For further information
Ph: 517-284-7740
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DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

GENERAL INDUSTRY STANDARD

Filed with the Secretary of State on July 7, 2008 (as amended April 5, 2013) **(as amended December 12, 2018)**

These rules become effective immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a.

Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 14, 16, 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1014, 408.1016, 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.2025, and 445.2030)

R 325.51131 and R 325.51139 of the Michigan Administrative Code are amended, and R 325.51132, R 325.51133, R 325.51134, R 325.51135, R 325.51136, R 325.51137, R 325.51138, R 325.51140, R 325.51141, and R 325.51142 are rescinded, as follows:

PART 511, TEMPORARY LABOR CAMPS

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R 325.51131 Adoption and availability of standards. Rule 1. (1) The federal Occupational Safety and Health Administration (OSHA) regulations 29 CFR 1910.142 “Temporary labor camps,” as amended September 13, 2005, are adopted by reference in these rules.

(2) The adopted federal regulations have the same force and effect as a rule promulgated under the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

(3) The OSHA regulations adopted in these rules are available from the United States Department of Labor, Occupational Safety and Health Administration website, www.osha.gov, at no charge, as of the time of adoption of these rules.

(4) The regulations adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(5) The regulations adopted in these rules may be obtained from the publisher or the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost

charged in this rule, plus $20.00 for shipping and handling.

R 325.51132 Rescinded.

R 325.51133 Rescinded.

R 325.51134 Rescinded.

R 325.51135 Rescinded.

R 325.51136 Rescinded.

R 325.51137 Rescinded.

R 325.51138 Rescinded.

R 325.51139. Construction and operation of kitchens, dining halls, and feeding facilities.

Rule 9. (1) In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities shall comply with the requirements of the United States Health and Human Services, Food and Drug Administration, Food Code, 2005 Edition. A copy of the Food Code may be obtained in either of the following ways:

(a) At no cost from the United States Health and Human Services, Food and Drug Administration, via the following website: www.fda.gov.

(b) From the United States Department of Commerce, National Technical Information Service, 6301 Shawnee Road, Alexandria, Virginia, 22312, USA, Phone: 1-888-584-8332 or via the following website: www.ntis.gov/, at a cost of $59.00 at the time of adoption of these rules.

(2) The standards adopted in subrule (1) of this rule are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(3) Copies of the standard adopted in subrule (1) of this rule may be obtained from the publisher or the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus $20.00 for shipping and handling.

(4) A properly constructed kitchen and dining adequate in size, separate from the sleeping quarters of any of the workers or their families, must be provided in connection with all food handling facilities. There must be no direct opening from living or sleeping quarters into a kitchen or dining hall.

(5) No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

R 325.51140 Rescinded.

R 325.51141 Rescinded.

R 325.51142 Rescinded.

1910.142 - Temporary Labor Camps

1910.142(a) "Site."
1910.142(a)(1) All sites used for camps shall be adequately drained. They shall not be subject to periodic flooding, nor located within 200 feet of swamps, pools, sink holes, or other surface collections of water unless such quiescent water surfaces can be subjected to mosquito control measures. The camp shall be located so the drainage from and through the camp will not endanger any domestic or public water supply. All sites shall be graded, ditched, and rendered free from depressions in which water may become a nuisance.
1910.142(a)(2) All sites shall be adequate in size to prevent overcrowding of necessary structures. The principal camp area in which food is prepared and served and where sleeping quarters are located shall be at least 500 feet from any area in which livestock is kept.
1910.142(a)(3) The grounds and open areas surrounding the shelters shall be maintained in a clean and sanitary condition free from rubbish, debris, waste paper, garbage, or other refuse.
1910.142(a)(4) [Removed]

1910.142(b) "Shelter."
1910.142(b)(1) Every shelter in the camp shall be constructed in a manner which will provide protection against the elements.
1910.142(b)(2) Each room used for sleeping purposes shall contain at least 50 square feet of floor space for each occupant. At least a 7-foot ceiling shall be provided.
1910.142(b)(3) Beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles shall be provided in every room used for sleeping purposes. Such beds or similar facilities shall be spaced not closer than 36 inches both laterally and end to end, and shall be elevated at least 12 inches from the floor. If double-deck bunks are used, they shall be spaced not less than 48 inches both laterally and end to end. The minimum clear space between the lower and upper bunk shall be not less than 27 inches. Triple-deck bunks are prohibited.
1910.142(b)(4) The floors of each shelter shall be constructed of wood, asphalt, or concrete. Wooden floors shall be of smooth and tight construction. The floors shall be kept in good repair.
1910.142(b)(5) All wooden floors shall be elevated not less than 1 foot above the ground level at all points to prevent dampness and to permit free circulation of air beneath.
1910.142(b)(6) Nothing in this section shall be construed to prohibit "banking" with earth or other suitable material around the outside walls in areas subject to extreme low temperatures.
1910.142(b)(7) All living quarters shall be provided with windows the total of which shall be not less than one-tenth of the floor area. At least one-half of each window shall be so constructed that it can be opened for purposes of ventilation.
1910.142(b)(8) All exterior openings shall be effectively screened with 16-mesh material. All screen doors shall be equipped with self-closing devices.
1910.142(b)(9) In a room where workers cook, live, and sleep a minimum of 100 square feet per person shall be provided. Sanitary facilities shall be provided for storing and preparing food.
1910.142(b)(10) In camps where cooking facilities are used in common, stoves (in ratio of one stove to 10 persons or one stove to two families) shall be provided in an enclosed and screened shelter. Sanitary facilities shall be provided for storing and preparing food.
1910.142(b)(11) All heating, cooking, and water heating equipment shall be installed in accordance with State and local ordinances, codes, and regulations governing such installations. If a camp is used during cold weather, adequate heating equipment shall be provided.

1910.142(c) "Water supply."
1910.142(c)(1) An adequate and convenient water supply, approved by the appropriate health authority, shall be provided in each camp for drinking, cooking, bathing, and laundry purposes.
1910.142(c)(2) A water supply shall be deemed adequate if it is capable of delivering 35 gallons per person per day to the campsite at a peak rate of 2 1/2 times the average hourly demand.
1910.142(c)(3) The distribution lines shall be capable of supplying water at normal operating pressures to all fixtures for simultaneous operation. Water outlets shall be distributed throughout the camp in such a manner that no shelter is more than 100 feet from a yard hydrant if water is not piped to the shelters.
1910.142(c)(4) Where water under pressure is available, one or more drinking fountains shall be provided for each 100 occupants or fraction thereof. Common drinking cups are prohibited.

1910.142(d) "Toilet facilities."
1910.142(d)(1) Toilet facilities adequate for the capacity of the camp shall be provided.
1910.142(d)(2) Each toilet room shall be located so as to be accessible without any individual passing through any sleeping room. Toilet rooms shall have a window not less than 6 square feet in area opening directly to the outside area or otherwise be satisfactorily ventilated. All outside openings shall be screened with 16-mesh material. No fixture, water closet, chemical toilet, or urinal shall be located in a room used for other than toilet purposes.
1910.142(d)(3) A toilet room shall be located within 200 feet of the door of each sleeping room. No privy shall be closer than 100 feet to any sleeping room, dining room, lunch area, or kitchen.
1910.142(d)(4) Where the toilet rooms are shared, such as in multifamily shelters and in barracks type facilities, separate toilet rooms shall be provided for each sex. These rooms shall be distinctly marked "for men" and "for women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols. If the facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling.
1910.142(d)(5) Where toilet facilities are shared, the number of water closets or privy seats provided for each sex shall be based on the maximum number of persons of that sex which the camp is designed to house at any one time, in the ratio of one such unit to each 15 persons, with a minimum of two units for any shared facility.
1910.142(d)(6) Urinals shall be provided on the basis of one unit or 2 linear feet of urinal trough for each 25 men. The floor from the wall and for a distance not less than 15 inches measured from the outward edge of the urinals shall be constructed of materials impervious to moisture. Where water under pressure is available, urinals shall be provided with an adequate water flush. Urinal troughs in privies shall drain freely into the pit or vault and the construction of this drain shall be such as to exclude flies and rodents from the pit.
1910.142(d)(7) Every water closet installed on or after August 31, 1971, shall be located in a toilet room.
1910.142(d)(8) Each toilet room shall be lighted naturally, or artificially by a safe type of lighting at all hours of the day and night.
1910.142(d)(9) An adequate supply of toilet paper shall be provided in each privy, water closet, or chemical toilet compartment.
1910.142(d)(10) Privies and toilet rooms shall be kept in a sanitary condition. They shall be cleaned at least daily.

1910.142(e) "Sewage disposal facilities."
In camps where public sewers are available, all sewer lines and floor drains from buildings shall be connected thereto.

1910.142(f) "Laundry, handwashing, and bathing facilities."
1910.142(f)(1) Laundry, handwashing, and bathing facilities shall be provided in the following ratio:
1910.142(f)(1)(i) Handwash basin per family shelter or per six persons in shared facilities.
1910.142(f)(1)(ii) Shower head for every 10 persons.
1910.142(f)(1)(iii) Laundry tray or tub for every 30 persons.
1910.142(f)(1)(iv) Slop sink in each building used for laundry, hand washing, and bathing.
1910.142(f)(2) Floors shall be of smooth finish but not slippery materials; they shall be impervious to moisture. Floor drains shall be provided in all shower baths, shower rooms, or laundry rooms to remove waste water and facilitate cleaning. All junctions of the curbing and the floor shall be coved. The walls and partitions of shower rooms shall be smooth and impervious to the height of splash.
1910.142(f)(3) An adequate supply of hot and cold running water shall be provided for bathing and laundry purposes. Facilities for heating water shall be provided.
1910.142(f)(4) Every service building shall be provided with equipment capable of maintaining a temperature of at least 70 deg. F. during cold weather.
1910.142(f)(5) Facilities for drying clothes shall be provided.
1910.142(f)(6) All service buildings shall be kept clean.

1910.142(g) "Lighting."
Where electric service is available, each habitable room in a camp shall be provided with at least one ceiling-type light fixture and at least one separate floor- or wall-type convenience outlet. Laundry and toilet rooms and rooms where people congregate shall contain at least one ceiling- or wall-type fixture. Light levels in toilet and storage rooms shall be at least 20 foot-candles 30 inches from the floor. Other rooms, including kitchens and living quarters, shall be at least 30 foot-candles 30 inches from the floor.

1910.142(h) "Refuse disposal."
1910.142(h)(1) Fly-tight, rodent-tight, impervious, cleanable or single service containers, approved by the appropriate health authority shall be provided for the storage of garbage. At least one such container shall be provided for each family shelter and shall be located within 100 feet of each shelter on a wooden, metal, or concrete stand.
1910.142(h)(2) Garbage containers shall be kept clean.
1910.142(h)(3) Garbage containers shall be emptied when full, but not less than twice a week.

1910.142(i) "Construction and operation of kitchens, dining hall, and feeding facilities."
1910.142(i)(1) In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities shall comply with the requirements of the "Food Service Sanitation Ordinance and Code," Part V of the "Food Service Sanitation Manual," U.S. Public Health Service Publication 934 (1965), which is incorporated by reference as specified in Sec. 1910.6.
1910.142(i)(2) A properly constructed kitchen and dining hall adequate in size, separate from the sleeping quarters of any of the workers or their families, shall be provided in connection with all food handling facilities. There shall be no direct opening from living or sleeping quarters into a kitchen or dining hall.
1910.142(i)(3) No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

1910.142(j) "Insect and rodent control."
Effective measures shall be taken to prevent infestation by and harborage of animal or insect vectors or pests.

1910.142(k) "First aid."
1910.142(k)(1) Adequate first aid facilities approved by a health authority shall be maintained and made available in every labor camp for the emergency treatment of injured persons.
1910.142(k)(2) Such facilities shall be in charge of a person trained to administer first aid and shall be readily accessible for use at all times.

1910.142(l) "Reporting communicable disease."
1910.142(l)(1) It shall be the duty of the camp superintendent to report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.
1910.142(l)(2) Whenever there shall occur in any camp a case of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, or jaundice is a prominent symptom, it shall be the duty of the camp superintendent to report immediately the existence of the outbreak to the health authority by telegram, telephone, electronic mail or any method that is equally fast.

[39 FR 23502, June 27, 1974, as amended at 47 FR 14696, Apr. 6, 1982; 49 FR 18295, Apr. 30, 1984; 61 FR 5507, Feb. 13, 1996; 61 FR 9227, March 7, 1996; 63 FR 33450, June 18, 1998; 70 FR 1141, Jan. 5, 2005; 70 FR 53929, Sept. 13, 2005]

Michigan Occupational Safety and Health Administration
PO Box 30643
Lansing, Michigan 48909-8143
For technical questions of this standard – Ph: 517-284-7750 (GISHD) or 517-284-7720 (CETD)
To order copies of this standard – Ph: 517-284-7740

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