

Legal Compliance



A Summary of Laws and Regulations For Small Farm Owner and Operator

Richard Molinar
UC Cooperative Extension
1720 South Maple Avenue
Fresno, California 93702

Phone: (559) 456-7285
Fax: (559) 456-7575
<http://cefresno.ucdavis.edu>
E-mail: rmolinar@ucdavis.edu

sf 1731 Fresno County Publication
June 2008



June 28, 2008

Dear Friends,

We are pleased to publish this brochure hoping that it will be helpful to many of our small farmers who are in dire need of knowing the laws and regulations around the operation of a small farm business.

While this summary may be very resourceful, it is not intended to be neither a representation nor an interpretation of the laws. Therefore, if you have any question or are in doubt of anything, we encourage you to seek legal consultation or speak directly to the respective agencies listed at the “Resources Directory” section at the end of this brochure.

Please feel free to contact us if you have any suggestions or recommendations.

Sincerely,

Richard Molinar
UC Cooperative Extension
1720 South Maple Avenue
Fresno, California 93702
Phone: (559) 456-7285
Fax: (559) 456-7575
<http://cefresno.ucdavis.edu>
Email: rhmolinar@ucdavis.edu

Toulu Thao BSME, Ed.D
Project Consultant
Tel. (559) 270-5127
E-mail: toulut@ya0hoo.com



Rabobank, N.A. has provided a grant to UC Cooperative Extension for the printing of this booklet, but is not responsible for the content or translation of the materials contained herein.

TABLE OF CONTENTS

I.	Pesticide Application	1
II.	Burn Permit	2
III.	Labor Laws	3 - 4
IV.	Cal/OSHA Consultation.....	5 - 7
V.	Water Discharge Regulations.....	8
VI.	Foods and Produce Safety	9 - 10
VII.	Posting.....	11
VIII.	Resource Directory	12
IV.	Reference	13-14

I. PESTICIDE APPLICATION¹

Pesticide is used to control pests but it can also be harmful to human beings.

When handling pesticides, follow closely the instructions on the label and always wear protective clothing.



___1. The County Ag-commissioner issues pesticide applicator permit. There are two types of permits:

- a. A non-restricted permit, and
- b. A restricted permit¹ which also requires passing an examination²

___2. Only certified applicator or those who work under his direct supervision are qualified to handle restricted materials

___3. A valid pesticide user permit is required when purchasing pesticide materials

___4. A restricted permit must be renewed every 2 year³

___5. Employee handling pesticides must be trained and re-trained every 12 months, and informed of the hazards involved

___6. Only a certified applicator or trainer are qualified to conduct a pesticide training, and the training must be conducted in the language spoken by the employees

___7. Notice and consent of land owner or operator is required prior to each pesticide application

___8. Application of restricted materials requires a notice of intent (NOI), a 24 hours advanced notice, before each application⁴

___9. Pesticides application is allowed only during daylight hour, 1 hour after sunrise and 1 hour prior to sunset, at a wind speed at 3 mph to 10 mph⁴ maximum

___10. Minimum protective equipments are gloves, goggles, shoes or boots, long sleeves shirt, and long pant



Recommended minimum protection

___11. A pesticide handler who is required to wear respiratory protective equipments is routinely required to complete a medical questionnaire and/or undergo a medical examination⁵

___12. An employer must have in place an Emergency Procedure or Manual⁶ and have a First Aid Kit approved by a physician available at his work site

___13. Always keep pesticides in its container. Do not keep them in containers that are used for foods or drinks⁷

___14. Keep record of pesticide usage, training, name of trainer(s) and trainee(s) for 3 years

___15. Workers must be informed about Restricted Entry Intervals (REI) following each pesticide application

___16. After using pesticides, always wash hands before eating, drinking, smoking or using a bathroom

___17. Avoid pesticides contact with eyes, mouth, or nose

¹ For handling highly hazardous materials

II. BURN PERMIT⁸

Burning is a way to dispose agricultural waste. Burning requires a “burn permit” and a “daily burn authorization”.

Burn permit is issued by San Joaquin Valley Air Pollution Control District.

Effective 2010, a burn permit will no longer be issued.



Notes: Cooking fires in the field or burning money paper at Hmong funeral services are permissible and require no burning permit. (Pg. 28, Rule 4103)

___1. A burn permit cannot be transferred to any other individual and is valid only at the site specified in the permit

___2. A “daily burn authorization” is required before each burning. Contact the Smoke Management System at 1-800-665-2876 or via Internet at <http://sms.valleyair.org> to obtain a daily burn authorization

___3. A burning location must be attended at all times by able-bodied adults with adequate tools to control the fire

___4. The permit holder is liable for all damages should the fire becomes out of control⁹

___5. Only materials specified on the permit can be burned

___6. Do not burn near utility poles or utility supply lines (it is very hazardous)

___7. Allowable ignition devices are newspaper, matches or propane burner⁷. Do not use fuel, motor oil, gasoline, rubber or diesel to ignite a fire

___8. A burn location must have adequate clearance to prevent fire escape. Remove combustible material(s) to at least 30 feet away from the burn area

___9. Do not burn on a windy day

___10. Do not burn near a highway or roadway. Ashes or heavy smoke can create hazardous situations for drivers

___11. Burning is permissible⁷ during day light hours, between 10:00am-2:00pm. No burning should be added after 5:00pm

___12. Burning weeds or grasses along a fencerow is generally prohibited¹⁰ except under special conditions

___13. Pesticide, fertilizer and seeds sacks cannot be transported and can be burned at any day at the location where they are emptied

___14. Burning cardboard box, garbage, barrel, manure, plastic and or tire is prohibitedⁱⁱ

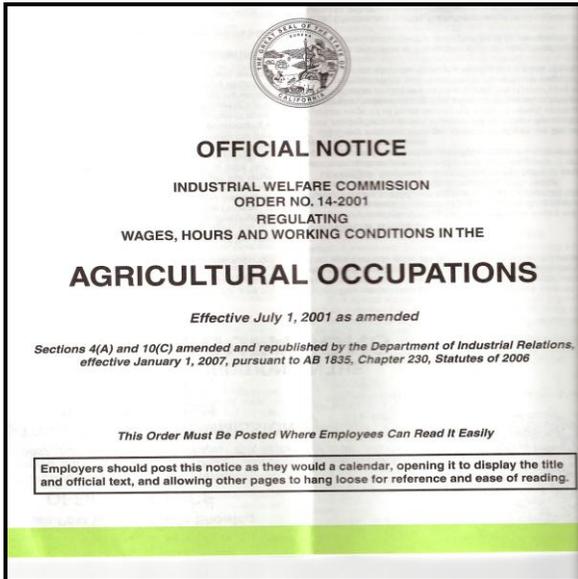
___15. Under a valid burn permit, a grower who owns a ditch or canal may burn weeds in his premise in order to maintain a good water delivery for his agricultural operation

___16. Fruit stands are not allowed to burn anything except warming fire, and only if the ambient temperature is less than 50 degree F, and the fire is attended at least every 15 minutes for warming purpose

ⁱⁱ Burning one tire at a time may be allowed. Check with the Air Control District for details

III. LABOR LAWS¹¹

The Bureau of Field Enforcement (BOFE) of the California Department of Industrial Relations and the U.S. Department of Labor (DOL) enforce workers' compensation insurance, child labor laws, cash pay, labor contractor laws, Industrial Welfare Commission orders, as well as investigating complaints on minimum wage, overtime claims or other complaints.



___1. An employer MUST obtain an Employer Identification Number (EIN)

___2. An employer MUST carry a worker's compensation insurance. (Note: owner is not covered)

___3. Employer MUST comply with work hours, break and meal periods, i.e. a 30 min unpaid period after working 5 hours for meal period, and a 10 minutes rest period per 4 hours of work¹²

___4. It is OK to pay by "piece work", but the pay must at least equal to the appropriate minimum wage

___5. An employer MUST keep record of payrolls, time sheets, tax, SSI and all other deductions¹³

___6. Employer MUST post all required State & Federal posters. Where posting is not possible, posters may be put in a binder but it must be easily accessible to employees¹⁴

___7. Child labor laws¹⁵:

- a. Work permit is required for all minors under 18 years old.
- b. Minimum wage laws apply to all minors except those under 12 years old
- c. Sixteen years old is legal working age, and can be employed at any job whether declared hazardous or not
- d. 14-15 years old require a written consent from parent. They can work on a non-hazardous occupation and outside school hours only
- e. 12-13 years old require a written consent from parents; must work at the same farm where parents are working
- f. Minors under 12 years old may be employed with written consent from parents. They must work on the farm where their parents are working. They are exempted from minimum wage requirement
- g. Children of farm owners or operators may be employed by their parents at any time, in any occupation on a farm owned or operated by their parents

___8. Overtime¹⁶:

- a. 1 and 1 1/2 times the employee's regular rate or pay for all hours worked in excess of 8 hours up to and including 12 hours in any workday, and for the first 8 hours worked on the 7th consecutive day of work in a workweek; and
- b. Double the employee's regular rate or pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of 8 hours on the 7th consecutive day of work in a workweek.

___9. Civil penalties will be imposed for:

- a. Failure to pay minimum wage
- b. Failure to comply with overtime pay provision
- c. Failure to carry worker's compensation insurance
- d. Failure to maintain a written record of pay or wage statement
- e. Allowing minor to engage in prohibited tasks

____10. When hiring a labor contractor¹⁷, make sure that he has the following documents:

- a. State bonds
- b. Workers' compensation insurance
- c. State and federal license
- d. Completes I-9 on file
- e. Safety program and a sign-off sheet showing that each worker was trained
- f. Proof that record of workers' payrolls and timesheets are kept

____11. Immediate family members of an employer¹⁶ include spouse, children, stepchildren, foster-children, parents, stepparents, and foster parents. "*Other relatives, even if living permanently in the same household as the employer, are not considered to be immediate family members*".

____12. Employer is required to verify that each worker is eligible to work. Check for a valid social security number and have the worker fill out a W-4 form

____13. Employer is required to report the name, address and social security of each employee hired

____14. It is unlawful to discriminate against anyone because of race, disability, age, color, national origin, marital status, sex or religious preference

____15. When notified, an employer must withhold child support money from an employee's paycheck, and forward it to the appropriate agency

____16. By laws, an employer must grant a 12 weeks unpaid leave in a 12 months period to an employee if one or more of the following is the cause:

- a. Giving birth to a child, taking care of a new born or an adopted child
- b. Taking care of immediate family member who is seriously ill
- c. When the employee is seriously ill and unable to work

____17. Employment Development Department (EDD) requires:

- a. Unemployment insurance
- b. Disability insurance
- c. Unemployment and training tax (ETT)
- d. Personal income tax withholding (PIT) if applicable

IV. Cal/OSHA CONSULTATION

Cal/OSHA Consultation is a division of the California Department of Industrial relations that provides consultation on a “safe and healthy work environment” to employer.

Cal/OSHA consultation is free of charges. Cal/OSHA keeps all finding confidential, and reports its findings to the Enforcement Division only if the employer repeatedly fails to take proper corrective actions¹⁸



Fig. 1 – Mobile Toilet at Sam Saechao’s Strawberries Farm

A. Field Sanitation¹⁹

___1. Provide cool drinking water with a faucet, disposable cups, clearly marked: “drinking water”, i.e. 4 gallons of water per worker for every 8 hours

___2. Provide hand-washing water, soap, and singled use towels, clearly labeled: “hand-washing water”, i.e. a tank of 15 gallons minimum in capacity

___3. Provide toilets: 1-male and 1-female for every 20 employees

___4. For less than 5 employees, only 1 toilet is required but the toilet must be lockable from the inside

___5. Each toilet must hold at least 40 gallons, screened, sanitized and supplied with toilet paper

___6. Toilet must be located within ¼ mile or no more than of 5 minutes walk from the work site (Title 8, Sect 3457)

___7. Toilet and hand washing facility are not required where employees will be working less than 3 hours or where only immediate family members are working

___8. Services records for toilets must be kept for 2 years²⁰

B. Hazard Communication Program

Farmers and farm workers are potentially exposed to a variety of work and environmental hazards that could be harmful to their health. To minimize these risks, an employer is required to:

___1. Establish a “hazard communication program”; provide employees with information about hazardous chemicals and pesticides to which they might be exposed²¹

___2. Provide training in safe handling of pesticide/equipment, safe work practice, first aid and CPR

___3. Have a physician-approved First Aid Kit and supplies available

___4. Make sure a medical professional is available for consultation on matters related to workplace health

___5. Workers must wear protective clothing, and all machinery should be properly maintained and used

___6. A summary of injury or citation must be posted at or near the location where they occur. Posting must be in a way that it can easily be seen by workers

___7. Notify OSHA within 8 hours if a worker is seriously injured or died as a result of a work related accident²² (Title 8, Section 342), but definitely no later than 24 hours after the accident

___8. Maintain records of all work related injuries or illnesses for 5 years²³

C. Heat Illness Prevention²⁴



Heat related illnesses could occur while working under a hot working environment, after our body becomes dehydrated.

To minimize these types of illnesses, the following are recommended:

___ 1. Frequently drink water (1 cup every 15 minutes)

___ 2. Rest as often as needed and stay in a shady or cool area when resting

___ 3. Train workers to recognize signs and symptoms of heat illnesses. These include headache, dizziness, excessive sweating, weakness, fainting, seizure, vomiting, dry and hot skin with no sweating.

When one or more of these signs are noticed, provide the sick person with proper emergency care and medical attention

___ 4. Have in place a “Procedure for Preventing and Handling Heat related Illness”²⁵

___ 5. Avoid drinking alcohol or caffeine. These beverages increase dehydration and induce the risk of heat illnesses

___ 6. Always wear sun protective clothing

___ 7. Pregnant woman, obese, elderly or sick persons have a higher risk of heat illnesses

D. Safe work practices²⁶

- ___1. Use proper lifting and carrying techniques; Repetitive motions or excessive bending could lead to muscles or back pain
- ___2. Avoid using short-handled tools (less than 4 ft in length) for weeding or thinning weeds
- ___3. Use long handle tools to avoid excessive bending or kneeling motions
- ___4. Teach workers about hazards posed by high-voltage lines
- ___5. Do not store or operate machinery or equipment near high voltage lines

E. First Aid and Medical Care²⁷



- ___1. At least one person trained in First aid and CPR for every 20 workers (title 8, Sect 3203)
- ___2. A qualified First aid and CPR personnel must be available for assistance within 4 minutes
- ___3. First aid communication and a trained first aid person is not required if the worksite is within (15) minutes from a medical care facility

F. Injury and Illness Prevention Program²⁸ (IIPP)

Every California employer must have an “Injury and Illness Prevention Program” in place. The IIPP must contain these 8 elements:

- ___1. **Responsibility** (appoint an IIPP administrator who has authority and responsibility to implement and maintaining the program)
- ___2. **Compliance** (inform, train, evaluate, recognize workers on safety performance; discipline workers for failure to comply with safe work practice)
- ___3. **Communication** (provide orientation, training, instruction on safety and health programs; regularly schedule safety meeting, post and distribute safety information, translate safety information in a language that is understood by the employees, and encourage employee to discuss safety issues with supervisor or manager)
- ___4. **Hazard Assessment** (conduct periodic inspection, identification and evaluation of hazards)
- ___5. **Accident/Exposure Investigation** (when an accident occurs, interview, determine the cause of the accident; take corrective action and record all findings)
- ___6. **Hazard Correction** (unsafe work condition or practice must be corrected in a timely manner)
- ___7. **Training and Instruction** (employees shall be trained on general job safety and on their job-specific safety)
- ___8. **Record Keeping** (record hazard assessment and training. Maintain all records for at least 3 years, except those who have worked less than a year. For company with less than 10 employees, maintain the record until the hazard is corrected)

A sample “IIPP” model is available at Cal/OSHA or State Compensation Insurance Fund²⁹.

V. WATER DISCHARGE REGULATIONS¹⁹

The State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) are responsible for the enforcement of the laws and regulations of our waterways, human health and the environment.

The SWRCB allocates rights to the use of surface water.

The RWQCB regulates pollutant's discharge to the ground or water; protects ground surface and coastal water from pollution.

If you own or operate irrigated lands, manage irrigation water supply or water drains, you are a Discharger and the following regulations apply to you:

___1. If the discharges from your property affect land surface, coastal, or ground waters, you will need a permit from the RWQCB³⁰.

___2. If you discharge pollutants (or proposing to) into land surface or water you must file with the National Pollutant Discharge Elimination System (NPDES) and obtain a permit from the RWQCB

___3. Under some situations, permits may be waived and discharge activities can be handled through an enrollment in an existing general permit (check with the board for details)

___4. Anyone wanting to divert water from a stream or river to his property must apply for a "*Water Right Permit*" from the State Water Resource Control Board (SWRCB)

___5. The SWRCB issues permit for water rights and will specify the amounts of water, location, conditions and timetable for the diversion and purpose

___6. Water cannot be stored for a deferred use

VI. FOOD & PRODUCE SAFETY¹⁶

Foods safety begins with Clean Soil, Clean Water, Clean Hands and Clean Surfaces.

Agricultural grounds, water, and the presence of animals in the field or in the packing areas, or the health and hygiene of workers handling the produce during harvesting, cooling, packing, processing, transportation, or storage may cause produce contamination.



The following practices would minimize produce contamination:

A. General safeguards

- ___1. Do not plant in a field where the land or soil is contaminated
- ___2. Field should not be downstream from an animal housing
- ___3. Prevent run off or drift from an animal operation from entering the produce field
- ___4. Do not apply raw manure or slurries to a field where leafy vegetable is grown or a field nearing harvest maturity
- ___5. Do not harvest produce within 120 days after a manure application
- ___6. Store, apply manure properly to avoid pathogen build-ups

___7. Clean equipment after each use or before using it in another field

___8. Don't irrigate with water from a farm pond used by livestock

___9. Don't harvest fruit from the orchard floor for human consumption

___10. To prevent animal contamination, do not allow livestock or animal traffic in the produce field

A. Worker Sanitation

___1. Field worker must follow worker's hygiene, OSHA and Cal/OSHA sanitary requirement

___2. Worker with symptoms of illness or diarrhea should be reassigned to activities that do not have contact with food or produce

___3. When a worker suffers an opened wound, lesion or cut, use bandage to cover the wounded area. Do not allow body fluids to come into contact with the produce

___4. When servicing portable toilets, make sure there is no leakage or drain into a field. In case of a leakage or spill, have a plan for clean up

___5. Establish a training program and train employees on sanitary practice. Training should include the following topics:

- a. The importance of hand washing
- b. Proper use of toilet facility and disposal of toilet paper
- c. Educate employees on signs and symptoms of infectious diseases.
- d. For roadside stand or U-pick farm, customers must follow a hygienic practice i.e. wash hands before coming into contact with fresh produce

___6. Educate workers on the risk of food contamination; establish and follow a safe food practice

C. Harvest Sanitation



___1. Clean all surfaces that will come into contact with produce. This includes harvest containers or bins etc.

___2. Develop a regular system for cleaning and sanitizing food contact surfaces

___3. Minimize the opportunity for vectors contamination of packing surfaces and materials

___4. Wear surgical gloves when harvesting

___5. Produce shall be free from dirt, washed with potable water, pre-cooled or cooled and stored at an appropriate temperature as soon as possible to avoid contamination build-up

D. Packing Sanitation

___1. Facility used to store fresh produce should be cleaned and disinfected prior to harvest

___2. Facility should be regularly inspected for evidence of pests, rodents, birds, or insects and routinely cleaned and sanitized

___3. Prevent birds or vectors from contaminating packing equipment surfaces, packing and storage areas

___4. Clean pallets, containers, or bins before each use

___5. Protect empty containers from contamination. Do not store them on the floor or on bare soil surface

___6. Use potable water for post-harvest washing³¹

___7. Remove dirt from harvest containers, or trailers between each harvest use

___8. Test the quality of wash water regularly. If water is contaminated, treat it with anti-microbial chemicals

___9. Keep air-cooling and chilling equipments clean and sanitized

___10. Store and use ice under sanitary condition only

E. Transportation



___1. Keep transportation vehicle clean and free from odors, dirt and debris

___3. Workers who load and unload fresh produce, produce inspectors and buyers must follow a good hygienic practice, i.e. washing hands before inspecting or coming into contact with produce

___4. When using a refrigerated truck for transportation, pre-cool it and make sure that refrigeration equipment works properly before loading the produce

F. Storage

___1. Sanitized storage facilities to minimize pathogens contamination

___2. Mixed storage and mixed load distribution has the potential to transfer contamination from one lot of products to another, especially where pallet-stacking, ice injection, or top icing is involved. Avoid these techniques whenever possible to prevent cross-contamination

___3. Separate dry from wet product by placing water-repellant shipping barrier between mix

VII. POSTING

Amends General Minimum Wage Order and IWC Industry and Occupation Orders

Please Post Next to Your IWC Industry or Occupation Order

OFFICIAL NOTICE

California
Minimum Wage
MW-2007

Minimum Wage - Every employer shall pay to each employee wages not less than the following:

\$7.50 **\$8.00**
per hour beginning January 1, 2007 per hour beginning January 1, 2008

To employers and representatives of persons working in industries and occupations in the State of California:

SUMMARY OF ACTIONS
TAKEN NOTICE that on September 12, 2006, the California Legislature enacted legislation signed by the Governor of California, raising the minimum wage for all industries. (AB 1835, Ch. 230, Stats of 2006, adding sections 1182.12 and 1182.13 to the California Labor Code.) Pursuant to its authority under Labor Code section 1182.13, the Department of Industrial Relations amended and republished Sections 1, 2, 3, and 5 of the General Minimum Wage Order, MW-2001, Section 4. Separability has not been changed. Consistent with this enactment, amendments are made to the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation orders. This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by ordering on-line at www.dir.ca.gov/OWB.asp, or by contacting your local Division of Labor Standards Enforcement office.

1. APPLICABILITY
The provisions of this Order shall not apply to outside salespersons and individuals who are the parent, spouse, or children of the employer previously contained in this Order and the IWC's industry and occupation orders. Exceptions and modifications provided by the statute or in Section 1, Applicability, and in other sections of the IWC's industry and occupation orders may be used where any such provisions are enforceable and appropriate to the employer.

2. MINIMUM WAGES
Every employer shall pay to each employee wages not less than seven dollars and fifty cents (\$7.50) per hour for all hours worked, effective January 1, 2007, and not less than eight dollars (\$8.00) per hour for all hours worked, effective January 1, 2008.

3. MEALS AND LODGING
Meals or lodging may not be credited against the minimum wage without a voluntary written agreement between the employer and the employee. When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited may not be more than the following:

	Effective January 1, 2007	Effective January 1, 2008
LODGING		
Room occupied alone	\$35.27 per week	\$37.63 per week
Room shared	\$28.11 per week	\$31.06 per week
Apartment - two-thirds (2/3) of the ordinary rental value, and in no event more than:	\$423.51 per month	\$451.09 per month
Where a couple are both employed by the employer, two-thirds (2/3) of the ordinary rental value, and in no event more than:	\$626.49 per month	\$666.46 per month
MEALS		
Breakfast	\$2.72	\$2.90
Lunch	\$3.72	\$3.97
Dinner	\$5.00	\$5.34

4. SEPARABILITY
If the application of any provision of this Order, or any section, subsection, subdivision, sentence, clause, phrase, word or portion of the Order should be held invalid, unconstitutional, unenforceable, or prohibited by statute, the remaining provisions thereof shall not be affected thereby, but shall continue to be given full force and effect as if the part so held invalid or unconstitutional had not been included herein.

5. AMENDED PROVISIONS
This Order amends the minimum wage and meals and lodging credits in MW-2001, as well as in the IWC's industry and occupation orders. (See Orders 1-15, Secs. 4 and 10, and Order 16, Secs. 4 and 9.) This Order makes no other changes to the IWC's industry and occupation orders.

These Amendments to the Wage Orders shall be in effect as of January 1, 2007.

Questions about enforcement should be directed to the Division of Labor Standards Enforcement. Consult the white pages of your telephone directory under CALIFORNIA, State of, Industrial Relations for the address and telephone number of the office nearest you. The Division has offices in the following cities: Bakersfield, El Centro, Eureka, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, and Van Nuys.

___ 1. Make sure all required state and federal posters are posted and are up-to-date

___ 2. Where there is no place for posting (i.e. construction or agricultural site), posters may be put in a binder³².

A. California State Posting Requirements³³:

- Industrial Welfare Commission (IWC)
- Payday Notice
- Family Rights Act Notice A & B
- Safety and Health protection on the Job
- Emergency Phone Number
- Notice to Employees Injuries Caused by Work
- Notice of Workers' Compensation Insurance Carrier and Coverage
- Whistle Blower Protection Act
- No Smoking Signage
- Log and Summary of Occupational Injuries and Illnesses
- Farm Labor Contractor Statement of Pay Rates
- Discrimination and Harassment Notice
- Pregnancy Disability Leave
- Family Care and Medical Leave

- Equal Employment Opportunity is the Law
- Minimum Wage
- Access to Medical and Exposure Records
- CAL/OSHA - Health and Safety Protection
- State Disability Insurance
- Payday Notice
- Time Off to Voting Notice
- Emergency Phone Number
- Edd UI,SDI,PFL Notice
- Farm Labor Contractor Name and License
- Notice to agricultural workers with minor children must say, "NOTICE: *Minor children are not allowed to work on these premises unless they are legally permitted to do so by law and work permit has been secured*"

B. Federal Posting Requirements³⁴: (www.laborlawcenter.com)

- Federal Minimum Wage
- USERRA - Uniformed Services Employment and Reemployment Rights Act
- Withholding Poster
- USERRA - Uniformed Services Employment and Re-employment Rights Act
- Unemployment Insurance
- Equal Employment Opportunity
- Employee Polygraph Protection Act
- Family and Medical Leave Act
- IRS Withholding Notice
- Anti-Discrimination Notice
- Anti-sexual Harassment Notice
- OSHA Safety Communication

VIII. RESOURCES DIRECTORY

I. All questions about Small Farm Operation

University of California Cooperative Extension
1720 S. Maple Avenue
Fresno, CA 93727
(559) 456-7555
E-mail: rhmolinar@ucdavis.edu
Website: <http://cefresno.ucdavis.edu>

II. Burn Permit & Pollution Control

San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726
Tel. (559) 230-6000
Fax. (559) 230-6061
(559) 227-7143 (to apply for a permit)
http://www.valleyair.org/burnprograms/ag_burning.htm

III. Labor Laws, Cal/OSHA, Workers' Compensation Insurance, Workers' Safety, Health & Sanitation

California Department of Industrial Relations
Division of Labor Standards Enforcement
770 E. Shaw Avenue, Suite 315
Fresno, CA 93710
(559) 244-5352
(559) 248-8398
<http://www.dir.ca.gov/dlse/dlse.html>

U.S. Department of Labor
2202 Monterey Ave
Fresno, CA
(559) 487-5317
www.dol.gov

State Compensation Insurance Fund
10 River Park Place East
Fresno, CA 93755
(559) 353-1833
<http://www.scif.comCaliforniaIndustrialRelations>

Cal/OSHA
1901 N. Gateway Blvd, Ste 102
Fresno, CA 93727
(559) 454-1295 or (800) 963-9424
http://www.dir.ca.gov/occupational_safety.html

IV. Pesticides Licensing & Regulations

Fresno County Ag Commissioner
1730 S Maple Avenue
Fresno, CA 93702
Tel. (559) 456-7510
E-mail: FresnoAg@co.fresno.ca.us
Website: <http://www.co.fresno.ca.us>

California Department of Pesticide Regulation
1001 "I" Street
Sacramento, CA 95814-4015
Tel. (916) 324-4100
Fresno – (559) 243-8111
Website: <http://cdpr.ca.gov>

Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105
<http://www.epa.gov/region09/>
Phone: (415) 947-8000
(866) EPA-WEST (toll free in Region 9)
Fax: (415) 947-3553
Email: r9.info@epa.gov

V. Water Regulations

Central Valley Regional Water Quality Control Board
Fresno Office (5F)
3614 East Ashland Avenue
Fresno, CA 93726
Tele: (559) 445-5115
<http://www.swrcb.ca.gov/rwqcb5>

State Water Resources Control Board
Division of Water Rights
Box 2000
Sacramento, CA 95812
(916) 341-5300
<http://www.waterrights.ca.gov>

VI. Posting

Cal/OSHA Consultation Program
1901 N. Gateway Blvd, Ste 102
Fresno, CA 93727
(559) 454-1295 or (800) 963-9424
http://www.dir.ca.gov/occupational_safety.html
InfoCons@dir.ca.gov

IV. REFERENCE

¹ Working safely with pesticides on farms, Available at <http://cdpr.ca.gov/docs/whs/pdf/hs2.pdf>, Retrieved May 30, 2008

What you should know about pesticides, Available at <http://www.cdpr.ca.gov/docs/dept/factshts/storage.pdf>, Retrieved May 18, 2008
Pesticides Use Compliance Guide for Employers and Businesses, Available at <http://cdpr.ca.gov>, Retrieved Mar 26, 2008

Publication 21555, Pesticides Safety for Small Farmers, UC Division of Agriculture and Natural Resources

Notification (3CCR Section 6618), Available at <http://cdpr.ca.gov/docs/legbills/calcode/031202.htm#a6624>, Retrieved Mar 26, 2008

Prohibited Containers (3CCR Section 6680). Available at <http://cdpr.ca.gov>, Retrieved Mar 27, 2008

Training Records (3 CCR section 6724), Available at <http://cdpr.ca.gov>, Retrieved Mar 26, 2008

Emergency Medical Care (3CCR Section 6766), Available at <http://cdpr.ca.gov>, Retrieved Mar 27, 2008

Handler Training (3CCR Section 6724), Available at <http://cdpr.ca.gov>, Retrieved Mar 26, 2008

Use Records (3CCR Section 6726), Available at <http://cdpr.ca.gov>, Retrieved Mar 27, 2008

² Permit process for restricted pesticides, Available at <http://cdpr.ca.gov/docs/dept/factshts/permitting.pdf>, Retrieved May 18, 2008

³ <http://www.cdpr.ca.gov/docs/license/pr-pml-179.pdf>, Retrieved April 4, 2008

⁴ Herbicides application conditions, Available at <http://www.co.fresno.ca.us/4010/AgNews/driftletter.pdf>, Retrieved May 18, 2008

⁵ Generic Guidelines for Development of a Respiratory Protection in Accordance with the Department of Pesticides Regulation Requirement; Harvard R. Fong, July 9, 2007

⁶ Pesticides emergency medical care, Available at <http://www.cdpr.ca.gov/docs/enforce/cmpliaist/medcare.pdf>, Retrieved April 17, 2008

⁷ Storing, Moving, Disposing of Pesticides on Farm, Available at

<http://www.cdpr.ca.gov/docs/whs/pdf/hs711.pdf>, Retrieved May 30, 2008

⁸ http://www.valleyair.org/BurnPrograms/Ag_Burning.htm, retrieved May 21, 2008

Rule 4103: Open Burning, San Joaquin Valley Air Control District, Draft – April 3, 2008

⁹ Fire safety, Available at <http://www.valleyair.org/ag/agsafety.htm>, Retrieved May 21, 2008

¹⁰ Agricultural burning-open burning #4103, Available at <http://www.valleyair.org/rules/curntrules/r4103.pdf>, Retrieved May 30, 2008

¹¹ California Department of Industrial Relations, Available at <http://www.dir.ca.gov/dlse/dlse.html>, Retrieved May 31, 2008

¹² Farm labor contractor safety and health guide, page 53

¹³ Fair labor standard act of 1938, Available at <http://www.ers.usda.gov/publications/ah719/ah719b.pdf>, Retrieved May 31, 2008

¹⁴ Item #5, Is it legal to put posting in a binder if I don't have room to post the materials? Available at <http://www.dir.ca.gov/FAQworkplacepostings3.htm>, Retrieved June 17, 2008

¹⁵ Child labor laws 2000, Available at <http://www.dir.ca.gov/dlse/ChildLaborPamphlet2000.html#8>, Retrieved May 30, 2008

FLSA of 1938, Table 1, Available at <http://www.ers.usda.gov/publications/ah719/ah719b.pdf>, Retrieved April 30, 2008

¹⁶ Overtime, Available at http://www.dir.ca.gov/dlse/FAQ_Overtime.htm, Retrieved May 30, 2008

¹⁷ Farm labor contractor license verification, Available at <http://www.dir.ca.gov/dlse/flcverify/flcverify.html>, retrieved May 30, 2008

¹⁸ Job Hazard Analysis, OSHA 3071-2002, page 23, Available at <http://www.osha.gov/Publications/osha3071.pdf>, Retrieved May 31, 2008

¹⁹ Agricultural Safety and Health Inspection Project: Avoid field sanitation hazards, pg 3, Cal/OSHA

²⁰ Farm Labor Contractor Safety and Health Guide, May 2000

²¹ Farm Labor Contractor Safety and Health Guide: Hazard communication, pg 25, May 2000

²² Farm Labor Contractor Safety and Health Guide, pg 19, May 2000

²³ Cal/OSHA Injury Summary, Available at <http://www.scif.com/safety/CalOSHA.html>, Retrieved May 21, 2008

Produce Safety From Farm To Consumption, Available at <http://www.cfsan.fda.gov/~dms/prodpla2.html>, Retrieved May 21, 2008

²⁴ Agricultural Safety and Health Inspection Project: Protecting workers from heat, pg 4

Cal/OSHA Heat Advisory Brochure, 08/01/2006

Employer Sample Procedures For Heat Illness Prevention, Available at <http://www.dir.ca.gov/DOSH/DOSH/HeatIllnessInfo.html>

²⁵ Employer Sample Procedures for Heat Illnesses Prevention, Available at http://www.dir.ca.gov/dosh/dosh_publications/ESPforHeatIP3-10-19-07.pdf, Retrieved June 21, 2008

²⁶ Farm Labor Contractor Safety and Health Guide: Department of Industrial Relations, Cal/OSHA Consultation; 1998

²⁷ Farm Labor Contractor Safety and Health Guide: First aid training and first aid kits, page 25, May 2000

²⁸ Injury and Illness Prevention Program, Available at http://www.dir.ca.gov/dosh/dosh_publications/IIPP.html#5, Retrieved May 30, 2008

²⁹ Guide for developing a IIPP, Available at http://www.dir.ca.gov/dosh/dosh_publications/iipp.html, Retrieved June 21, 2008

³⁰ Central Valley Region Water Control Board, Available at http://www.swrcb.ca.gov/centralvalley/help/business_help/permit2.shtml, retrieved May 21, 2008

³¹ Good Agricultural Practices, Available at <http://ucce.ucdavis.edu/files/filelibrary/5453/4362.pdf>, Retrieved May 21, 2008

³² <http://www.dir.ca.gov/FAQworkplacepostings3.htm>, Retrieved May 30, 2008

³³ <http://www.dir.ca.gov/wpnodb.html>, retrieved May 30, 2008

³⁴ <http://www.laborlawcenter.com/California-labor-law-posters.asp>, Retrieved May 30, 2008