

Proposed Seasonal Farm Labor Regulations

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"The basis of the suit was (that DER failed in) implementing the regulations or the law in regard to mushroom regulations and, in particular, where growers were housing four or more unrelated persons," Brown said.

However, according to Brown, when DER agreed to end the legal dispute, attention to detail was not strong enough — the agency promised to include specific wording in the new regulations and that wording is in serious question.

According to Brown, the wording does more than address mushroom growers and doesn't fit the intent of the Season Farm Labor Act.

What makes it such a significant problem for agriculture is that DER is apparently unwilling to step away from the wording because it was included as a term of dropping the lawsuit. If the wording isn't included, DER could face the suit again.

The DER regulation proposal is on its way to being approved unless it can be stopped in the legislature or the Independent Regulatory Review Committee (IRRC).

Brown said that members should contact people in the House Conservation Committee or the Senate Environmental and Energy Committee. "Those two (bodies) have oversight and (members) should express concern over the issue.

"Contact your representative and tell them that, as it is, (the regulations proposed) are unacceptable."

The intent of seasonal farm labor bills was to set guidelines to ensure that transient and seasonal farm laborers in actual camp situations, where workers are housed together or temporarily share rooms in buildings on a farm, are provided with reasonable amenities.

However, under the proposed regulations, in order for an operation to be considered a seasonal farm labor camp, "four or more unrelated persons" must be housed on a farm.

The definition of "four or more unrelated persons" is one of Brown's major complaints about the proposed regulations.

The definition proposed is, "At least four persons occupying living quarters owned, leased or operated by an employer or a farm labor contractor where at least one is unrelated to the others as a parent, spouse, child, brother or sister."

This can easily be applied to a wide variety of family farm situations.

Furthermore, when the "four or more" provision kicks in, DER would also consider all buildings on a property as quarters, unless solely occupied and reserved for the owner's use.

This means private residences on farms would be subject to DER inspections and regulation, and any agency involved with the welfare of farm laborers would be authorized to have unrestricted access to enter the property and home.

According to Brown, in practical terms a realistic scenario would be: A dairy farm owner hires a herdsman and provides a house as partial compensation. Later, the farmer also hires his nephew to help with haying for the summer with the nephew living in his uncle's house.

Under the proposed regulations,

DER would consider the whole farm a seasonal farm labor camp and require inspections and conformity to all the regulations for maintaining a real seasonal farm labor camp.

Since DER's policy for enactment of the regulations is complaint-based, DER officials said during the review by the EQB meeting that the regulation would not affect forms of production agriculture other than those that traditionally use seasonal farm labor camps setups.

"They basically said, 'Trust us,'" Brown said. But at the same time, Brown said that Secretary of DER Arthur Davis "was quite forward in saying their interpretation would be . . . that (the dairy farm in Brown's scenario) would become a farm labor camp and they were very specific."

In addition to loss of rights to privacy by having a home suddenly be subject to government agency inspections, Brown said the reg-

ulations require such things as:

- A mandatory minimum ratio of window to floor space for each room, set at window space being equal to no less than 10 percent of the floor space. For a 100 square foot room (10 feet by 10 feet) that would mean a window of no less than 10 square feet.

- A written lease would be required, if the farmstead is declared a seasonal farm labor camp. You can no longer include the home as part of compensation.

- Well testing would be required for each residence with a first run laboratory fee running \$800 to \$1,200 per sample.

- Trash cans would have to be provided for each residence, complete with lids, or else a fine could be levied.

Brown criticized those who decided to settle the lawsuit with such wording.

"The only language in the agreement, it spelled out this (definition what makes a seasonal farm labor

camp). In our opinion, they signed (the court stipulation) to get legal pressure off their back," Brown said. "They wanted to get out from under it. Our concern is that the stipulation agreement that they signed tied their hands and said we'll do what you want beyond the scope of the (Seasonal Farm Labor) Act.

On another front, efforts are coming from Philadelphia politicians to pass legislation which would provide many of the same rights to unionize, etc., to farm laborers as industrial laborers.

Brown said that PFA members should contact Rep. Robert Belfanti Jr., D-Mt. Carmel, who is chairman of the House Labor Relations Committee, and tell him that as they are, the proposed legislation is unacceptable and don't let them out of committee.

Specifically, Brown said, "We need to make it clear we do not support H.B.1050, 1051 and 1052, as written."

Trust Seeks Nominations For Awards

WASHINGTON, D.C. — American Farmland Trust, a national farmland conservation group based in Washington, announced

CVC Has New Marketing Manager

CARLISLE (Cumberland Co.) — Cumberland Valley Cooperative (CVC) Association announces the addition of Eddie Parsons as marketing manager.

Parsons comes to the co-op with 16 years of experience that culminated in his position as district sales manager for Central Soya in northeastern Pennsylvania.

He grew up on a dairy farm in Centre County, and is a graduate of Penn State University with a degree in animal industries, with emphasis in dairy science, animal nutrition, and livestock production.

His experience in training sales representatives for Central Soya will aid in his efforts as he develops the professional sales force at Cumberland Valley Cooperative.



Eddie Parsons

it is accepting nominations for its 10th annual Agricultural Conservation awards.

The awards honor individuals and organizations making an outstanding contribution to the protection of the nation's agricultural resources. AFT established the awards in 1984 to encourage broad participation in agricultural resource conservation.

Awards recognize superior efforts by individuals, private groups, or governmental bodies that do either of the following:

- * Establish or improve upon public policy that promotes farmland protection

- * Protect the long-term viability of a specific farmland area, either by saving it from development or soil erosion or by promoting techniques that reduce the negative impacts of agricultural land use on the environment

- * Communicate the need to conserve the country's agricultural resources

- * Display a strong commitment to agricultural resource conservation by directly protecting farmland, funding special conservation projects, or adjusting farming operations to reduce negative impacts on agricultural land.

Nominations must include a one-page summary of the nominee's accomplishments. Supporting documentation of up to 10 pages must include three letters of recommendation, detailed descriptions or examples of the nominee's accomplishments, and any newspaper or magazine articles. Self-nominations are allowed. All nominations must include the names and addresses of the nominee and nominator.

Materials or questions should be sent to the Awards Coordinator, AFT's National Office, 1920 N Street, NW, Suite 400, Washington, DC 20036. Nominations must be received by Sept. 1, 1993. Awards will be presented at special ceremonies later this year.

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