

TITLE 44  
LABOR

CHAPTER 19  
SANITATION FACILITIES FOR FARM WORKERS

44-1901. STATEMENT OF INTENT. It is hereby declared that the legislature of the state of Idaho, by the passage of this act, recognizes that the provision of toilet facilities for workers working in fields in the growing and harvesting of crops is necessary to preserve sanitation and health and that the provision of these basic facilities is also necessary for the privacy and dignity of such workers.

[44-1901, added 1981, ch. 256, sec. 1, p. 547.]

44-1902. DEFINITIONS. As used in this chapter, the following terms have the following meanings:

(1) "Farm operation" means any activity by which a crop is planted, grown, tended, cultivated or harvested, in which eight (8) or more workers are working as a crew, unit or group for a period of four (4) or more hours.

(2) "Farm operator" means any individual, partnership, corporation, or other legal entity, or any officer or agent acting on behalf of such individual, partnership, corporation, or legal entity, which is the owner in possession, or lessee of, a farming operation, or which is responsible for its management condition.

(3) "Farm labor contractor" means any person who, for a fee, furnishes workers to a farm operator.

(4) "Reasonable distance" means a distance within one-quarter (1/4) mile or less of the place of work. When, because of the layout of access roads, ground terrain, or other physical conditions, it is not possible to comply with the foregoing requirement, toilet facilities shall be located at the point of vehicular access closest to the workers.

(5) "Toilet facility" means a facility, including a portable facility, which contains a toilet designed to provide privacy, to prevent contamination of crops and adjoining water supplies.

[44-1902, added 1981, ch. 256, sec. 1, p. 547.]

44-1903. FURNISHING OF TOILET FACILITIES. On any farm operation, the farm operator, or when workers are furnished by a farm labor contractor, the farm labor contractor, shall provide and maintain at least one (1) toilet facility in a clean and sanitary condition for every forty (40) workers, or fraction thereof, within a reasonable distance of where the workers are working. For farm operations employing fewer than forty (40) workers, at least one (1) toilet facility shall be provided.

[44-1903, added 1981, ch. 256, sec. 1, p. 548.]

44-1904. RETALIATORY ACTIONS. No farm operator or farm labor contractor may discharge or in any manner retaliate against any worker because the worker has instituted or is about to institute any proceedings under this chapter, or has testified, or is about to testify, in any proceedings under or related to the provisions of this chapter.

[44-1904, added 1981, ch. 256, sec. 1, p. 548.]

44-1905. VIOLATION -- PENALTY -- MISDEMEANOR. Any farm operator or farm labor contractor who willfully or negligently violates section [44-1903](#), Idaho Code, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than three hundred dollars (\$300) for each violation.

[44-1905, added 1981, ch. 256, sec. 1, p. 548.]