

retain by subsection (d)(1). The recipient of such records shall keep them for a period of three years from the end of the period of employment.

**(f) Prohibition on knowingly providing false or misleading information to workers**

No farm labor contractor, agricultural employer, or agricultural association shall knowingly provide false or misleading information to any migrant agricultural worker concerning the terms, conditions, or existence of agricultural employment required to be disclosed by subsection (a), (b), (c), or (d).

**(g) Form and language requirements**

The information required to be disclosed by subsections (a) through (c) of this section to migrant agricultural workers shall be provided in written form. Such information shall be provided in English or, as necessary and reasonable, in Spanish or other language common to migrant agricultural workers who are not fluent or literate in English. The Department of Labor shall make forms available in English, Spanish, and other languages, as necessary, which may be used in providing workers with information required under this section.

(Pub. L. 97-470, title II, §201, Jan. 14, 1983, 96 Stat. 2590; Pub. L. 104-49, §4(a), Nov. 15, 1995, 109 Stat. 434.)

**Editorial Notes**

AMENDMENTS

1995—Subsec. (a). Pub. L. 104-49 added par. (8) and concluding provisions.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1995 AMENDMENT

Pub. L. 104-49, §4(c), Nov. 15, 1995, 109 Stat. 434, provided that: "The amendments made by subsections (a) and (b) [amending this section and section 1831 of this title] shall take effect upon the expiration of 90 days after the date final regulations are issued by the Secretary of Labor to implement such amendments." [Final regulations implementing Pub. L. 104-49 were signed May 13, 1996, published May 16, 1996, 61 F.R. 24858, and effective the same day.]

EFFECTIVE DATE

Section effective 90 days from Jan. 14, 1983, see section 524 of Pub. L. 97-470, set out as a note under section 1801 of this title.

**§ 1822. Wages, supplies, and other working arrangements**

**(a) Payment of wages**

Each farm labor contractor, agricultural employer, and agricultural association which employs any migrant agricultural worker shall pay the wages owed to such worker when due.

**(b) Purchase of goods or services by worker**

No farm labor contractor, agricultural employer, or agricultural association shall require any migrant agricultural worker to purchase any goods or services solely from such farm labor contractor, agricultural employer, or agricultural association.

**(c) Violation of terms of working arrangement**

No farm labor contractor, agricultural employer, or agricultural association shall, with-

out justification, violate the terms of any working arrangement made by that contractor, employer, or association with any migrant agricultural worker.

(Pub. L. 97-470, title II, §202, Jan. 14, 1983, 96 Stat. 2591.)

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective 90 days from Jan. 14, 1983, see section 524 of Pub. L. 97-470, set out as a note under section 1801 of this title.

**§ 1823. Safety and health of housing**

**(a) Compliance with substantive Federal and State safety and health standards**

Except as provided in subsection (c), each person who owns or controls a facility or real property which is used as housing for migrant agricultural workers shall be responsible for ensuring that the facility or real property complies with substantive Federal and State safety and health standards applicable to that housing.

**(b) Certification that applicable safety and health standards met; posting of certificate of occupancy; retention of certificate and availability for inspection and review; occupancy prior to inspection**

(1) Except as provided in subsection (c) and paragraph (2) of this subsection, no facility or real property may be occupied by any migrant agricultural worker unless either a State or local health authority or other appropriate agency has certified that the facility or property meets applicable safety and health standards. No person who owns or controls any such facility or property shall permit it to be occupied by any migrant agricultural worker unless a copy of the certification of occupancy is posted at the site. The receipt and posting of a certificate of occupancy does not relieve any person of responsibilities under subsection (a). Each such person shall retain the original certification for three years and shall make it available for inspection and review in accordance with section 1862 of this title.

(2) Notwithstanding paragraph (1) of this subsection, if a request for the inspection of a facility or real property is made to the appropriate State or local agency at least forty-five days prior to the date on which it is occupied by migrant agricultural workers and such agency has not conducted an inspection by such date, the facility or property may be so occupied.

**(c) Applicability to providers of housing on a commercial basis to the general public**

This section does not apply to any person who, in the ordinary course of that person's business, regularly provides housing on a commercial basis to the general public and who provides housing to migrant agricultural workers of the same character and on the same or comparable terms and conditions as is provided to the general public.

(Pub. L. 97-470, title II, §203, Jan. 14, 1983, 96 Stat. 2591.)