

Field Sanitation Act.  
(210 ILCS 105)

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210 ILCS 105/1(from Ch. 111 1/2, par. 5901) [Short title]

Section 1. Short title. This Act may be known and cited as the "Field Sanitation Act".  
(Source: P.A. 83-94.)

210 ILCS 105/2 (from Ch. 111 1/2, par. 5902) [Definitions]

Section 2. As used in this Act:

- (a) The term "farm operator" means any person, or any officer or agent acting on behalf of such person, who is the owner in possession, or lessee, of a farming operation, or who is responsible for its management condition, or is the employer of agricultural workers.
- (b) The terms "agricultural worker" and "worker" mean any individual who is engaged in employment involving the harvesting, planting or cultivating of food or nursery products by manual labor. The term agricultural worker does not include individuals whose principal occupation is not agricultural employment, unless such individuals are required to be away from their permanent place of residence overnight.
- (c) The term "farm operation" means activities relating to planting, cultivating or harvesting of food or nursery products.
- (d) The term "the Department" refers to the Illinois Department of Public Health.
- (e) The term "person" includes any individual, partnership, association, joint stock company, trust, or corporation.

(Source: P.A. 85-979.)

210 ILCS 105/4 (from Ch. 111 1/2, par. 5904) [Coverage]

Section 4. Coverage. Every farm operation must provide the facilities required by this Act when 10 or more workers are employed.

(Source: P.A. 85-979.)

210 ILCS 105/5 (from Ch. 111 1/2, par. 5905) [Design of toilet facilities]

Section 5. Design of toilet facilities. Toilet facilities shall provide privacy and toilet paper. Toilets shall be designed to allow proper ventilation and shall be maintained in a clean and sanitary condition.

(Source: P.A. 83-94.)

210 ILCS 105/6 (from Ch. 111 1/2, par. 5906) [Design of handwashing facilities]

Section 6. Design of handwashing facilities. Handwashing facilities shall include a supply of potable water, soap, and disposable towels or equivalent drying means.

(Source: P.A. 85-979.)

210 ILCS 105/7 (from Ch. 111 1/2, par. 5907) [Design of drinking water facilities]

Section 7. Design of drinking water facilities. Potable drinking water shall be provided in covered containers with either drinking fountain attachments or with individual sanitary drinking cups provided.

(Source: P.A. 85-979.)

210 ILCS 105/8 (from Ch. 111 1/2, par. 5908) [Number of toilets]

Section 8. Number of toilet, handwashing and drinking water facilities. At least one toilet and handwashing facility shall be provided for every 35 agricultural workers, or fraction thereof. Drinking water shall be supplied in sufficient quantity for all workers for their entire work days.

(Source: P.A. 83-94.)

210 ILCS 105/9 (from Ch. 111 1/2, par. 5909) [Location of toilet, handwashing and drinking water facilities]

Section 9. Location of toilet, handwashing and drinking water facilities. Toilet, handwashing and drinking water facilities shall be located within 1/4 of a mile from any worker.

(Source: P.A. 85-979.)

210 ILCS 105/10 (from Ch. 111 1/2, par. 5910) [Use of toilet, handwashing and drinking facilities]

Section 10. Use of toilet, handwashing and drinking facilities. The workers shall not be denied use of toilet, handwashing and drinking facilities.

(Source: P.A. 85-979.)

210 ILCS 105/11 (from Ch. 111 1/2, par. 5911) [Promulgate reasonable regulations]

Section 11. The Illinois Department of Public Health shall make and promulgate reasonable regulations to guide compliance with and enforcement of this Act.

(Source: P.A. 83-94.)

210 ILCS 105/12 (from Ch. 111 1/2, par. 5912) [Enforcement]

Section 12. Enforcement.

- (a) The responsibility for enforcement of this Act shall be vested with the Department. The Department is hereby authorized and directed to make random inspections as are necessary to determine satisfactory compliance with this Act and the regulations issued hereunder. The Department shall have the power to enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Act and the regulations issued hereunder. Upon receipt of a complaint or report of a violation of the Act or of the Department's regulations, the Department will inspect the farm operation complained of. A written notice of the presence of violations will be provided to the farm operator after inspection.
- (b) Any person who violates this Act or the Department's regulations relating thereto shall be guilty of a petty offense and shall be fined no less than \$100. The State's Attorney of the county in which ~~the~~ violations occurs or the Attorney General shall bring such action in the name of the people of the State of Illinois, or may in addition to other remedies provided in this Act, bring action for an injunction to restrain such violations or to enjoin the operation of any such operation.
- (c) Any worker aggrieved by a violation of this Act or regulations promulgated thereunder may file suit in the circuit court having jurisdiction over the location of the farming operation. If the court finds that the farm operator has willfully violated any provision of this Act or any regulation promulgated thereunder, the court may in its discretion issue a restraining order or preliminary injunction, as well as a permanent injunction, upon such terms and conditions as will do justice and enforce the purpose set forth above.

(Source: P.A. 85-979.)

210 ILCS 105/13 (from Ch. 111 1/2, par. 5913) [Retaliatory actions]

Section 13. Retaliatory actions. It shall be unlawful for any person to discharge or in any other manner discriminate against any agricultural worker because such agricultural worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding, or has provided information to the Department or any other enforcement agency.

(Source: P.A. 83-94.)