

**Recommendations for the
Provision of Seasonal Housing for Migrant Farm Workers
(Effective January 2006)**

This document is intended to assist employers of migrant farm workers in assessing the suitability of housing intended for both domestic and foreign migrant farm workers.

These recommendations are the result of consultation with the Ministry of Municipal Affairs and Housing, Ontario Fire Marshal's Office, Ontario Ministry of Agriculture, Human Resources and Development Canada, Foreign Agricultural Resource Management Services, numerous local health units and the Ministry of Health and Long-Term Care. The recommendations are to be interpreted as minimum requirements with regard to Seasonal Housing for Migrant Farm Workers.

These recommendations are designed to assist in meeting legislative and regulatory requirements and are not to be used as a replacement for specific legislative or regulatory requirements.

A: Structure

1. General

- Buildings to be used as housing for migrant workers should be located in well drained ground at least 30 metres (100 feet) from any building used or intended to be used for sheltering animals or for poultry husbandry likely to cause offensive environmental conditions or other environmental conditions that may be hazardous to health.
- Multiple dwellings, (i.e. trailers) are required to have ten meters of space between each.

2. Construction

Buildings to be used as housing for migrant farm workers should be weather proof and so constructed that:

- Floors are tight fitting, smooth-surfaced, impervious to moisture and readily cleanable.

- Walls are tight fitting and the interior is lined with a smooth painted or treated surface material.
- Roofs are tight fitting and waterproof.
- Adequate lighting and ventilation are provided at all times by either natural or artificial means, or a combination of these.
- Screens on all openings to the outside are provided between the first day of May to the first day of November.
- Total usable floor area of at least 7.44 m² (80-sq. ft.) per person with a minimum of 8.5 m³ (300 cu. ft.) of air space per person in the sleeping area. The floor area in the washrooms is not considered to be useable living area and will not be included in the calculation of useable floor area.
- Walls to extend minimum of 2.13 m (7 feet) to a maximum of 2.44 m (8 feet) above floor level. Walls may be higher but 2.44 m (8 feet) will be used for calculation of airspace in the sleeping areas.
- A minimum temperature of 20⁰ Celsius (68⁰ F) can be maintained.
- Safety hazards are eliminated and housing is detached from any building where highly flammable materials are used or stored.
- Where combustion-type stoves or heaters are used, they should be vented directly to outside air.
- No toilet room or combined toilet room opens directly into any room used for the preparation, storage or serving of food.
- Mobile homes should have skirting (rodent control).

The current Ontario Building Code, a regulation made under the Ontario Building Code Act, applies to all new construction and renovations or additions to existing buildings. It is the owner's responsibility to ensure that such construction is in compliance with the Ontario Building Code. This document does not identify all applicable provisions of the Ontario Building Code. Contact the municipal building department for additional information.

B: Sleeping Facilities

1. Bunkhouses

Each bunk to be:

- Separate with a suitable amount of space above / below each bunk, and sleep only one person.
- At least 30 cm (12 inches) above the floor.
- Provided with a clean pillow and mattress of sound construction.
- At least 46 cm (18 inches) apart from the next bunk when not lying lengthwise along the walls.
- Provided with a minimum of 8.5 m³ (300 cubic feet) of air space per person.
- Provided with one locker or one shelf for each bunk or the equivalent.
- A supply of clean blankets, sheets and pillowcases must be provided upon arrival.

2. Family Housing

When a building's intended use as housing for migrant farm workers is in the form of family housing, there should be:

- A maximum occupancy rate of one person per 7.44 m² (80 sq. ft) of total usable floor area.
- At least 8.5 m³ (300 cubic feet) of airspace per person in sleeping rooms.
- Children under six years to be considered for these purposes as one-half.
- A kitchen with food storing, preparing and cooking facilities should be provided and this space should not be used as a sleeping room.
- Basic furnishing such as tables, chairs and beds compatible with the maximum occupancy.
- Sleeping areas should be partitioned from other living areas.

C: Washroom Facilities and Sewage Disposal

- Fly-tight, weatherproof, well-ventilated toilet accommodations should be provided for every ten occupants or part thereof.
- 1 washbasin for every seven occupants.
- 1 shower for every ten occupants.
- Toilet facilities must have suitable privacy barriers.
- Flush toilets are to be kept in good repair and operate efficiently.
- Toilet tissue should be provided for all toilet accommodations.
- No toilet room or combined toilet room and washroom opens directly into any room used for the preparation, storage or serving of food.
- Portable privies should be under a service contract and must be equipped with hand sanitation facilities such as wet wipes/alcohol solution.
- All sewage is to be disposed of in a manner consistent with the provisions of the Building Code Act and Regulations.

D: Occupancy Calculation

Occupancy of a facility is to be calculated on the lesser number of

- 8.5 cubic metres (300 cubic feet) per person in a sleeping area,
- 7.44 square metres (80 square feet) per person of total usable floor area which includes living and sleeping area but does not include washrooms.
- *Note:* living, sleeping, kitchen facilities and washroom facilities can be located in separate buildings but need to be conveniently located for easy access.
- 1 washbasin for every seven workers.
- 1 shower for every 10 workers.
- 1 toilet “facility” for every 10 workers.

E: Laundry facilities

- At least one laundering tub for every fifteen bunks or the equivalent.

- Drying facilities for laundry.
- Or access to a Laundromat once per week.

F: Water Supply

Housing for migrant farm workers shall be provided with a readily available supply of hot and cold water that is bacteriologically safe, under pressure in sufficient quantity to provide for drinking, washing, food preparation and laundering.

- When drinking water is provided in a container, it should be bacteriologically safe, the container should be clean, sanitary, covered and equipped with a sanitary dispensing device.
- No person should use a drinking vessel in common with others.

G: Food

- Food should be stored so that it is protected from contamination.
- All hazardous foods are to be stored in adequate refrigeration to maintain a temperature not exceeding 4°C (40°F).

1) Where food is being prepared and served as part of the accommodation the following applies:

- If food is being prepared for 10 or more persons the Food Premises Regulation 562 applies to the food preparation area.
- If food is being prepared for less than 10 workers, the food preparation area is exempt from the Food Premises Regulation 562.
 - No cups, glasses or dishes that are chipped or cracked should be supplied/used in the preparation, service and storage of food.
 - No utensil in such a condition as to prevent its effective cleansing and sanitizing shall be used in the preparation, service and storage of food.
 - Facilities to be supplied for washing dishes / utensils in water at a temperature of not less than 43°C (110°F) containing a detergent solution capable of removing all grease, and food particles, etc.
 - Dishes/utensils to be:
 1. Sanitized by an acceptable method.
 2. Dried by exposure to air.

- Equipment and appliances in the food preparation and dining areas should be constructed as to permit the maintenance of these areas in a clean and sanitary condition.
- Kitchen and dining areas should be kept free from material and equipment that are not regularly used in a kitchen or a dining area.

2) When workers are preparing food for their own use within migrant farm workers' housing the following applies:

- Food storage and refrigeration facilities shall be provided.
- Provide an adequate:
 - Amount of kitchenware (plates, cups bowls, knives, forks, spoons etc.).
 - Number of pots and pans.
 - Number of stoves and refrigerators.
 - Amount cupboard and food storage space.
 - Number kitchen table(s) and chairs.
 - Number of utensils for cooking and serving food for the number of people being housed.

H: Garbage

- Rodent and insect proof garbage containers which can readily be cleaned and sanitized shall be provided for all buildings used for housing migrant farm workers and in sufficient quantity to store all garbage accumulated between collections
- Garbage shall be collected and removed for sanitary disposal at least once every week

I: Safety

- Buildings used for housing migrant farm workers shall comply with the provisions of the Ontario Fire Code It is the responsibility of the owner/operator to ensure that the facility is compliant with the Fire Code. (See attachment #1: Brief on Ontario Fire Code requirements)
- Buildings used for housing migrant farm workers and their surroundings should be free from any chemical substances or condition, which may become hazardous to the occupants.
- Fire extinguisher to be fully charged, have a recent certificate that they have been recharged, properly located, securely mounted. Minimum requirement is ABC rating. (*Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code*)

- Smoke alarm(s) are to be provided, properly located, operational and securely mounted. (Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code, although smoke alarms are a requirement of the Fire Code)

Attachment # 1

Ontario Fire Code Requirements

The Ontario Fire Code is a provincial regulation intended to ensure fire safety for buildings and premises in Ontario. While farm buildings used for agricultural purposes are generally exempt from the Fire Code (see Article 1.1.6.1.) the exemption does not apply to buildings with residential occupancies. As such, existing buildings that are used to provide sleeping accommodations for seasonal agricultural workers must conform to the Fire Code. It is the responsibility of the farm owner/operator to comply with the Fire Code.

Statistically more persons die from fires in buildings that provide sleeping accommodations than any other type of building in Ontario. As a result, Part 9 of the Fire Code contains mandatory retrofit requirements that apply to most existing residential buildings. Other portions of the Fire Code deal with fire hazards and maintenance of life safety systems in and around buildings.

All buildings that provide accommodations for seasonal agricultural workers must comply with Fire Code requirements that deal with general fire safety, such as:

- safe use of heating appliances in Section 2.6,
- installation of smoke alarms in dwelling units (Section 2.13 and Part 9),
- maintenance of smoke alarms in Subsection 6.3.3, and
- flammable liquid storage in Subsection 4.2.4.

For buildings accommodating more than 3 persons in multiple sleeping rooms, or more than 10 persons in an open-concept dormitory, additional requirements of the Fire Code must also be complied with, such as:

- retrofit requirements for residential buildings in Part 9 including exits, fire alarm systems and fire compartments,
- general fire safety requirements in Part 2, and
- fire extinguisher requirements in Section 6.2

As the Fire Code requirements for residential buildings are quite comprehensive, the owner/operator is advised to obtain the services of a fire protection consultant to evaluate the applicable requirements. Questions on Fire Code application should be directed to your municipal fire department.

Farm owner/operators that provide accommodations for seasonal agricultural workers are encouraged to purchase a copy of the Fire Code and to become familiar with the requirements. For those wishing to view or download the Fire Code, it is available on-line at http://www.e-laws.gov.on.ca/DBLaws/Regs/English/970388_e.htm.

Additional information on public fire safety and fire prevention is also available on the Office of the Fire Marshal web site at www.OFM.gov.on.ca.

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