

§ 42.9

under, and alleged violations of, OSHA recorded in the logs of the OSHA State and area offices, and shall provide general goals for OSHA enforcement activities for the following year as established by OSHA.

(d) The plan shall include a review of the procedures developed by ETA to handle emergency situations, such as the stranding or displacement of migrants, and shall provide general goals for USES activities for the following year.

§ 42.9 Farm Labor Specialist (ESA).

(a) The Assistant Secretary for ESA shall designate ESA Compliance Officers as Farm Labor Specialists (*Specialists*). The Specialists shall be assigned to area offices, or field stations under area offices, with significant numbers of agricultural worker activity as designated by ESA. These Specialists shall coordinate FLCRA and FLSA activities in agricultural employment and shall be responsible for:

- (1) Conducting FLCRA/FLSA farm labor investigations;
- (2) Serving as staff advisors and consultants to regional and area officials on FLCRA and FLSA;
- (3) Coordinating FLCRA and FLSA activities with appropriate OSHA and USES activities;
- (4) Directing special migrant farmworker enforcement activities;
- (5) Monitoring the farm labor-related activities of significant crew leaders and growers in the area to ascertain that those against whom ESA has taken enforcement action are operating in compliance with FLCRA and FLSA;
- (6) Conducting technical assistance and public information programs regarding FLCRA and FLSA;
- (7) Coordinating of referrals to and from other federal and State agencies with farm labor responsibilities, such as OSHA and USES;
- (8) Advising regularly the Regional Committee on actual farm labor working conditions in their areas and otherwise participating in regional coordination activities as directed by the Regional Committee; and
- (9) Providing specialized training on FLCRA and FLSA as may be required.

29 CFR Subtitle A (7-1-09 Edition)

§ 42.10 Farm labor contact persons and regional coordinators (OSHA).

(a) OSHA Area Directors shall be responsible for ensuring that: (1) Migrant farmworker complaints and referrals are evaluated, and appropriate action is taken; and (2) migrant farmworker camp inspections are scheduled promptly.

(b) OSHA Area Directors shall designate OSHA compliance officers to serve in the capacity of Farm Labor Contact Persons. These Farm Labor Contact Persons shall be trained in enforcement of the Occupational Safety and Health Act of 1970 (84 Stat. 1590, 29 U.S.C. 651 *et seq.*) and all OSHA standards affecting migrant farmworkers. These Farm Labor Contact Persons shall be designated in OSHA area offices with responsibility for conducting a significant number of migrant farmworker camp inspections.

(c) The OSHA Area Directors shall assign the Farm Labor Contact Person to:

- (1) Conduct migrant farmworker camp inspections during periods when migrant housing facilities are occupied, or when it is reasonably predictable the facilities will imminently be occupied;
 - (2) Serve as a technical advisor on migrant farmworker-related matters;
 - (3) Train other compliance officers to conduct migrant farmworker camp inspections; and
 - (4) Perform other OSHA duties, including duties not related to migrant farmworker OSHA enforcement.
- (d) Regional Administrators for OSHA shall designate a Farm Labor Regional Coordinator to coordinate migrant farmworker activities. The Farm Labor Regional Coordinators shall:
- (1) Coordinate all migrant farmworker related activity within the Region's jurisdiction, i.e., enforcement, training, and public information;
 - (2) Serve as representatives of the OSHA Regional Administrators on the Regional Farm Labor Coordinated Enforcement Committee's staff level work group; and
 - (3) Perform other OSHA duties.
- (e) OSHA shall request State designees of States having approved occupational safety and health plans and