

Migrant Labor Housing

2/12/2021

Migrant Labor Housing Rule 3-Advisory Board



Migrant Labor Housing Legal Overview

- **Legal Authority:** Act 368 of 1978
- [http://www.legislature.mi.gov/\(S\(3ot2lzpuf12peazvbdpkompl\)\)/mileg.aspx?page=GetObject&objectname=mcl-act-368-of-1978](http://www.legislature.mi.gov/(S(3ot2lzpuf12peazvbdpkompl))/mileg.aspx?page=GetObject&objectname=mcl-act-368-of-1978)
- **Housing Standards:** Part 124 of Act 368
- [http://www.legislature.mi.gov/\(S\(13nyg0vkcdvwkmhyy2mx3ww2\)\)/mileg.aspx?page=GetObject&objectname=mcl-368-1978-12-124](http://www.legislature.mi.gov/(S(13nyg0vkcdvwkmhyy2mx3ww2))/mileg.aspx?page=GetObject&objectname=mcl-368-1978-12-124)
- **License required** when 5 or more migrant agricultural workers
- **Migrant Worker** a person working, or available for work, who moves seasonally 1 or more times from 1 place to another from within or without the state for the purpose of such employment or availability or who is employed in the growing of mushrooms.
- **Administrative Civil Fine for operating without a license is \$1000.00 per day with maximum of \$10,000.00**

Other Laws

- U.S. Department of Labor Wage and Hour
 - Migrant and Seasonal Agricultural Worker Protection Act
 - broad inspection – a few a year – less after full staff in-season return
- MIOSHA
 - Part 511 Temporary Labor Camps
 - Part 500 Field Sanitation
 - complaint based – a couple every few years
- Licensing and Regulatory Affairs
 - Stille-Derossett-Hale State Construction Code
 - Discriminatory Zoning
 - Township Officials ask about Construction Code
 - Part 124 Specifically Exempt

Migrant Labor Housing Program

- **Key Stakeholders:**

- Fruit and vegetable growers
- Migrant farm workers and advocates
- Consumers of fresh fruits and vegetables
- LEO –SWA – FLCO -FLC H-2A workers Ho

- **Key 2020 statistics**

- Total inspections 2,638
- Sites licensed 830
- Housing units licensed 4,062
- Licensed capacity 26,734



Historic Overview

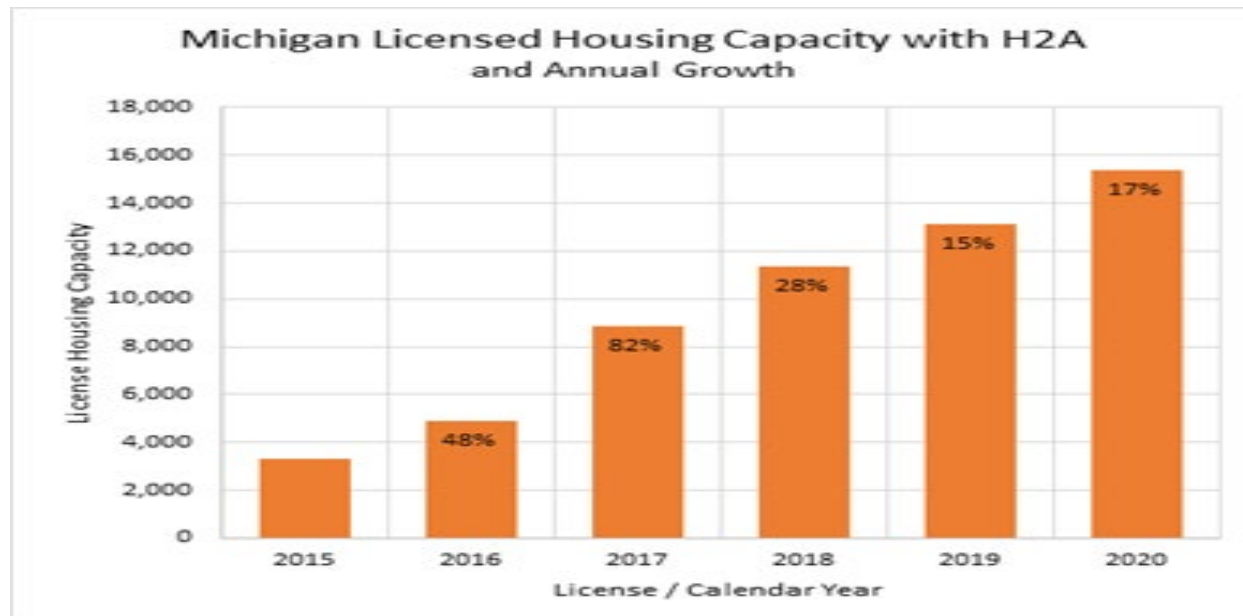
MEASURING SUCCESS:

	2015	2016	2017	2018	2019	2020
Applications						
Not opening/rescinded	76	43	200	77	83	94
Opening	798	833	853	871	870	829
Inspections						
Licensing	1,014	1,136	1,132	1,110	1,097	1,059
H2A	157	305	608	752	919	980
CAP-Follow up	357	480	558	510	535	422
Occupancy	718	820	830	843	829	753
Enforcement	3	12	10	2	6	1
Plan Review	84	154	180	111	82	91
Status Check					93	135
COVID*						1,230
Total*	1,934	2,401	2,443	2,236	2,181	3,590
Licensing						
Camps	774	801	811	840	815	830
Units	3,944	4,147	4,046	4,278	4,052	4,062
Capacity	24,100	24,862	25,054	26,166	25,215	26,734

* Inspections cover multiple components of camp operation. The total is less than the sum of the individual components.

H2A Housing Overview

H2A Workload	2015	2016	2017	2018	2019	2020
Camps Inspected	91	141	267	346	437	492
Approved Occupancy	3,293	4,879	8,880	11,383	13,116	15,401
Inspections Completed	248	448	608	752	1005	1488



TYPICAL STAFF TASKS/WORKFLOW

1. Annual licensing applications
2. Inspectors conduct licensing inspections before workers arrival and make a licensing recommendation
 - a. Full, Temporary or Not Recommended
3. Receive safe water samples
4. Conduct Corrective Action Plan inspections
5. Issue license
6. Conduct in-season occupancy inspections
7. Respond to, and resolve complaints
8. Conduct investigations and issue administrative fine when housing of 5 or more workers is occupied without a license

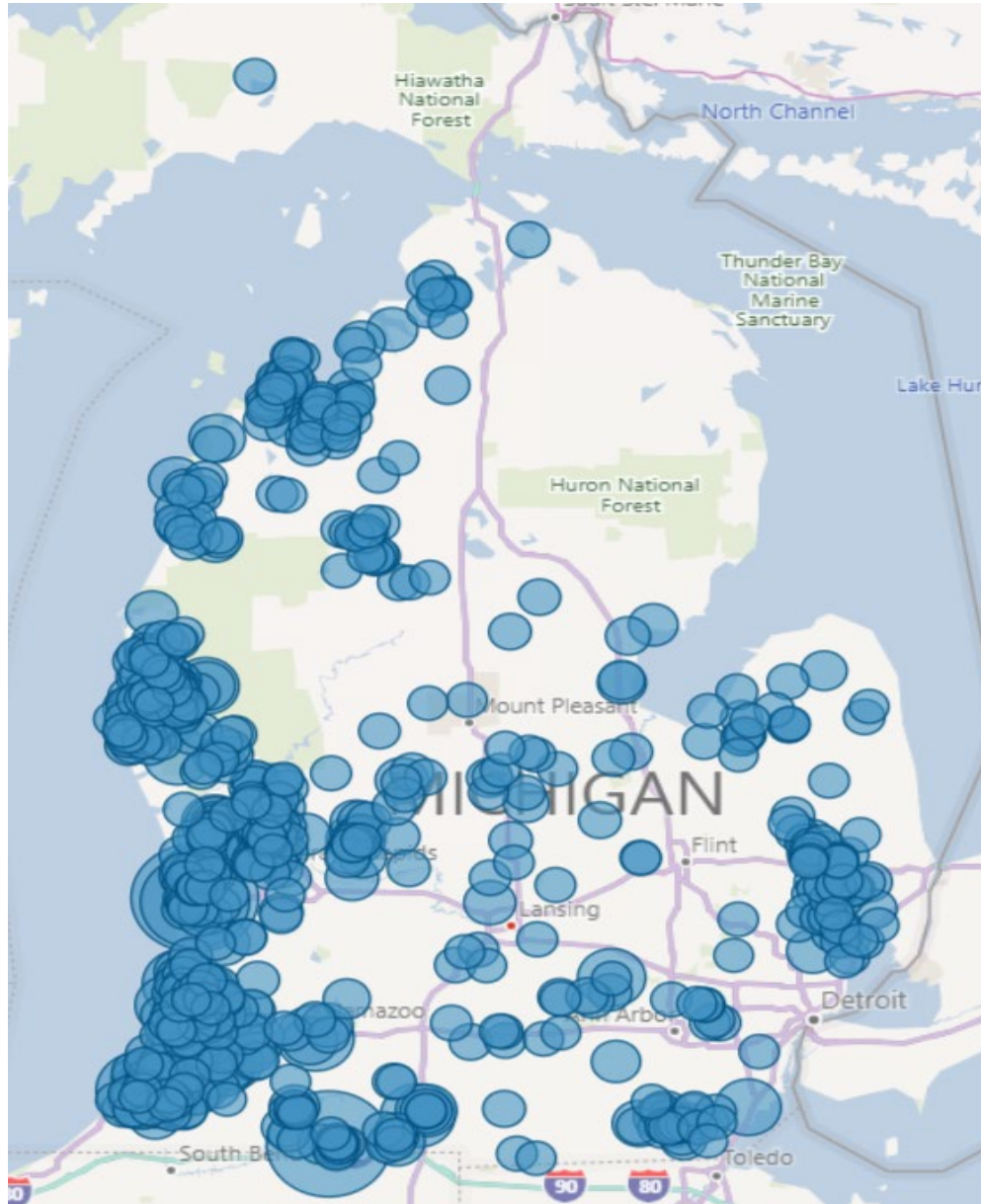
Migrant Labor Housing Inspections

- Site clear & setback
- Drainage
- Drinking water quality
- Sound construction
- Windows & doors
- Plumbing /Plumbing Fixtures
- Wastewater disposal
- Heating
- Electrical
- Natural light/ventilation
- Appliances
- Cooking
- Furniture
- Smoke detectors
- Egress
- Laundry
- Garbage disposal
- Fire suppression
- Occupancy levels

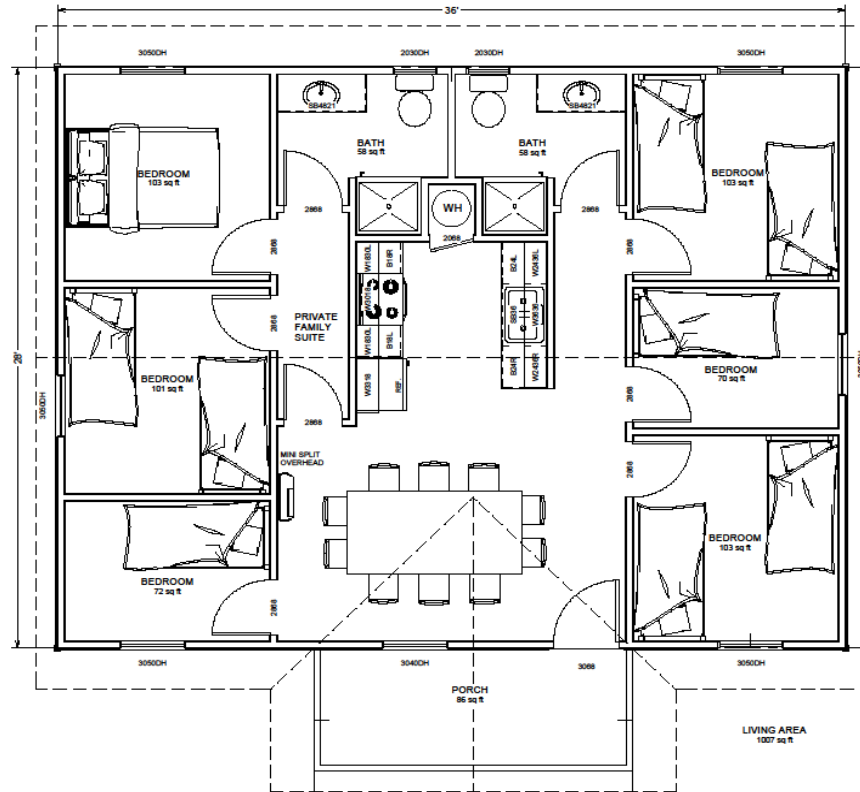
Why do we do this?

- Help growers provide licensed housing that attracts workers
- Maintain workers health and safety
- Safety and security of the food chain
- Keep Michigan economy vibrant

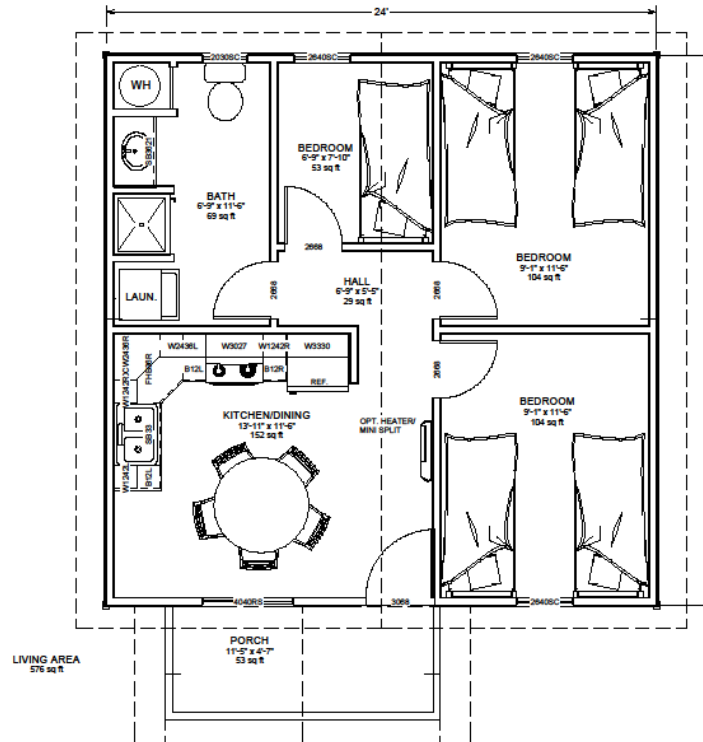
Licensed Housing Locations




Sample Construction Plan



Sample Construction Plan





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