

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF REPEAL**

Repeal effective July 1, 2000, see section 199(c)(2)(B) of Pub. L. 105-220, set out as a note under section 1501 of this title.

CHAPTER 20—MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION

Sec.

- 1801. Congressional statement of purpose.
- 1802. Definitions.
- 1803. Applicability of chapter.

SUBCHAPTER I—FARM LABOR CONTRACTORS

- 1811. Certificate of registration required.
- 1812. Issuance of certificate of registration.
- 1813. Registration determinations.
- 1814. Transfer or assignment; expiration; renewal.
- 1815. Notice of address change; amendment of certificate of registration.
- 1816. Repealed.

SUBCHAPTER II—MIGRANT AGRICULTURAL WORKER PROTECTIONS

- 1821. Information and recordkeeping requirements.
- 1822. Wages, supplies, and other working arrangements.
- 1823. Safety and health of housing.

SUBCHAPTER III—SEASONAL AGRICULTURAL WORKER PROTECTIONS

- 1831. Information and recordkeeping requirements.
- 1832. Wages, supplies, and other working arrangements.

SUBCHAPTER IV—FURTHER PROTECTIONS FOR MIGRANT AND SEASONAL AGRICULTURAL WORKERS

- 1841. Motor vehicle safety.
- 1842. Confirmation of registration.
- 1843. Information on employment conditions.
- 1844. Compliance with written agreements.

SUBCHAPTER V—GENERAL PROVISIONS**PART A—ENFORCEMENT PROVISIONS**

- 1851. Criminal sanctions.
- 1852. Judicial enforcement.
- 1853. Administrative sanctions.
- 1854. Private right of action.
- 1855. Discrimination prohibited.
- 1856. Waiver of rights.

PART B—ADMINISTRATIVE PROVISIONS

- 1861. Rules and regulations.
- 1862. Authority to obtain information.
- 1863. Agreements with Federal and State agencies.

PART C—MISCELLANEOUS PROVISIONS

- 1871. State laws and regulations.
- 1872. Transition provision.

§ 1801. Congressional statement of purpose

It is the purpose of this chapter to remove the restraints on commerce caused by activities detrimental to migrant and seasonal agricultural workers; to require farm labor contractors to register under this chapter; and to assure necessary protections for migrant and seasonal agricultural workers, agricultural associations, and agricultural employers.

(Pub. L. 97-470, § 2, Jan. 14, 1983, 96 Stat. 2584.)

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Pub. L. 97-470, title V, § 524, Jan. 14, 1983, 96 Stat. 2600, provided in part that: "The provisions of this Act [en-

acting this chapter and repealing chapter 52 (§2041 et seq.) of Title 7, Agriculture] shall take effect ninety days from the date of enactment [Jan. 14, 1983]."

SHORT TITLE

Pub. L. 97-470, § 1, Jan. 14, 1983, 96 Stat. 2584, provided in part that this Act [enacting this chapter and repealing chapter 52 (§2041 et seq.) of Title 7, Agriculture] may be cited as the "Migrant and Seasonal Agricultural Worker Protection Act".

§ 1802. Definitions

As used in this chapter—

(1) The term "agricultural association" means any nonprofit or cooperative association of farmers, growers, or ranchers, incorporated or qualified under applicable State law, which recruits, solicits, hires, employs, furnishes, or transports any migrant or seasonal agricultural worker.

(2) The term "agricultural employer" means any person who owns or operates a farm, ranch, processing establishment, cannery, gin, packing shed or nursery, or who produces or conditions seed, and who either recruits, solicits, hires, employs, furnishes, or transports any migrant or seasonal agricultural worker.

(3) The term "agricultural employment" means employment in any service or activity included within the provisions of section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or section 3121(g) of title 26 and the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state.

(4) The term "day-haul operation" means the assembly of workers at a pick-up point waiting to be hired and employed, transportation of such workers to agricultural employment, and the return of such workers to a drop-off point on the same day.

(5) The term "employ" has the meaning given such term under section 3(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(g)) for the purposes of implementing the requirements of that Act [29 U.S.C. 201 et seq.].

(6) The term "farm labor contracting activity" means recruiting, soliciting, hiring, employing, furnishing, or transporting any migrant or seasonal agricultural worker.

(7) The term "farm labor contractor" means any person, other than an agricultural employer, an agricultural association, or an employee of an agricultural employer or agricultural association, who, for any money or other valuable consideration paid or promised to be paid, performs any farm labor contracting activity.

(8)(A) Except as provided in subparagraph (B), the term "migrant agricultural worker" means an individual who is employed in agricultural employment of a seasonal or other temporary nature, and who is required to be absent overnight from his permanent place of residence.

(B) The term "migrant agricultural worker" does not include—

(i) any immediate family member of an agricultural employer or a farm labor contractor; or