site from an easily identified reference point, i.e., a town or a crossroad.

Item 13 Describe meal arrangements. For instance, indicate if sack or hot lunches are provided to workers in the field. Describe if workers are required to prepare their own meals or if central mess facilities are provided.

- a. List meal charges, if any, and type of menu generally served.
- b. If board is not provided, list any arrangements offered by the employer for workers to obtain their own food.

Item 14 Enter the location and address of the farm workers' housing if it is different from the employer's address or worksite.

Describe housing facilities such as:

- a. Structures provided, i.e., camp, cabin, barracks or house. Describe general composition of the living quarters, such as wood or concrete.
- b. Note the number of persons for whom housing is available. In the box headed "Number and Capacity of Housing Units", note the number of (1) barracks, (2) family units and/or (3) single rooms available, and the total capacity of these types of units. The combined "total capacity" numbers in this box must be as great as the total number of workers requested in Item #8.
- c. The furnishings and equipment supplied by the employer, i.e., furniture, eating utensils, cooking utensils.
- d. Utilities available, such as gas, electricity, heat.
- e. Parking spaces for trailers, arrangements for utility hookups and charges.

- f. Medical and recreational facilities available for worker's benefit and their locations.
- g. If public housing is provided, any charges required of workers for use of the housing.

Item 15 Indicate, for example, the hours that the order-holding-office will be open to accept telephone referrals; the hours that the employer will be available to interview workers by telephone; whether referred workers should report to the order-holding-office when they arrive in the area; whether anybody different from the employer has hiring authority (including the name, address and phone number of such person), etc.

Item 16 Check the applicable box and note whether limitations are placed on collect calls (i.e., from SESA offices only).

Item 17 Describe in detail transportation arrangements, if any, such as:

- a. Any arrangement whereby employer will provide transportation for workers from the place of recruitment to the place of employment, i.e., if employer will arrange for charter bus transport for group of workers; if employer will reimburse workers for their travel expenses in getting to the job.
- b. Any arrangement whereby employers advance transportation costs to workers.
- c. Instructions to workers on what to do in case of emergencies, accidents, break downs, and the name of the contact person when such events occur.

Item 18 Leave this space blank. (Distribution)

Item 19 Leave this space blank. (OHO Address)

Item 20 Employer or authorized representative must sign original Clearance Order. Enter the title of the person signing, i.e., owner, agent, foreman. (Signature stamps are not acceptable.)

Appendix B

Assurances

This statement sets forth the assurances or basic promises the employer must agree to other than the terms and conditions of employment described in the Clearance Order.

The assurance statement signed by the employer must accompany the ETA Form 790. In lieu of the assurance, a statement may be made on the ETA Form 790 that the employer agrees to abide by the assurances set forth in 20 CFR 653.501.

20 CFR 653.501

**ASSURANCES
INTRASTATE AND INTERSTATE CLEARANCE ORDER**

The employer agrees to provide to workers referred through the Clearance System the number of hours of work per week cited in Item 10 of the Clearance Order for the week beginning with the anticipated date of need, unless the employer has amended the date of need at least 10 working days prior to the original date of need by so notifying the order-holding-office. If the employer fails to notify the order-holding-office at least 10 working days prior to the original date of need, the employer shall pay eligible workers (referred through the Intrastate/Interstate Clearance System) the specified hourly rate of pay, or in the absence of a specified hourly rate of pay, the higher of the Federal or State minimum wage rate for the first week starting with the originally anticipated date of need. The employer may require workers to perform alternative work if the guarantee is invoked and if such alternative work is stated on the job order.

The employer agrees that no extension of employment beyond the period of employment shown on the job order will relieve the employer from paying the wages already earned, or if specified in the job order as a term of employment, providing transportation or paying transportation expenses to the worker's home.

The employer assures that all working conditions comply with applicable Federal and State minimum wage, child labor, social security, health and safety, farm labor contractor registration and other employment-related laws.

The employer agrees to expeditiously notify the order-holding-local-office or State agency by telephone immediately upon learning that a crop is maturing earlier or later, or that weather conditions, over recruitment, or other factors have changed the terms and conditions of employment.

The employer, if acting as a farm labor contractor, has a valid farm labor contractor registration certificate.

The employer assures the availability of no-cost or public housing which meets applicable Federal and State standards and which is sufficient to house the specified number of workers requested through the Clearance System.

The employer also assures that outreach workers shall have reasonable access to the workers in the conduct of outreach activities pursuant to 20 CFR 653.107.

Employer's Name _____

Employer's Signature _____ Date _____

Appendix C

Request for Conditional Access into the Agricultural Recruitment System

The employer may request Conditional Access into the Agricultural Recruitment System under the following conditions:

- a. The housing does not meet minimum standards at the time the Clearance Order is prepared, or
- b. The housing is not ready for inspection at the time the Clearance Order is prepared.

The advantages of making this request are:

- a. It allows the employer to bring the housing into compliance with Federal and State standards and have it inspected at least 30 days prior to the date of occupancy.
- b. It allows the local Employment Service staff to continue processing your Clearance Order in preparation for intrastate and interstate recruitment.

If the housing approval is not secured on a timely basis, the job order may be disapproved.

Check with the local Employment Service office for further information.

STATEMENT OF REQUEST FOR CONDITIONAL ACCESS (RCA) INTO AGRICULTURAL RECRUITMENT SYSTEM

I hereby request that my job order(s) be sent beyond my local recruiting area, to other parts of this State, and to labor supply States, in a timely manner to facilitate the recruitment of domestic workers.

As condition to placing my order in to Interstate Clearance, I certify that no fewer than 30 days prior to occupancy my housing will meet such standards as are agreed upon to fulfill the requirements of the U.S. Secretary of Labor in the use of the Employment Service facilities for Intra/Interstate Clearance of job orders.

I also authorize the State Employment Service, the State Health Department and/or the U.S. Employment and Training Administration to inspect the housing that I am offering such workers at any reasonable time to verify its condition.

Employer _____ Date _____

Note: This statement complies with the regulations at 20 CFR 653.500 - 653.503. An actual form is not included pending OMB approval. Once OMB has rendered a decision on the RCA form, regional and State staff will be notified.

Appendix D

Employer-Furnished Housing and Facilities

The form on page D-3, Employee-Furnished Housing and Facilities, is an optional form which the employer may use to furnish required information relating to employment housing and facilities. Instructions are provided on D-2.

Whether you prepare the statement yourself or provide the housing-related information to your Employment Service representative, you will be required to certify the accuracy of the completed form.

I. Special Instructions

Housing Facilities must comply with:

- a. The minimum standards found in ETA 20 CFR 654, or OSHA 29 CFR 1910.142 (if applicable), or
- b. State or local laws or regulations regarding safety, health and sanitation, if they are more stringent than DOL Regulations.

Employers, health departments, or other regulatory authorities can set more stringent requirements.

Intrastate and interstate recruiting services are denied to employers until the State agency affiliated with the Employment and Training Administration (or a cooperating agency) has inspected the housing. Based on the inspection, Employment Service must certify that the housing is available, hygienic, and adequate to the region's climate, large enough to accommodate the anticipated number of workers and their families, and not dangerous to the lives, health, and safety of those people.

Definitions

1. **Adequate.** Reasonable and sufficient, i.e., the absence of any object, condition, or circumstance which is likely to have a negative effect on the health, safety, or well-being of an individual.
2. **Agricultural labor housing.** Includes one or more buildings or structures, tents, trailers, or vehicles, together with the land pertaining thereto, established, operated, or used as living quarters for one or more permanent, seasonal or temporary workers engaged in agricultural or woods activities, including related processing, where furnished by the employer without charge, or at a nominal cost, to the worker.
3. **Agricultural workers.** Includes agricultural, woods, or related industry workers, for either temporary or permanent employment.
4. **Bathing facilities.** For common use, bathing facilities mean showers. Bathtubs are acceptable in lieu of showers only in facilities provided for use by a single family or worker.

5. **Shelter.** Any building, tent, or trailer, consisting of one or more rooms, used for sleeping or living quarters.
6. **Garbage.** All foul-smelling animal or vegetable wastes resulting from the handling, preparation, or cooking of food.
7. **Habitable room.** A room or enclosed floor space to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closets, compartments, laundries, pantries, foyers, or connection corridors.
8. **Housing operator.** The person who furnishes or operates the housing.
9. **Laundry tray or tub.** The standard type tray or tub normally used for laundry purposes. If a mechanical washer is provided which does not include rinsing facilities, a laundry tray or tub shall be provided for each machine for rinsing purposes.
10. **Minor deficiencies.** Any repair or replacement which will not take longer than one day or require use of a specialist contractor, such as replacing a light bulb, repairing a broken window, torn screen, cutting of weeds, etc.
11. **Partitioned sleeping area.** That area furnishing reasonable privacy. The partition may be movable and need not extend from floor to ceiling.
12. **Person.** An individual or group of individuals, association, partnership, or corporation.
13. **Refuse.** All garbage, rubbish, ashes and foul-smelling solid wastes except body wastes.
14. **Separate sleeping accommodations.** Space separated by a solid wall extending to the ceiling or to the roof in quarters not provided with a ceiling. In existing quarters where the dividing wall does not extend to ceiling or roof, other acceptable provisions for denying intrusion on occupants' privacy by sight and in person may meet this requirement.
15. **Toilet facilities.** Water closets, privies, urinals, and the room provided for installation of these units.
16. **Fire extinguishers.** Those types described in 20 CFR 654.417 (f) are preferable.

II. Instructions for Completing "Employer's Housing and Facilities Report".

Heading of Report

Item 1 Employer's Name and Address. Enter the employer's name and address as shown on the Intrastate or Interstate Clearance Order.

Item 2 Housing Location. Enter explicit directions to the housing facility starting with an easily identifiable reference point.

Item 3 Housing Description. Enter a description of the housing and identify each separate unit such as: barracks-type dormitory, apartments, single family dwellings, brick, wood, etc.

Report Items

Item 4 Sleeping Rooms. Enter the inside measurements of each dormitory or family type room, and show the number of units of same size.

Item 5 Capacity. To be completed by local office or State Employment Service staff or other inspector.

Item 6 Regulations Compliance. To be completed by local office or State Employment Service staff or other inspector.

Item 7 Facilities. Enter the number of each type of facility identified.

Item 8 Comments. This item will be completed by local office or State Employment Service staff or other inspector.

Item 9 Employer's Certification. Enter the employer's signature, typed or printed name and title, and date signed. This item must be completed and signed by the employer or the employer's agent.

Items 10 and 11 will be completed by local office or State Employment Service staff or other inspector.

Appendix E

Department of Labor Protection for Farm Workers (Worker's Rights)

Farm Workers should be aware that there are Federal and State employment related laws that provide them with important protections.

These cover:

Housing: Housing furnished as a condition of employment must meet certain safety and health standards. If you live in such housing and you believe it is unsafe or unsanitary, call the Occupational Safety and Health Administration (OSHA) office nearest you and explain why you believe your housing is unsafe.

Pay: If you work for a Farm Labor Contractor or other agricultural employer, you have a right to know in writing, in a language you understand, what are the conditions of your employment. These conditions include wages you are paid and how they are figured. If your contractor or agricultural employer does not give you this information in writing, call the nearest Wage and Hour Office. If you work on a farm, you may be entitled to the Federal Minimum Wage. For more information, contact the nearest Wage and Hour Office.

Transportation: If you work for a Farm Labor Contractor and he/she takes you to and from work, the vehicle used must meet Federal and State Safety Standards and the contractor must have vehicle insurance. Complaints about the safety of such vehicles should be made to the nearest Wage and Hour Office.

Working Conditions: Federal and State laws require that working conditions be safe and sanitary. If you think your working conditions are unsafe or unsanitary, contact the Occupational Safety and Health Administration (OSHA) office nearest to you.

Complaints: You have a right to file complaints with an Employment Service office when: (1) the complaint pertains to an employer about a specific job to which you were referred by an Employment Service office, or (2) your complaint concerns the Employment Service actions or omissions under the Employment Service Regulations. The Employment Service will also help you and refer you to the appropriate enforcement agency with regard to other complaints such as housing, wages, transportation, and working conditions.

The Employment Service can give you the address and phone numbers of the Wage and Hour Service and the Occupational Safety and Health Administration (OSHA) office nearest to you.