



REGULATORY ISSUES OF TRANSPORTING MIGRANT & SEASONAL FARM WORKERS

For the Tomato Institute, 2012
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FLS Training

FARM LABOR SUPERVISOR Certificate of Completion

8 HOURS-REQUIRED "CORE" CLASSES

- ADM 001: Wage & Hour (2 hrs)
- PERS 001: Human Resources Compliance (2 hrs)
- SAFE 001: Pesticides, Field Sanitation, Food Safety (2 hrs)
- TRAN 001: Safe Driving (2 hrs)

8 HOURS - YOUR CHOICE FROM THE FOLLOWING:

- ADM 002: Farm labor contractor basics (2 hrs)
- ADM 003: Authorization to work (2 hrs)
- · ADM 004: Workers' compensation (2 hrs)
- ADM 005: H-2A workers (2 hrs)
- HOUS 001: Housing (2 hrs)
- PERS 002: Case studies in EEOC (2 hrs)
- PERS 003: Personnel management (2 hrs)
- SAFE 002: Basic first aid / Equipment safety (2 hrs)
- SAFE 003: Personal safety / Emergency preparedness (2 hrs)
- SAFE 004: WPS Train-the-Trainer (4 hrs)
- TRAN 002: DOT and DOL regulations (4 hrs)

TRANSPORTING WORKERS

TRAN 001: SAFE DRIVING-CORE CLASS-2 hours

Vehicle maintenance and inspections Van safety Distracted driving Defensive driving Driving in rural areas



YOUR CHOICE TRANSPORTING WORKERS

TRAN 002: DOT AND DOL REGULATIONS FOR CDL-REQUIRED VEHICLES AND HIGH-CAPACITY VANS AND BUSES—4 hours

Vehicles and car-pooling regulations Van safety issues Licensing, authorizations, and insurance Markings and postings Driver qualification files Hours of service explanation/ exercise Drug & alcohol testing

YOUR CHOICE HOUSING

HOUS 001: HOUSING—2 hours

Permits, licenses, and authorizations
Standards, regulations, fines, and responsibility
Housing inspection exercise
Deductions and discrimination issues
Things to check on when housing workers in other states

Flyer Date: June 27, 2012

Fall 2012 Farm Labor Supervisor Core Training Schedule

DATE	CITY	LOCATION			
Tuesday, September 11	Homestead	UF Miami-Dade County Extension			
Wednesday, September 19	Immokalee	Southwest FL Research & Education Center			
Wednesday, September 26	Ft. Pierce	Indian River Research & Education Center			
Wednesday, October 17	Wimauma	Gulf Coast Research and Education Center			
Tuesday, October 23	Arcadia	Family Service Center			
Tuesday, October 30	Sebring	Bert J. Harris Ag. Center, Auditorium			
Wednesday October 31	Belle Glade	Everglades Research & Education Center			

Morning session 8 -12 p.m. Wage & Hour, HR Compliance Afternoon Session 1-5 p.m. WPS/ Field Sanitation, Safe Driving (More dates and locations can be added as requested)

DOT "AGRICULTURE EXEMPTION"





EXEMPT

NOT EXEMPT

WORKER TRANSPORTATION-RELATED AGENCIES

- Federal Department of Transportation (DOT) (Federal Motor Carrier Safety Association, FMCSA)
- Federal Department of Labor (DOL/MSPA)

- Florida Highway Patrol (FHP)
- Florida Department of Business and Professional Regulations (DBPR)

2011 CHANGES



~ 200

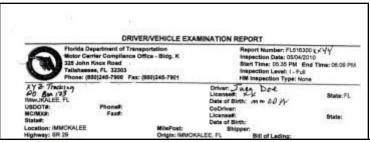


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DOT NUMBERS



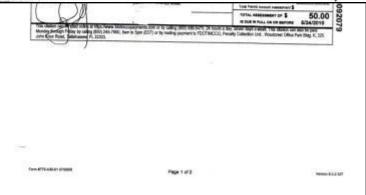
CITATIONS





VIOLATION	NS							
Section Co	de	Туре	Unit	008	Citation #	Verify	Crash	Violations Discovered
393.62(b)	11056	F	1	Y		U		No or defective bus emergency exits, manufactured on or after 9/1/1973 but before 9/1/1994
393.95(a)		F	1	N		N	N	No/discharged/unsecured fire extinguisher
396.17(c)		F	1	N		N	N	Operating a CMV without periodic inspection
390.21(b)	×.	F	1	N	60092079	N	N	Carrier name and/or USDOT Number not displayed as required
390.19		F	1	N		N	N	Motor Carrier failed to file required biennial update of MCS-150 as required

* Pursuant to the authority assistance in 10s. st. Cost of Februal Regulations, Sentim RML 4, and Portice Statute 274. Std. 1 leading desires VS-VS-LEQS will pashes mented by a "" in the operator, and inclinately will the cond-inverse debuggle and the cond-inverse debuggle and the special pashes are statuted to the special pashes and the cond-inverse debuggle and the special pashes are statuted to the special pashes are statuted and statuted to the special pashes are statuted to the special pashes are



OUT OF SERVICE/FUERA DE SERVICIO



PENALTIES FOR VIOLATION OF

OUT - OF - SERVICE ORDER

Pursuant to Title 49, Subsection 383.53, Code of Federal Regulations, the penalty for a driver violating an **Qut-of-Service** order shall be subject to a civil penalty of not less than \$2,500.00. In order to establish uniform and equitable penalty assessments, the following penalties shall apply:

First Offense - \$2,500.00 Second Offense - \$5,000.00 Subsequent Offenses - \$5,000.00

Drivers are also subject to being disqualified from operating a commercial motor vehicle in accordance with Florida Statute 322.61

Pursuant to Title 49, Subsection 383.53, Code of Federal Regulations, the pensity for an employer or an employer who is also the driver violating an Out-of-Service order shall be subject to a civil pensity of not less than \$25,759.00 or more than \$25,000.00. In order to establish uniform and equitable pensity assessments, the following pensities shall apply:

First Offense - \$2,750.00 Second Offense - \$5,000.00 Subsequent Offenses - \$10,000.00

> FLORIDA DEPARTMENT OF TRANSPORTATION Office of Motor Cerrier Compliance

Training Bulletin # 08-000

Page

Effective Date: July 17, 2008



MULTAS POR INFRACCIONES DE

FUERA - DE - SERVICIO

DE ACUERDO CON EL TITULO 49 DE LAS REGULACIONES FEDERAL JUNTO CON LA PARTE 383.53, LAS MULTAS POR UN CHOFER QUE INFRINGE UNA ORDEN DE "FUERA DE SERVICIO" NO SERA MENOS DE \$2.500.00, PARA ESTABLECER Y MANTENER UNA MANERA INVARIABLE DE MULTAS PARA LAS INFRACCIONES DE LA ORDEN DE "FUERA DE SERVICIO". LAS MULTAS SERAN LAS SIGUIENTES:

PRIMER DELITO- \$2,500.00
DELITO HECHO POR SEGUNDA VEZ -\$5,000.00
TERCER o SUBSIGUIENTE DELITOS- \$5,000.00

De acuerdo con el Estatuto de Florida 322.61., el conductor también está expuesto de ser descalificado de poder operar un vehículo comercial.

DE ACUERDO CON EL TITULO 49 DE LAS REGULACIONES FEDERAL JUNTO CON LA PARTE 383.53, LAS MULTAS POR UN EMPRESARIO DE UN VÉHÍCULO COMERCIAL QUE INFRINGE UNA ORDEN DE "FUERA DE SERVICIO" NO SERA MENOS DE \$2,750 Y NO MAS DE \$25,000. LAS MULTAS SERAN LAS SIGUIENTES:

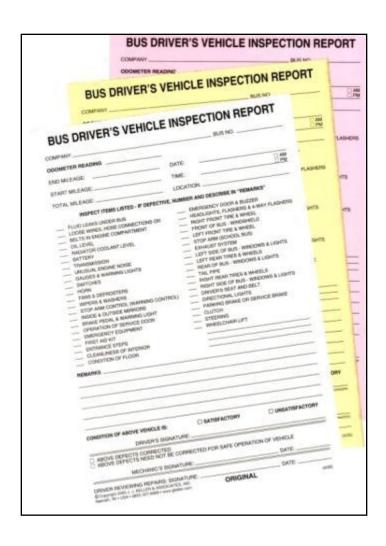
PRIMER DELITO- \$2,750.00
DELITO HECHO POR SEGUNDA VEZ- \$5,000.00
TERCER O SUBSIGUIENTE DELITOS - \$10,000.00

FLORIDA DEPARTMENT OF TRANSPORTATION
Motor Carrier Compilance Office
Electro Date

| Proceeding Compilance Office | Proceded Compilance Office | Proceeding Compilance Office | Proceded Compilance Office | Proceded

Effective Date: July 17, 2006

Driver Vehicle Inspection Report



MAKE:	Inspector (Print): City, St, Zip		
MAKE:			
MAKE:			
	MODEL: License #	ŧ:	
PONENTS IN	SPECTED Date of Inspection:		
ass Defect	ITEM	Pass	Defec
			_
	Steering wheel free play Steering column		
	c. Front axle beam and all steering components other		_
			_
			_
	f. Power steering		
	g. Ball and socket joints		
	i. Steering system		
	Other - List:	_	_
	7 Suspension		_
	a. Any U-Bolt(s), Spring hanger(s), or other axle		
	positioning part(s) cracked, broken, loose, or	_	
	missing resulting in shifting of an axle from its	_	_
		_	
1 1	c. Torque, radius, tracking components	_	-
	8 Frame		
	a. Frame members	_	_
	b. Tire and wheel clearance	_	_
		_	_
		-	_
		_	_
	or a management	_	-
\rightarrow	10. Wheels and rims	-	-
	a. Lock or ring slide	_	_
	b. Wheels and rims	-	_
		_	_
	d. Welds		_
$\overline{}$	11. Windshield elazing and cracks	-	_
		-	_
	12. Windshield wipers		
		-	-
	12 Safe leading Part(s) of vahials or condition of land		
	equipment can fall into the roadway		
	JS Deex	6. Steering Mechanism a. Steering wheel free play b. Steering column columns and steering components other than steering column d. Steering gear box c. Pitman arm f. Power steering f. Power steering f. Pitman arm f. Power steering f. Nuts j. Steering system Other – Lats: 7. Suspension a. Any U-Bolt(s), Spring banger(s), or other axle positioning part(s) cracked, broken, loose, or missing resulting in shifting of an axle from its missing resulting in shifting of an axle from its b. Spring Assembly c. Torque, radius, tracking components 8 Frame a. Frame members b. Tread wheel clearance 9. Tires a. Cuts or blemishes b. Tread depth 10. Whech and rims c. Fasteners d. Wedds 11. Windshield glazing and cracks 12. Windshield wipers 13. Safe loading – Part(s) of vehicle or condition of load areas such hat the spart effer or any part of the load or areas such hat the spart effer or any part of the load or	6. Steering Mechanism a. Steering veloum of the steering components other than steering column of the steering components other than steering column of the steering components other than steering column of the steering steering of the steering column

VEHICLE INSPECTION

DAILY – Keep completed forms for 12 months

 PERIODIC (at least annually) – Keep completed forms for 14 months.

DOT REQUIRED DOCUMENTS



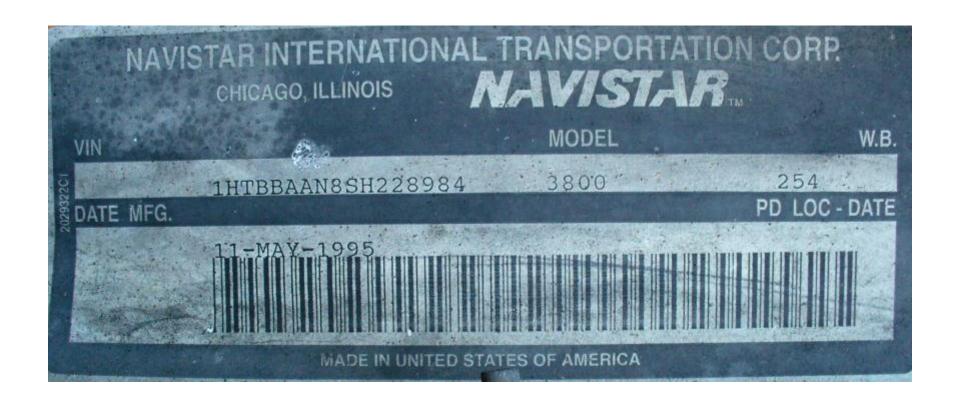
CLASS: C - Any endorsed vel	hicle with GVWR of less the	an 26,091 LBS.
REPLACEMENT LICENSE REI The State of Florida reterns at		F ADDRESS OR NAME CHANGE.
图料据据例	STANDARD SERVICE	Addr Javes Sensor Sensor Comments
A SECTION AND A		Devector of Ormer Licenses NOT 10000000000. Flore Outs 06-31-08
		www.ffhamv.gov

I certify that I have examined rier Safety Regulations (49 CPR 301.41-301.4	(ii) and with knowledge of the	driving duties, I find this person is q	In accordance with the Federal selffed; and, if applicable, only t	Wet.
wearing corrective lenses		driving within an exempt into	solly zone (49 CFR 391,62)	
☐ wearing hearing aid		☐ accompanied by a Skill Perfo	ormance Exaluation Certificate (SPE)
accompanied by a	waiver exemption	☐ Gualified by operation of 48 (CFR 391.64	
completely and correctly, and is on file in m SIGNATURE OF MEDICAL EXAMINER	y unus.	TEU	EPHONE	DATE
VEDICAL EXAMINERS NAME (PRINT)			□ MD □ 00 □ Physician Assistant	Chroprector Advanced Practice Nurse
WEDICAL EXAMINER'S LICENSE OR CERTIFI	CATE NO/ISSUING STATE			
SIGNATURE OF DRIVER		ORN	VERTS LICENSE NO.	STATE
ADDRESS OF DRIVER				

CDL required?



CHANGE VIN Number



DRIVER QUALIFICATION FILES REQUIRED FOR DRIVERS OF:

GVWR 26,000+ pounds OR

Transport of 15 or more passengers plus driver OR

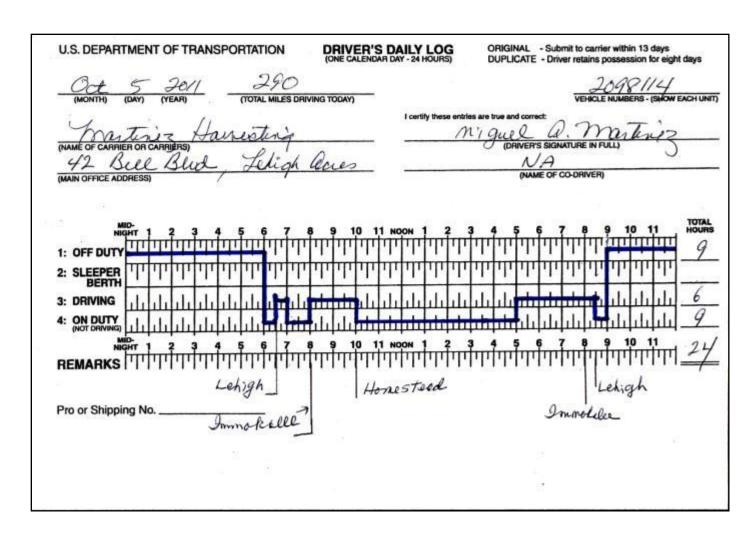
Passenger vehicle with GVWR of 10,000+ pounds

*maximum operating weight of a vehicle as specified by the manufacturer, including the engine fluids, fuel, accessories, driver, passengers, and cargo but excluding that of any trailers.

HOURS OF SERVICE

- 10/15 No more that 10 hours driving and no more than 15 hours total "on duty," with 8 hours rest in between.
- 60/70 No more than 60 hours in 7 consecutive days, or 70 in 8 days (pick one)
- 12 hour rule for drivers who stay within 100 air mile radius.

A day in the life of a Farm Labor Bus Driver



Drug & Alcohol Testing Program





Safety Sensitive Functions

- Until D&A test returns positive, a new driver may not:
 - Drive
 - Ride
 - Wash

No contact with the vehicle whatsoever

DOT-required Postings





DOL AND DBPR REQUIREMENTS



CAR-POOLING









DOL/DBPR REQUIRED DOCUMENTS

Dodor's Certificate	U.S. Department of Labor Emphysical Standards Administra Wage and Hase Division	- 💠	Take this ferm to your doctor. Ask the doctor to read this section, cnamine you, and fill in the certificate (located on the frest of this ferms). You must carry this with you at all tiens.
The is to come	ify that I have this day examined:		To the Doctor: Section 398,30h) provider:
(Name)	(Agc)		No person shall drive any vehicle carrying migrant workers without possessing the following minimum qualifications:
			No esental, nervous, organic, or functional disease likely to interfere with safe driving:
(Type of Operator's License)	(Number)	(State)	No loss of foot, leg, hand, arm;
In accordance with Section 398.3(b) Department of Transportation, and 0	of the Motor Carrier Safety Regulation on I find the applicant:	to of the	No loss fingers, impairment of use of floot, log, hand, fingers, arm or other structural defects or limitation likely to interfere with safe driving.
	Qualified under said rules. Qualified only when wearing glasses. Not Qualified.		Eyesight: virsual acusty of at least 20.40 (Snedlen) in each eye either without glasson or by correction with glasson, form field of vision in the horizontal meridate shall not be less than a total of 140 degrees, ability to delargoaid notes, not, greet, and yellow, driven requiring correction by glasses shall wear properly prescribed glasson at all times when driving.
I have kept on file a completed exam	ration.		Heating shall not be less than 19/20 in the better ear for conversational tones without a heating aid.
(Date)	(Pinor)	====	Shall not be addicted to the use of narcotics or habit-forming drugs, or to the executive use of alcoholic beverages or liquors.
(Signal	are of examining doctor)		
(Addre	nx of doctor)	=	()
(Signal	new of driver)		G2O or management reaction covers 2005-300-461
(Addre	a of driver)		
	Form Will Olive 128		
Copy 1 - To be subsetted with application Copy 2 - Applicant's Copy Copy 3 - Employer's Copy Copy 4 - Doctor's Copy	MASSAY		

er Safety Propulations (46 CFVE 361.41-361.	et) and with encodingly of the	month makes, I find this person is	quarter and I applicable, only when	
() wearing corrective leases		Daying within an exempt or	monthly owner (ME CP/R SEY, AU)	
(2) wearing heaving and		() accompanied by a Drift Pe	domenie Evaluation Cartificato (SPE)	
more peried by a	water exemption	☐ Gualified by operation of 4	E CIVIT 301.84	
AND ON YOUR RES				
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DIATURE OF MIDICAL EXAMINER		The state of the s	LEPHONE	DAVE
CIRCA, EXAMPLEY'S MANE (PRINT)			Day Do	Compression described various turns
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DIVIDUE OF DRIVER		8	IVER'S LICENSE NO.	SOUTE
ORESE OF DRIVER			Average Control	
APPEAR OF LITERATURE				

DOL/DBPR REQUIRED POSTINGS



MSPA-REQUIRED POSTERS

Norker Protection Ad	Agricultural		I.S. Departs	ment of Lab	er 📑	WH
						CARRIENT 1230-0 Figures 1807-0
We	rker Information	—Terms a	nd Conditio	ns of Employ	reserve	
4. Place of employments	CHANGE TON	Control of	A DESCRIPTION OF THE	0.000	10.60	
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5. Phage rates to be paid.		piettos	Pleas Plate 5		· -	
6. Drops and reside of widols						
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THANK YOU!

