

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 1198

Session of  
1975

INTRODUCED BY MESSRS. GALLAGHER, IRVIS, FINEMAN, DOYLE,  
MANDERINO, VANN, BERLIN, ZEARFOSS, O'KEEFE, BENNETT, BARBER,  
COHEN, BURNS, RAPPAPORT, RIEGER, MYERS, TAYOUN, BERSON, REED,  
VALICENTI, STAPLETON, GILLESPIE, LEDERER, GIAMMARCO, GARZIA  
AND WOJDAK, APRIL 30, 1975

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JULY 16, 1975

## AN ACT

~~1 Regulating the use of seasonal farm labor; providing for the~~ <—  
~~2 registration and licensing of farm labor contractors;~~  
~~3 providing for working conditions and imposing penalties.~~  
4 ESTABLISHING MINIMUM WAGES AND PROVIDING FOR HOURS OF LABOR OF <—  
5 SEASONAL FARM WORKERS AND REQUIRING CERTAIN RECORDS;  
6 PROVIDING FOR INSPECTION OF SEASONAL FARM LABOR CAMPS;  
7 PROVIDING FOR THE PROMULGATION OF RULES AND REGULATIONS;  
8 ESTABLISHING RIGHTS OF ACCESS AND EGRESS; PROVIDING  
9 PENALTIES; AND REPEALING CERTAIN ACTS.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

## ARTICLE I &lt;—

## Preliminary Provisions

14 ~~Section 101. Short Title. This act shall be known and may~~  
15 ~~be cited as the "Seasonal Farm Labor Act."~~

16 ~~Section 102. Declaration of Intent. It is declared to be~~  
17 ~~the intent of the Legislature to improve the conditions of~~  
18 ~~seasonal farm workers by establishing standards for their wages,~~  
19 ~~hours, conditions of work; by the regulation of farm labor~~

1 ~~contractors; making unlawful the practices by which such workers~~  
2 ~~may be isolated from the community, and from services to which~~  
3 ~~they are lawfully entitled and by limiting child labor among~~  
4 ~~such workers.~~

5 ~~Section 103. Definitions. As used in this act:~~

6 ~~"Employer" means every individual, firm, partnership,~~  
7 ~~association, trust, corporation, receiver or other officer of a~~  
8 ~~court of this Commonwealth, or any person or group of persons~~  
9 ~~acting, directly or indirectly, in the interest of an employer~~  
10 ~~in relation to any employee, employing or permitting to work any~~  
11 ~~seasonal farm worker in this Commonwealth, and includes every~~  
12 ~~farmer, grower, processor, canner, packing shed operator,~~  
13 ~~nurseryman or landowner who employs, or on whose premises or in~~  
14 ~~whose interest is employed, any seasonal farm worker.~~

15 ~~"Farm labor contractor" means any person who, for payment,~~  
16 ~~wages, salary, fee or other consideration, either for himself or~~  
17 ~~on behalf of another person, recruits, solicits, hires,~~  
18 ~~furnishes or transports five or more seasonal farm workers,~~  
19 ~~excluding members of his immediate family, in any calendar year~~  
20 ~~for employment in agriculture or in agriculture related~~  
21 ~~industry. Such term shall not include any person, firm,~~  
22 ~~partnership, association or corporation which is the holder of a~~  
23 ~~valid and current license pursuant to the act of July 31, 1941~~  
24 ~~(P.L.616, No.261), known as the "Employment Agency Law," or any~~  
25 ~~nonprofit charitable organization, public or nonprofit private~~  
26 ~~educational institution, or similar organization. Whenever a~~  
27 ~~firm, partnership, association, trust, or corporation engages in~~  
28 ~~such activity for the purpose of supplying seasonal farm workers~~  
29 ~~solely for its own operation, the term "farm labor contractor"~~  
30 ~~means that officer, official, supervisor or employee most~~

1 ~~directly responsible for such activity. Whenever an individual~~  
2 ~~farmer, grower, processor, canner, packing shed operator,~~  
3 ~~nurseryman or landowner engages in such activity for the purpose~~  
4 ~~of supplying seasonal farm workers solely for his own operation,~~  
5 ~~or in which an employee of such individual engages in such~~  
6 ~~activity on his behalf, the term "farm labor contractor" means~~  
7 ~~such individual or employee.~~

8 ~~"Seasonal farm labor" means labor or employment engaged in by~~  
9 ~~an individual defined in this act as a seasonal farm worker.~~

10 ~~"Seasonal farm labor camp" means any living quarters, housing~~  
11 ~~accommodations, dwelling, hotel, inn, motel, rooming house,~~  
12 ~~boarding house, dormitory, tenement, bunkhouse or barracks, or~~  
13 ~~any building or buildings so used or intended for use,~~  
14 ~~maintained directly or indirectly in connection with any work or~~  
15 ~~place where work is being performed by seasonal farm workers~~  
16 ~~whether or not rent is paid or reserved for use or occupancy,~~  
17 ~~and includes the premises or site upon which such a building is~~  
18 ~~situated, and any facilities necessary to or associated with~~  
19 ~~such a building, and any area or site set aside and provided for~~  
20 ~~camping of seasonal farm workers. It includes migrant labor~~  
21 ~~camps, farm labor camps, seasonal labor camps, agricultural~~  
22 ~~labor camps, and labor camps operated in connection with~~  
23 ~~agricultural situations, such as mushroom production, flower~~  
24 ~~production, nurseries and similar agricultural operations~~  
25 ~~including crop and related food processing. It shall not include~~  
26 ~~buildings reserved exclusively for the personal use of the~~  
27 ~~landowner.~~

28 ~~"Seasonal farm worker" means an individual employed in~~  
29 ~~raising, cultivating, fertilizing, seeding, planting, pruning,~~  
30 ~~harvesting, gathering, washing, sorting, weighing, handling,~~

1 ~~drying, packing, packaging, processing, freezing, grading,~~  
2 ~~storing or delivering to market or to storage or to a carrier~~  
3 ~~for transportation to market, in its unmanufactured state, any~~  
4 ~~agricultural commodity as defined in the act of September 20,~~  
5 ~~1961 (P.L.1541, No.657), known as the "Pennsylvania Agricultural~~  
6 ~~Commodities Marketing Act of 1968," or any farm product as that~~  
7 ~~term is defined in 1 Pa.C.S. §1991 (relating to definitions) on~~  
8 ~~a seasonal or other temporary basis, and includes every~~  
9 ~~individual irrespective of his primary employment if he performs~~  
10 ~~agricultural labor on a seasonal or other temporary basis.~~

11 ~~"Secretary" means the Secretary of Labor and Industry.~~

12 ~~ARTICLE II~~

13 ~~Registration of Farm Labor Contractors~~

14 ~~Section 201. Annual Registration Required. No person shall~~  
15 ~~act as a farm labor contractor unless he possesses or has~~  
16 ~~applied for a certificate or registration issued by the~~  
17 ~~secretary. A certificate of registration may not be transferred~~  
18 ~~or assigned. Every certificate shall be effective until midnight~~  
19 ~~of December 31 of the year during which it is issued, unless~~  
20 ~~suspended or revoked pursuant to this act. The certificate of~~  
21 ~~registration shall be displayed by the registrant upon request~~  
22 ~~of the Secretary of Labor and Industry, the Secretary of~~  
23 ~~Environmental Resources, the Attorney General, the Secretary of~~  
24 ~~Health, the Secretary of Education or the Secretary of Public~~  
25 ~~Welfare or their authorized agents; or of any peace officer, or~~  
26 ~~of any person who is a contractor or a prospective contractor~~  
27 ~~for farm labor services, or any seasonal farm worker or~~  
28 ~~prospective seasonal farm worker, or an employer or a~~  
29 ~~prospective employer of seasonal farm labor, or any qualified~~  
30 ~~officer of the United States or of any local government.~~

1       ~~Section 202. Registration; Application; Renewal. The~~  
2 ~~secretary shall issue to every qualified registrant a~~  
3 ~~certificate of registration, subject to such rules and~~  
4 ~~regulations and upon payment of such fees as the secretary shall~~  
5 ~~require. The secretary shall renew a certificate of registration~~  
6 ~~previously issued upon application by the registrant, subject to~~  
7 ~~the qualifications, rules, and regulations required of a new~~  
8 ~~applicant and upon payment of any renewal fee which the~~  
9 ~~secretary may require. The secretary shall prescribe the form of~~  
10 ~~application for registration and for renewal of registration,~~  
11 ~~and shall supply application forms upon reasonable request.~~

12       ~~Section 203. Qualifications of Registrants. The secretary,~~  
13 ~~after notice, may refuse to issue a certificate of registration,~~  
14 ~~and may suspend or revoke any certificate previously issued, if~~  
15 ~~he shall find that the applicant or registrant; (i) has violated~~  
16 ~~any provision of this act, or of any rules or regulations~~  
17 ~~promulgated under this act; or (ii) has made any deliberate~~  
18 ~~misrepresentation or has knowingly made any false statement in~~  
19 ~~or with respect to an application for registration or renewal;~~  
20 ~~or (iii) has failed to comply with the provisions of the act of~~  
21 ~~April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," or~~  
22 ~~of any other law of this Commonwealth or of any Federal statute~~  
23 ~~or rule with relation to the regulation or operation of motor~~  
24 ~~vehicles for the transportation of persons or property by motor~~  
25 ~~vehicle; or (iv) is subject to Pub.L.88 582 (7 U.S.C.2041 et~~  
26 ~~seq.), known as the "Farm Labor Contractor Registration Act of~~  
27 ~~1963," and has failed to apply for and to obtain a certificate~~  
28 ~~of registration pursuant to that law, or whose certificate of~~  
29 ~~registration has expired and has not been renewed, or has been~~  
30 ~~suspended or revoked, or if he has violated any provision of~~

1 ~~said law. Refusal to issue or to renew a certificate of~~  
2 ~~registration, or the suspension or revocation of a certificate~~  
3 ~~or renewal, shall be in addition to any other penalties provided~~  
4 ~~by this act or under any other law. Any applicant or registrant~~  
5 ~~who has been refused a certificate of registration or who has~~  
6 ~~had their certificate of registration revoked or suspended~~  
7 ~~pursuant to this section shall have the right to file an appeal,~~  
8 ~~within 30 days of receipt of notice of such refusal, revocation~~  
9 ~~or suspension, with the Industrial Board pursuant to the act of~~  
10 ~~June 4, 1945 (P.L.1388, No.442), known as the "Administrative~~  
11 ~~Agency Law."~~

12 ~~Section 204. Agents Exempt from Registration; Employment~~  
13 ~~Agencies. (a) A full time or regular employee of any person~~  
14 ~~holding a valid certificate of registration pursuant to this~~  
15 ~~act, who shall have been designated an agent of the registrant~~  
16 ~~and who is employed partly or solely for the purpose of engaging~~  
17 ~~in activities as a farm labor contractor on behalf of the~~  
18 ~~registrant, shall not be required to obtain a certificate of~~  
19 ~~registration in his own name under this act. Every such agent~~  
20 ~~shall have in his immediate possession when engaging in~~  
21 ~~activities as a farm labor contractor such identification as the~~  
22 ~~secretary may require, showing such employee to be an agent of a~~  
23 ~~registrant. Every agent shall be subject to the provisions of~~  
24 ~~this act and of any rules and regulations promulgated pursuant~~  
25 ~~to this act to the same extent as if he were required to obtain~~  
26 ~~a certificate of registration in his own name. The secretary~~  
27 ~~shall require that every registrant identify all persons who~~  
28 ~~have been, or who subsequently become, agents of the registrant,~~  
29 ~~and may disallow, suspend or revoke the designation as agent of~~  
30 ~~any person pursuant to the qualifications or registrants~~

1 ~~required by section 203. For the purposes of this act, every~~  
2 ~~registrant shall be responsible for the activities of every~~  
3 ~~agent designated by him, and shall be subject to any penalties,~~  
4 ~~including the refusal, suspension or revocation of a certificate~~  
5 ~~of registration, proceeding from any act of any agent designated~~  
6 ~~by him, while such agent is engaged in activities as a farm~~  
7 ~~labor contractor. No such agent shall be permitted separately to~~  
8 ~~engage in activities as a farm labor contractor, nor to contract~~  
9 ~~with or become the employee of any employer of seasonal farm~~  
10 ~~labor, except on behalf of the registrant for whom he is the~~  
11 ~~agent, and in the same employment, and on the same premises and~~  
12 ~~at the same time as the registrant for whom he is the agent. No~~  
13 ~~employer may act as, or be designated as, the agent of a farm~~  
14 ~~labor contractor at any time that such farm labor contractor is~~  
15 ~~providing, or intends to provide, seasonal farm workers for~~  
16 ~~employment by, or in the interest of, said employer.~~

17 ~~(b) Every person, copartnership, association or corporation~~  
18 ~~which is the holder of a valid and current license pursuant to~~  
19 ~~the act of July 31, 1941 (P.L.616, No.261), known as the~~  
20 ~~"Employment Agency Law," shall be exempt from the registration~~  
21 ~~requirements of this act.~~

22 ~~Section 205. Farm Labor Contractors and Agents; Prohibited~~  
23 ~~Activities. No person engaged in activities as a farm labor~~  
24 ~~contractor, and no person acting as an agent for any such~~  
25 ~~person, shall:~~

26 ~~(1) Knowingly give or represent to any person who is a farm~~  
27 ~~laborer or a prospective farm laborer, any false or misleading~~  
28 ~~information, or fail fully to disclose to any such person~~  
29 ~~pertinent information, concerning terms of employment, wages to~~  
30 ~~be paid and the terms and conditions under which wages are to be~~

~~paid, conditions of employment, conditions of residence,  
arrangements for transportation, arrangements for providing or  
furnishing food, clothing, and other personal goods or services,  
or the demand for or existence of opportunity for employment,  
for the purpose of inducing such laborer or prospective laborer  
to accept or to reject any offer of employment, whether made by  
the farm labor contractor, or his agent, or by any other person.~~

~~(2) Violate any provision of, or fail to comply with every  
requirement of, Pub.L.88 582 (7 U.S.C.2041 et seq.), known as  
the "Farm Labor Contractor Registration Act of 1963."~~

~~(3) Recruit, employ, utilize the services of, or enter into  
any agreement with, any person with knowledge that such person  
is in violation of any provision of the immigration and  
nationalization laws of the United States, or is a fugitive from  
justice in any state or under any Federal statute.~~

~~(4) Manufacture, transport, resell, dispense, or in any way  
engage in activities as a dealer of any liquor, wine, or any  
malt or brewed beverage, unless he shall have obtained a license  
or a permit pursuant to the act of April 12, 1951 (P.L.90,  
No.21), known as the "Liquor Code"; nor make, transport,  
purchase, sell, or dispense any drug or any controlled substance  
as defined by the act of April 14, 1972 (P.L.221, No.63), known  
as the "Pennsylvania Drug and Alcohol Abuse Control Act," or by  
the act of April 14, 1972 (P.L.233, No.64), known as "The  
Controlled Substance, Drug, Device and Cosmetic Act"; or has  
violated any provision of the act of July 22, 1970 (P.L.513,  
No.178), known as the "Pennsylvania Cigarette Tax Act."~~

~~(5) Receive, accept, disburse, withhold, manage or  
administer, any wages, salaries, emoluments, or any other  
rewards of or payment for the time, labor or employment of any~~

1 ~~farm worker. This clause shall not relieve any farm labor~~  
2 ~~contractor or agent from any requirement of this or any act, or~~  
3 ~~of any Federal statute, that he keep and maintain adequate~~  
4 ~~records of hours of labor, or of work done, or of payment made~~  
5 ~~or due, or of amounts withheld for any purpose from payments~~  
6 ~~made for the time, labor or employment of others; and except~~  
7 ~~that this clause shall not apply in any case in which the~~  
8 ~~employer is the farm labor contractor.~~

9 ~~(6) Levy, charge, assess, or collect from any person, on~~  
10 ~~account of any loan of money, credit, goods, or things in~~  
11 ~~action, a rate of interest, discount, fines, charges or~~  
12 ~~consideration, unless he shall be in compliance with the~~  
13 ~~provisions of the act of June 17, 1915 (P.L.1012, No.432), and~~  
14 ~~the act of April 8, 1937 (P.L.262, No.66), known as the~~  
15 ~~"Consumer Discount Company Act."~~

16 ~~(7) Levy, charge, assess, or collect from any farm laborer,~~  
17 ~~whether or not recruited by him, or under his supervision or~~  
18 ~~direction, or under any contract or agreement with him, written~~  
19 ~~or verbal, any money, goods or any other thing, for any service~~  
20 ~~offered or performed, including the purchase and resale of any~~  
21 ~~personal goods or services, except for a reasonable charge for~~  
22 ~~transportation of the farm laborer and his relatives and their~~  
23 ~~possessions from the place of their residence or recruitment to~~  
24 ~~the premises of an employer of seasonal farm labor, or from the~~  
25 ~~premises of one employer to those of another, and return to the~~  
26 ~~place of their residence or recruitment, and except for a~~  
27 ~~reasonable charge for the preparation and serving of meals~~  
28 ~~during the farm laborer's term of employment or transportation.~~

29 ~~(8) Charge more than a reasonable amount for transportation~~  
30 ~~of the farm laborer and his relatives and their possessions from~~

~~1 the place of their residence or recruitment to the premises of  
2 an employer of seasonal farm labor, or from the premises of one  
3 employer to those of another, and return to the place of their  
4 residence or recruitment, and for a reasonable amount for the  
5 preparation and serving of meals during the farm laborer's term  
6 of employment or transportation; such charges for transportation  
7 and for the preparation and serving of meals may be levied and  
8 collected only if the full amount of such charges is correctly  
9 stated and disclosed to the farm laborer and agreed to by the  
10 farm laborer at the time any contract or agreement of  
11 recruitment is negotiated, and such agreement as to charges for  
12 transportation and for the preparation and serving of meals  
13 shall be a part of any contract or agreement between the farm  
14 labor contractor and the farm laborer.~~

~~15 Section 206.— Secretary of Labor and Industry; Powers and  
16 Duties.— The Secretary of Labor and Industry is authorized, and  
17 it shall be his duty, to:~~

~~18 (1) Promulgate and enforce rules and regulations for the  
19 enforcement and implementation of this article.~~

~~20 (2) Investigate, or cause to be investigated, all matters  
21 which may aid in carrying out the provisions of this article,  
22 including the investigation of any complaint filed with the  
23 secretary regarding any violation of this article or with  
24 respect to which the secretary has reasonable grounds to believe  
25 that any person has violated any provisions of this article, and  
26 may, in connection therewith, enter and inspect any premises,  
27 inspect such records and make transcriptions thereof, question  
28 such persons, and investigate such facts, conditions, practices,  
29 or matters as may be necessary or appropriate to determine  
30 whether a violation of this article has been committed.~~

1       ~~(3) Gather and compile data and information relative to the~~  
2 ~~enforcement of this article, for the purpose of ascertaining~~  
3 ~~conditions under which seasonal farm laborers are recruited,~~  
4 ~~employed, compensated and protected in the Commonwealth, and to~~  
5 ~~file reports with the Governor and the General Assembly, showing~~  
6 ~~the results of his investigations and of the compilation of data~~  
7 ~~and information.~~

8       ~~(4) In cooperation with the Departments of Environmental~~  
9 ~~Resources, Agriculture, Health, Public Welfare, Education,~~  
10 ~~Community Affairs, and any other departments, agencies, or~~  
11 ~~Commonwealth employees, to conduct field surveys and censuses~~  
12 ~~adequate to determine the number, location, character and the~~  
13 ~~condition of seasonal farm workers and the needs of the workers~~  
14 ~~and of the employers, and from time to time but no less often~~  
15 ~~than annually to report to the Governor and the General Assembly~~  
16 ~~the results of such surveys and censuses, and to make~~  
17 ~~recommendations for legislation and for executive action to~~  
18 ~~improve service and enforcement programs relating to seasonal~~  
19 ~~farm workers and their employers.~~

20       ~~(5) Pursuant to section 8 of Pub.L.88-582, known as the~~  
21 ~~"Farm Labor Contractor Registration Act of 1963," to enter into~~  
22 ~~agreements with the Secretary of the United States Department of~~  
23 ~~Labor for the enforcement of any law or the performance of any~~  
24 ~~function, and further to enter into agreements with the~~  
25 ~~appropriate officers or agencies of any other state or states,~~  
26 ~~for the enforcement of any provision of or the performance of~~  
27 ~~any function under this article.~~

28       ~~(6) To enforce or to cause to be enforced, the provisions of~~  
29 ~~this article, and to cooperate with other officers, departments,~~  
30 ~~boards, agencies or commissions of the Commonwealth, or of the~~

~~United States, or of any other state, or of any local government, or with other persons or organizations in the enforcement of the provisions of this article.~~

~~(7) In every case of the credible report or discovery of a violation or a probable violation of any section of this act, or of any rule or regulation promulgated pursuant to this act, or of any other statute or ordinance, to report and refer information concerning such violation or probable violation to the department or agency responsible for enforcement of said section, statute, ordinance, rule or regulation.~~

### ~~ARTICLE III~~

#### ~~Wages and Hours~~

~~Section 301. Minimum Wages. (a) Every employer shall pay to each seasonal farm worker wages at a rate of not less than:~~

~~(1) The sum of \$1.80 an hour effective January 1, 1975.~~

~~(2) The sum of \$2.00 an hour effective January 1, 1976.~~

~~(3) The sum of \$2.20 an hour effective January 1, 1977.~~

~~(4) The sum of \$2.30 an hour effective January 1, 1978.~~

~~(b) Such wages shall be paid at such rates notwithstanding any contrary provision or exclusion of the act of January 17, 1968 (P.L.11, No.5), known as "The Minimum Wage Act of 1968."~~

~~Section 302. Overtime Wages. A seasonal farm worker shall be paid not less than one and one half times his regular rate, for each hour of labor performed by him in excess of 40 hours in a workweek.~~

~~Section 303. Piece Rates. (a) Notwithstanding the provisions of sections 301 and 302, an employer of seasonal farm labor may adopt a piece rate or rates, or differential piece rate or rates, as a basis for, or a partial or additional basis, for, the compensation of seasonal farm workers in his~~

1 ~~employment: Provided, That any such piece rate or rates, or~~  
2 ~~differential piece rate or rates, shall yield to each seasonal~~  
3 ~~farm worker in his employment, in each workweek, not less than~~  
4 ~~the applicable minimum hourly wage rate and overtime wage rate~~  
5 ~~which such seasonal farm worker would have received pursuant to~~  
6 ~~the provisions of sections 301 and 302, taken together, in the~~  
7 ~~same workweek.~~

8 ~~(b) An employer of seasonal farm labor who adopts a piece~~  
9 ~~rate or rates, or differential piece rate or rates, as a basis~~  
10 ~~for or a partial or additional basis for the compensation of~~  
11 ~~seasonal farm workers in his employment, shall apply such piece~~  
12 ~~rate or rates to the work done by every minor in his employment~~  
13 ~~in the same manner as such rates are applied to adult workers,~~  
14 ~~and shall compensate such minor at such rates as are applied to~~  
15 ~~work done by adult workers, subject to the minimum and overtime~~  
16 ~~wage provisions of sections 301 and 302.~~

17 ~~Section 304. Portal to portal Pay. An employer of seasonal~~  
18 ~~farm labor shall pay to each seasonal farm worker minimum wages~~  
19 ~~pursuant to section 301, and overtime wages pursuant to section~~  
20 ~~302, on account of walking, riding, or traveling to and from the~~  
21 ~~actual place of performance of the principal activity or~~  
22 ~~activities which such worker is employed to perform, where the~~  
23 ~~place of residence for the seasonal farm worker is provided by~~  
24 ~~the employer, for walking, riding or traveling from one such~~  
25 ~~place of performance to another during any workday, and for~~  
26 ~~activities which precede or follow said principal activity or~~  
27 ~~activities, which occur either prior to the time on any~~  
28 ~~particular workday at which such worker commences, or subsequent~~  
29 ~~to the time on any particular workday at which he ceases, such~~  
30 ~~principal activity or activities.~~

1       ~~Section 305. Employment of Minors. (a) No minor under 14~~  
2 ~~years of age shall be required to work or be penalized for~~  
3 ~~failure to work as a seasonal farm worker except that this~~  
4 ~~subsection shall not apply to any member of an employer's~~  
5 ~~immediate family.~~

6       ~~(b) A minor between the ages of 14 and 17 years who is~~  
7 ~~employed or permitted to work as a seasonal farm worker, an~~  
8 ~~employer of such minor, and the school district in which such~~  
9 ~~minor is employed, shall be subject to the provisions of the act~~  
10 ~~of May 13, 1915 (P.L.286, No.177), known as the "Child Labor~~  
11 ~~Law"; and to the provisions of the act of June 23, 1931~~  
12 ~~(P.L.923, No.309), except that no such minor shall be employed~~  
13 ~~between the hours of seven o'clock in the morning and one hour~~  
14 ~~following the end of the school day on any regular school day of~~  
15 ~~the school district wherein he is a resident, whether or not~~  
16 ~~such minor is registered as a public in such school district.~~

17       ~~(c) Notwithstanding the contrary provision of any other law,~~  
18 ~~every person 17 years or older who is employed as a seasonal~~  
19 ~~farm worker shall be considered an adult for the purposes of~~  
20 ~~this act.~~

21       ~~Section 306. Discrimination on Account of Sex Prohibited.~~  
22 ~~No employer or seasonal farm labor shall discriminate, within~~  
23 ~~the purview of his activities, between workers on the basis of~~  
24 ~~sex by paying wages to workers at a rate less than the rate at~~  
25 ~~which he pays wages to workers of the opposite sex for equal~~  
26 ~~work on jobs, the performance of which requires equal skill,~~  
27 ~~effort, and responsibility, and which are performed under~~  
28 ~~similar working conditions, except where such payment is made~~  
29 ~~pursuant to a system which measures earnings by quantity or~~  
30 ~~quality or production. The Secretary of Labor and Industry shall~~

1 ~~have the power, and it shall be his duty, to carry out and~~  
2 ~~administer the provisions of this section pursuant to the act of~~  
3 ~~December 17, 1959 (P.L.1913, No.694), known as the "Equal Pay~~  
4 ~~Law."~~

5 ~~Section 307. Records Required; Notice to Workers. (a) An~~  
6 ~~employer of seasonal farm labor, and every farm labor~~  
7 ~~contractor, shall make, keep and preserve such records,~~  
8 ~~including the social security number of the persons employed by~~  
9 ~~him, contracted for or recruited by him, or employed under his~~  
10 ~~supervision, the wages, hours, wage rate or rates, price rate or~~  
11 ~~rates, and other conditions and practices of employment~~  
12 ~~maintained by him, and shall preserve them for such periods of~~  
13 ~~time, and make such reports therefrom as shall be required by~~  
14 ~~Federal law or regulation, the laws or regulations of this~~  
15 ~~Commonwealth, and the local taxing authority. Such records shall~~  
16 ~~include satisfactory evidence of timely payment of wages, either~~  
17 ~~by signed receipt or by check endorsed by the payee.~~

18 ~~(b) An employer of seasonal farm labor shall furnish to each~~  
19 ~~seasonal farm worker, at the time of payment of wages, salaries,~~  
20 ~~or other compensation for time, or labor, or work performed, a~~  
21 ~~written statement in such manner and in such form as may be~~  
22 ~~prescribed by the Department of Revenue, showing the amount of~~  
23 ~~compensation paid by the employer to the seasonal farm worker,~~  
24 ~~the wage rate or rates, hours worked, piece rate or rates and~~  
25 ~~units of work performed in applicable, the computation of gross~~  
26 ~~compensation, the amounts deducted or withheld for every~~  
27 ~~purpose, and such other information as the Department of Revenue~~  
28 ~~may require.~~

29 ~~Section 308. Wage Payment. (a) Notwithstanding any contrary~~  
30 ~~provision of the act of July 14, 1961 (P.L.637, No.329), known~~

~~as the "Wage Payment and Collection Law," an employer of seasonal farm labor shall pay directly to every seasonal farm worker all wages due him, on account of time, labor or employment in any calendar week, including overtime pay and any payment for piece rates, or differential piece rates, excepting only lawful deductions, on regular paydays designated in advance by the employer but in no case more than seven days after the end of that calendar week.~~

~~(b) Wages shall be paid in lawful money of the United States or by check.~~

~~(c) Notwithstanding any provision of subsection (a), or of any other law, an employer of seasonal farm labor shall pay in full, pursuant to subsection (b), all wages or other compensation for time, labor and employment due and payable to a seasonal farm worker, immediately upon the termination of the period of employment for which the seasonal farm worker was employed.~~

~~(d) No employer of seasonal farm labor shall deduct, withdraw, withhold or otherwise retain from the wages of any seasonal farm worker, any amount on account of debts accrued or anticipated, regardless of purpose or circumstance: Provided, That nothing in this subsection shall prohibit any employer of seasonal farm labor from deducting or withholding from wages paid, such amounts as may be required on account of a tax, social security payment, dues payable to a recognized labor organization, a contribution or voluntary subscription for the support of a charitable organization or institution, a premium or other charge due from the employee or worker for group insurance pursuant to any contract with an insurance company, or a nonprofit corporation providing medical, osteopathic, dental~~

~~or legal services, which the employee or worker has authorized in writing, or an amount or partial amount of any advance payment by the employer to the employee or worker against subsequent earnings pursuant to a contract or prior agreement with such seasonal farm worker.~~

~~(c) No employer of seasonal farm labor shall designate as his agent, or shall permit to act or perform as his agent, with respect to the payment of wages or other compensation, a farm labor contractor or a person engaged in activities as a farm labor contractor. This subsection shall not apply to a person, copartnership, association or corporation holding a valid and current license pursuant to the act of July 31, 1941 (P.L.616, No.261), known as the "Employment Agency Law." If no such farm labor contractor exists, this requirement shall apply also to the farmer, grower, nurseryman, or landowner.~~

~~(f) The provisions of this section shall not be construed to deprive a seasonal farm worker of a right or privilege to which he is entitled under any law of this Commonwealth, or by any rules or regulations promulgated pursuant thereto.~~

~~Section 309. Hours of Labor. (a) No seasonal farm worker shall be required to work or be penalized for failure to work on any premises for more than six days in any one week or more than 48 hours in any one week, or more than ten hours in any one day.~~

~~(b) Whenever a seasonal farm worker shall be employed or permitted to work on the premises of more than one employer in any one week or in any one day, the aggregate number of hours during which he shall be required to work on such premises shall not exceed 48 in any one week or ten in any one day.~~

~~(c) No seasonal farm worker shall be required to work for more than five hours continuously on any premises without a meal~~

~~or rest period of at least 30 minutes, which period shall not be considered a part of the hours of labor. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.~~

~~Section 310. Collective Bargaining. (a) Seasonal farm workers shall have the right to self organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection. Seasonal farm workers and employers of seasonal farm labor, shall be subject to the provisions of the act of June 1, 1937 (P.L.1168, No.294), known as the "Pennsylvania Labor Relations Act."~~

~~(b) An employer of seasonal farm labor shall not be deemed to have violated section 309 by employing a person for a workweek in excess of the maximum workweek, or for a workday in excess of the maximum workday, during a period or periods of not more than 14 workweeks in the aggregate in any calendar year, if the seasonal farm worker is employed pursuant to an agreement made as a result of collective bargaining by representatives of employees.~~

#### ~~ARTICLE IV~~

##### ~~Access and Entry~~

~~Section 401. Tenancy Rights. A seasonal farm worker who resides in any structure or property of the employer, whether or not under any contract or rental or lease, and whether or not consideration is given for the right or privilege of such residence, and for whatever time, shall be deemed to be the tenant in possession and shall have every right and resource to law as if he were the tenant in possession for such time as he~~

1 ~~shall reside therein.~~

2 ~~Section 402. Interference Prohibited. No person shall~~  
3 ~~prohibit, bar, or interfere with, or attempt to prohibit, bar,~~  
4 ~~or interfere with, the access to or egress from the grounds of~~  
5 ~~any seasonal farm labor camp by any peaceable person, either by~~  
6 ~~the erection or maintenance of any physical barrier, or by~~  
7 ~~physical force or violence, or by threat or force or violence,~~  
8 ~~or by posting, or by any order or notice given in any manner.~~

9 ~~Section 403. Privileged Persons. The entry to, or egress~~  
10 ~~from the premises of any seasonal farm labor camp shall not be~~  
11 ~~denied by any means, nor shall any person attempt to deny or to~~  
12 ~~limit the access to or egress from any seasonal farm labor camp~~  
13 ~~at any time; to (i) any employee of any department, board,~~  
14 ~~agency, bureau, commission or service of the United States, the~~  
15 ~~Commonwealth of Pennsylvania, a local government, or the~~  
16 ~~executive or administrative officer of any such department,~~  
17 ~~board, agency, bureau, commission or service, or his duly~~  
18 ~~authorized representative who shall, upon request, present~~  
19 ~~proper identification; or (ii) to guests of seasonal farm~~  
20 ~~workers, persons working under the auspices of private~~  
21 ~~organizations whose objective is the health, safety, welfare or~~  
22 ~~dignity of seasonal farm workers, or any individual, group or~~  
23 ~~public agency whose purpose is to provide a service to the owner~~  
24 ~~of a seasonal farm labor camp; or (iii) any physician, dentist,~~  
25 ~~osteopath, or any other person engaged in the provision or~~  
26 ~~rendering of any medical, dental, or health service.~~

27 ~~ARTICLE V~~

28 ~~Construction, Repeals, Penalties,~~

29 ~~Effective Date~~

30 ~~Section 501. Administrative Procedure. The act of June 4,~~

1 ~~1945 (P.L.1388, No.442), known as the "Administrative Agency~~  
2 ~~Law," shall be applicable in its entirety to the Department of~~  
3 ~~Labor and Industry with reference to Article II and Article III,~~  
4 ~~in the administration of this act.~~

5 ~~Section 502. Saving Provision. The provisions of this act~~  
6 ~~shall not affect any act done, liability incurred, right accrued~~  
7 ~~or vested, or any suit or prosecution pending to enforce any~~  
8 ~~right or penalty or punish any offense under the authority of~~  
9 ~~any act of assembly, or part thereof, repealed by this act.~~

10 ~~Section 503. Continuation of Regulations. Orders and~~  
11 ~~regulations promulgated under any law affected by this act and~~  
12 ~~in effect on the effective date of this act and not in conflict~~  
13 ~~with it shall continue in effect until modified, superseded or~~  
14 ~~repealed.~~

15 ~~Section 504. Pending Proceedings. Prosecution for any~~  
16 ~~violation of law occurring prior to the effective date of this~~  
17 ~~act shall not be affected or abated by this act. Injunction~~  
18 ~~proceedings commenced prior to the effective date of this act~~  
19 ~~shall not be affected by this act. Administrative proceedings~~  
20 ~~pending under prior laws which are superseded by this act shall~~  
21 ~~be continued and brought to a final determination in accord with~~  
22 ~~the laws and rules in effect prior to the effective date of this~~  
23 ~~act.~~

24 ~~Section 505. Repeals. All acts and parts of acts are~~  
25 ~~repealed in so far as they are inconsistent herewith.~~

26 ~~Section 506. Penalties. Whoever violates any provision of~~  
27 ~~sections 201 and 205, except section 205(4) and (6) shall, for~~  
28 ~~the first offense, be guilty of a misdemeanor of the second~~  
29 ~~degree and, upon conviction, shall be sentenced to pay a fine~~  
30 ~~not exceeding \$500 or to imprisonment not exceeding two years,~~

~~or both; and for each subsequent offense be guilty of a misdemeanor of the first degree, and upon conviction, shall be sentenced to pay a fine not exceeding \$1,000 or to imprisonment not exceeding five years, or both.~~

~~Section 507. Penalties. (a) Whoever violates any provision of sections 301, 302, 303, 304, 307, 308 or 309 shall, for the first offense, be guilty of a misdemeanor of the second degree and, upon conviction, shall be sentenced to pay a fine not to exceed \$500 or to imprisonment not exceeding two years, or both; and for each subsequent offense, be guilty of a misdemeanor of the first degree, and, upon conviction, shall be sentenced to pay a fine not exceeding \$1,000 or to imprisonment not exceeding five years, or both.~~

~~(b) Whoever violates any provision of sections 401, 402, or 403 shall, for the first offense, be guilty of a summary offense, and, upon conviction shall be sentenced to pay a fine not exceeding \$500 or to imprisonment not exceeding 90 days, or both; and for each subsequent offense, shall be guilty of a misdemeanor of the first degree and, upon conviction, shall be sentenced to pay a fine not exceeding \$1,000 or to imprisonment not exceeding five years, or both.~~

~~(c) Each violation of a provision of a section of this act enumerated in this section shall be considered a subsequent offense for the purposes of this section if the person convicted shall previously have been convicted of a violation of any provision of any section of this act enumerated in this section.~~

~~(d) Prosecution for a violation of any section of this act shall not bar prosecution for a violation of any other section of this act, or of any other law, statute or ordinance resulting from any action of the offender.~~

~~Section 508. Effective Date. This act shall take effect in 90 days but the licensing provisions of Article II shall not be applied until January 1 thereafter.~~

## ARTICLE I

### PRELIMINARY PROVISIONS

SECTION 101. SHORT TITLE.--THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE "SEASONAL FARM LABOR ACT."

SECTION 102. DECLARATION OF INTENT.--IT IS DECLARED TO BE THE INTENT OF THE LEGISLATURE BY THIS ACT TO IMPROVE THE CONDITIONS OF SEASONAL FARM WORKERS BY ESTABLISHING STANDARDS FOR THEIR WAGES, HOURS, CONDITIONS OF WORK AND HOUSING; BY MAKING UNLAWFUL THE PRACTICES BY WHICH SUCH WORKERS MAY BE ISOLATED FROM THE COMMUNITY, AND FROM SERVICES TO WHICH THEY ARE BY LAW ENTITLED AND BY LIMITING CHILD LABOR AMONG SUCH WORKERS.

SECTION 103. DEFINITIONS.--AS USED IN THIS ACT:

"EMPLOYER" MEANS EVERY INDIVIDUAL, FIRM, PARTNERSHIP, ASSOCIATION, TRUST, CORPORATION, RECEIVER OR OTHER OFFICER OF A COURT OF THIS COMMONWEALTH, OR ANY PERSON OR GROUP OF PERSONS ACTING, DIRECTLY OR INDIRECTLY, IN THE INTEREST OF AN EMPLOYER IN RELATION TO ANY EMPLOYEE, EMPLOYING OR PERMITTING TO WORK ANY SEASONAL FARM WORKER IN THIS COMMONWEALTH, AND INCLUDES EVERY FARMER, GROWER, NURSERYMAN OR LANDOWNER WHO EMPLOYS, OR ON WHOSE PREMISES OR IN WHOSE INTEREST IS EMPLOYED, ANY SEASONAL FARM WORKER.

"FARM LABOR CONTRACTOR" MEANS ANY PERSON WHO, FOR PAYMENT, WAGES, SALARY, FEE OR OTHER CONSIDERATION, EITHER FOR HIMSELF OR ON BEHALF OF ANOTHER PERSON, RECRUITS, SOLICITS, HIRES, FURNISHES OR TRANSPORTS FIVE OR MORE SEASONAL FARM WORKERS (EXCLUDING MEMBERS OF HIS IMMEDIATE FAMILY) IN ANY CALENDAR YEAR FOR EMPLOYMENT IN AGRICULTURE OR IN AGRICULTURE-RELATED

1 INDUSTRY. SUCH TERM SHALL NOT INCLUDE (I) ANY PERSON, FIRM,  
2 PARTNERSHIP, ASSOCIATION OR CORPORATION WHICH IS THE HOLDER OF A  
3 VALID AND CURRENT LICENSE PURSUANT TO THE ACT OF JULY 31, 1941  
4 (P.L.616, NO.261), KNOWN AS THE "EMPLOYMENT AGENCY LAW" OR (II)  
5 ANY NONPROFIT CHARITABLE ORGANIZATION, PUBLIC OR NONPROFIT  
6 PRIVATE EDUCATIONAL INSTITUTION, OR SIMILAR ORGANIZATION. IN ANY  
7 CASE IN WHICH A FIRM, PARTNERSHIP, ASSOCIATION, TRUST, OR  
8 CORPORATION ENGAGES IN SUCH ACTIVITY FOR THE PURPOSE OF  
9 SUPPLYING SEASONAL FARM WORKERS SOLELY FOR ITS OWN OPERATION,  
10 THE TERM "FARM LABOR CONTRACTOR" MEANS THAT OFFICER, OFFICIAL,  
11 SUPERVISOR OR EMPLOYEE MOST DIRECTLY RESPONSIBLE FOR SUCH  
12 ACTIVITY. IN ANY CASE IN WHICH AN INDIVIDUAL FARMER, GROWER,  
13 NURSERYMAN OR LANDOWNER ENGAGES IN SUCH ACTIVITY FOR THE PURPOSE  
14 OF SUPPLYING SEASONAL FARM WORKERS SOLELY FOR HIS OWN OPERATION,  
15 OR IN WHICH AN EMPLOYEE OF SUCH INDIVIDUAL ENGAGES IN SUCH  
16 ACTIVITY ON HIS BEHALF, THE TERM "FARM LABOR CONTRACTOR" MEANS  
17 SUCH INDIVIDUAL OR EMPLOYEE.

18 "SEASONAL FARM LABOR" MEANS LABOR OR EMPLOYMENT ENGAGED IN BY  
19 AN INDIVIDUAL DEFINED IN THIS ACT AS A SEASONAL FARM WORKER.

20 "SEASONAL FARM LABOR CAMP" MEANS ANY LIVING QUARTERS, HOUSING  
21 ACCOMMODATIONS, DWELLING, HOTEL, INN, MOTEL, ROOMING HOUSE,  
22 BOARDING HOUSE, DORMITORY, TENEMENT, BUNKHOUSE OR BARRACKS, OR  
23 ANY BUILDING OR BUILDINGS SO USED OR INTENDED FOR USE,  
24 MAINTAINED DIRECTLY OR INDIRECTLY IN CONNECTION WITH ANY WORK OR  
25 PLACE WHERE WORK IS BEING PERFORMED BY SEASONAL FARM WORKERS  
26 WHETHER OR NOT RENT IS PAID OR RESERVED FOR USE OR OCCUPANCY,  
27 AND INCLUDES THE PREMISES OR SITE UPON WHICH SUCH BUILDING OR  
28 BUILDINGS ARE SITUATED, AND ANY FACILITIES NECESSARY TO OR  
29 ASSOCIATED WITH SUCH BUILDING OR BUILDINGS, AND ANY AREA OR SITE  
30 SET ASIDE AND PROVIDED FOR CAMPING OF SEASONAL FARM WORKERS; AND

1 INCLUDES ALL MIGRANT LABOR CAMPS, FARM LABOR CAMPS, SEASONAL  
2 LABOR CAMPS, AGRICULTURAL LABOR CAMPS, AND ALL LABOR CAMPS  
3 OPERATED IN CONNECTION WITH AGRICULTURAL SITUATIONS, SUCH AS  
4 FLOWER PRODUCTION, NURSERIES AND SIMILAR AGRICULTURAL OPERATIONS  
5 INCLUDING CROP AND RELATED FOOD PROCESSING BUT SHALL NOT INCLUDE  
6 BUILDINGS RESERVED EXCLUSIVELY FOR THE PERSONAL USE OF THE  
7 LANDOWNER.

8 "SEASONAL FARM WORKER" MEANS AN INDIVIDUAL EMPLOYED IN  
9 RAISING, CULTIVATING, FERTILIZING, SEEDING, PLANTING, PRUNING,  
10 HARVESTING, GATHERING, WASHING, SORTING, WEIGHING OR HANDLING,  
11 DRYING, PACKING, PACKAGING, PROCESSING, GRADING, STORING OR  
12 DELIVERING TO MARKET OR TO STORAGE OR TO A CARRIER FOR  
13 TRANSPORTATION TO MARKET, IN ITS UNMANUFACTURED STATE, ANY  
14 AGRICULTURAL COMMODITY AS DEFINED IN THE ACT OF SEPTEMBER 20,  
15 1961 (P.L.1541, NO.657), KNOWN AS THE "PENNSYLVANIA AGRICULTURAL  
16 COMMODITIES MARKETING ACT OF 1968," OR ANY FARM PRODUCT AS  
17 DEFINED IN 1 PA. S § 1991 (RELATING TO DEFINITIONS OF TERMS IN  
18 THE STATUTORY CONSTRUCTION ACT OF 1972,) ON A SEASONAL OR OTHER  
19 TEMPORARY BASIS AND INCLUDES EVERY INDIVIDUAL IRRESPECTIVE OF  
20 HIS PRIMARY EMPLOYMENT IF HE PERFORMS AGRICULTURAL LABOR ON A  
21 SEASONAL OR OTHER TEMPORARY BASIS, EXCEPT THOSE PERSONS WHO  
22 COMMUTE DAILY FROM THEIR PERMANENT RESIDENCE TO THE FARM ON  
23 WHICH THEY ARE EMPLOYED.

24 "SECRETARY" MEANS, IN ARTICLE II, THE SECRETARY OF LABOR AND  
25 INDUSTRY, AND IN ARTICLE III, THE SECRETARY OF ENVIRONMENTAL  
26 RESOURCES, EXCEPT WHERE CLEARLY STATED OTHERWISE.

## 27 ARTICLE II

### 28 WAGES AND HOURS

29 SECTION 201. MINIMUM WAGES.--(A) EXCEPT AS MAY OTHERWISE BE  
30 PROVIDED UNDER THIS ARTICLE, EVERY EMPLOYER OF SEASONAL FARM

1 LABOR SHALL PAY TO EACH SEASONAL FARM WORKER, WAGES AT A RATE  
2 WHICH IS AS GREAT OR GREATER THAN THE MINIMUM HOURLY WAGE RATE  
3 IN FORCE UNDER THE ACT OF JANUARY 17, 1968 (P.L.11, NO.5), KNOWN  
4 AS "THE MINIMUM WAGE ACT OF 1968," AT THE TIME PAYMENT IS DUE TO  
5 THE SEASONAL FARM LABORER OR EMPLOYEE.

6 (B) SUCH WAGES SHALL BE PAID AT SUCH RATES NOTWITHSTANDING  
7 ANY CONTRARY PROVISION OR EXCLUSION IN THE MINIMUM WAGE ACT OF  
8 1968, RELATING TO LABOR ON A FARM.

9 (C) NO EMPLOYER SHALL BE REQUIRED TO PAY WAGES AT A RATE  
10 GREATER THAN THAT PROVIDED FOR IN SUBSECTION (A) EVEN IF THE  
11 NUMBER OF HOURS WORKED BY ANY FARM WORKER IN ANY ONE WORKWEEK  
12 EXCEEDS 40 HOURS.

13 SECTION 202. PIECE RATES.--(A) NOTWITHSTANDING THE  
14 PROVISIONS OF SECTION 201, AN EMPLOYER OF SEASONAL FARM LABOR  
15 MAY ADOPT A PIECE RATE OR RATES, OR DIFFERENTIAL PIECE RATE OR  
16 RATES, AS A BASIS FOR, OR A PARTIAL OR ADDITIONAL BASIS FOR, THE  
17 COMPENSATION OF SEASONAL FARM WORKERS IN HIS EMPLOYMENT:  
18 PROVIDED, THAT ANY SUCH PIECE RATE OR RATES, OR DIFFERENTIAL  
19 PIECE RATE OR RATES, SHALL YIELD TO EACH SEASONAL FARM WORKER IN  
20 HIS EMPLOYMENT, IN EACH AND EVERY WORKWEEK, NOT LESS THAN THE  
21 APPLICABLE MINIMUM HOURLY WAGE RATE WHICH SUCH SEASONAL FARM  
22 WORKER WOULD HAVE RECEIVED PURSUANT TO THE PROVISIONS OF SECTION  
23 201, IN THE SAME WORKWEEK.

24 (B) EVERY EMPLOYER OF SEASONAL FARM LABOR WHO ADOPTS A PIECE  
25 RATE OR RATES, OR DIFFERENTIAL PIECE RATE OR RATES, AS A BASIS  
26 FOR OR A PARTIAL OR ADDITIONAL BASIS FOR THE COMPENSATION OF  
27 SEASONAL FARM WORKERS IN HIS EMPLOYMENT, SHALL APPLY SUCH PIECE  
28 RATE OR RATES TO THE WORK DONE BY EVERY MINOR IN HIS EMPLOYMENT  
29 IN THE SAME MANNER AS SUCH RATES ARE APPLIED TO ADULT WORKERS,  
30 AND SHALL COMPENSATE SUCH MINOR AT SUCH RATES AS THEY ARE

1 APPLIED TO WORK DONE BY ADULT WORKERS, SUBJECT TO THE MINIMUM  
2 WAGE PROVISIONS OF SECTION 201.

3 SECTION 203. EMPLOYMENT OF MINORS.--(A) NO MINOR UNDER 14  
4 YEARS OF AGE SHALL BE REQUIRED TO WORK OR PENALIZED FOR FAILURE  
5 TO WORK AS A SEASONAL FARM WORKER EXCEPT THAT THIS SUBSECTION  
6 SHALL NOT APPLY TO ANY MEMBER OF AN EMPLOYER'S IMMEDIATE FAMILY.

7 (B) EVERY MINOR BETWEEN THE AGES OF 14 AND 17 YEARS WHO IS  
8 EMPLOYED OR PERMITTED TO WORK AS A SEASONAL FARM WORKER, AND  
9 EVERY EMPLOYER OF SUCH MINOR, AND EVERY SCHOOL DISTRICT WHEREIN  
10 SUCH MINOR IS SO EMPLOYED, SHALL BE SUBJECT TO THE PROVISIONS OF  
11 THE ACT OF MAY 13, 1915 (P.L.286, NO.177), KNOWN AS THE "CHILD  
12 LABOR LAW"; AND TO THE PROVISIONS OF THE ACT OF JUNE 23, 1931  
13 (P.L.923, NO.309), EXCEPT THAT NO SUCH MINOR SHALL BE EMPLOYED  
14 BETWEEN THE HOURS OF SEVEN O'CLOCK IN THE MORNING AND ONE HOUR  
15 FOLLOWING THE END OF THE SCHOOL DAY ON ANY REGULAR SCHOOL DAY OF  
16 THE SCHOOL DISTRICT WHEREIN HE IS THEN A RESIDENT, WHETHER OR  
17 NOT SUCH MINOR IS REGISTERED AS A PUPIL IN SUCH SCHOOL DISTRICT.

18 (C) NOTWITHSTANDING ANY CONTRARY PROVISION OF ANY OTHER LAW,  
19 EVERY PERSON OF THE AGE OF 17 YEARS OR OLDER WHO IS EMPLOYED AS  
20 A SEASONAL FARM WORKER SHALL BE CONSIDERED AN ADULT FOR THE  
21 PURPOSES OF THIS ACT.

22 SECTION 204. DISCRIMINATION ON ACCOUNT OF SEX PROHIBITED.--  
23 NO EMPLOYER OF SEASONAL FARM LABOR SHALL DISCRIMINATE, WITHIN  
24 THE PURVIEW OF HIS ACTIVITIES, BETWEEN WORKERS ON THE BASIS OF  
25 SEX BY PAYING WAGES TO WORKERS AT A RATE LESS THAN THE RATE AT  
26 WHICH HE PAYS WAGES TO WORKERS OF THE OPPOSITE SEX FOR EQUAL  
27 WORK ON JOBS THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL,  
28 EFFORT, AND RESPONSIBILITY, AND WHICH ARE PERFORMED UNDER  
29 SIMILAR WORKING CONDITIONS, EXCEPT WHERE SUCH PAYMENT IS MADE  
30 PURSUANT TO A SYSTEM WHICH MEASURES EARNINGS BY QUANTITY OR

1 QUALITY OF PRODUCTION. THE SECRETARY OF LABOR AND INDUSTRY SHALL  
2 HAVE THE POWER, AND IT SHALL BE HIS DUTY, TO CARRY OUT AND  
3 ADMINISTER THE PROVISIONS OF THIS SECTION PURSUANT TO THE ACT OF  
4 DECEMBER 17, 1959 (P.L.1913, NO.694), KNOWN AS THE "EQUAL PAY  
5 LAW."

6 SECTION 205. RECORDS REQUIRED; NOTICE TO WORKERS.--(A) EVERY  
7 EMPLOYER OF SEASONAL FARM LABOR, AND EVERY FARM LABOR  
8 CONTRACTOR, SHALL MAKE, KEEP AND PRESERVE SUCH RECORDS,  
9 INCLUDING THE SOCIAL SECURITY NUMBER, OF THE PERSONS EMPLOYED BY  
10 HIM, OR OF THE PERSONS CONTRACTED FOR OR RECRUITED BY HIM, OR  
11 EMPLOYED UNDER HIS SUPERVISION, AND OF THE WAGES, HOURS, WAGE  
12 RATE OR RATES, PIECE RATE OR RATES, AND OTHER CONDITIONS AND  
13 PRACTICES OF EMPLOYMENT MAINTAINED BY HIM, AND SHALL PRESERVE  
14 SUCH RECORDS FOR SUCH PERIODS OF TIME, AND SHALL MAKE SUCH  
15 REPORTS THEREFROM AS SHALL BE REQUIRED BY FEDERAL LAW OR  
16 REGULATION, AND BY COMMONWEALTH LAW OR REGULATION, AND BY THE  
17 LOCAL TAXING BODY. SUCH RECORDS SHALL INCLUDE SATISFACTORY  
18 EVIDENCE OF TIMELY PAYMENT OF WAGES, EITHER BY RECEIPT SIGNED OR  
19 BY CHECK ENDORSED BY THE PAYEE.

20 (B) EVERY EMPLOYER OF SEASONAL FARM LABOR SHALL FURNISH TO  
21 EACH SEASONAL FARM WORKER, AT THE TIME OF PAYMENT OF WAGES,  
22 SALARIES, OR OTHER COMPENSATION FOR TIME, OR LABOR, OR WORK  
23 PERFORMED, A WRITTEN STATEMENT IN SUCH MANNER AND IN SUCH FORM  
24 AS MAY BE PRESCRIBED BY THE DEPARTMENT OF REVENUE, SHOWING THE  
25 AMOUNT OF COMPENSATION PAID BY THE EMPLOYER TO THE SEASONAL FARM  
26 WORKER, THE WAGE RATE OR RATES, HOURS WORKED, PIECE RATE OR  
27 RATES AND UNITS OF WORK PERFORMED IF APPLICABLE, THE COMPUTATION  
28 OF GROSS COMPENSATION, THE AMOUNTS DEDUCTED OR WITHHELD FOR  
29 EVERY PURPOSE, AND SUCH OTHER INFORMATION AS THE DEPARTMENT OF  
30 REVENUE SHALL PRESCRIBE.

1       SECTION 206.   WAGE PAYMENT.--(A) NOTWITHSTANDING ANY CONTRARY  
2   PROVISION OF THE ACT OF JULY 14, 1961 (P.L.637, NO.329), KNOWN  
3   AS THE "WAGE PAYMENT AND COLLECTION LAW," EVERY EMPLOYER OF  
4   SEASONAL FARM LABOR SHALL PAY DIRECTLY ALL WAGES DUE TO EVERY  
5   SEASONAL FARM WORKER, ON ACCOUNT OF TIME, LABOR OR EMPLOYMENT IN  
6   ANY CALENDAR WEEK, INCLUDING PAYMENT FOR PIECE RATES, OR  
7   DIFFERENTIAL PIECE RATES, EXCEPTING ONLY LAWFUL DEDUCTIONS, ON  
8   REGULAR PAYDAYS DESIGNATED IN ADVANCE BY THE EMPLOYER BUT IN NO  
9   CASE MORE THAN SEVEN DAYS AFTER THE END OF SUCH CALENDAR WEEK.

10       (B)   WAGES SHALL BE PAID IN LAWFUL MONEY OF THE UNITED STATES  
11   OR BY CHECK.

12       (C)   NOTWITHSTANDING ANY PROVISION OF SUBSECTION (A), OR OF  
13   ANY OTHER LAW, EVERY EMPLOYER OF SEASONAL FARM LABOR SHALL PAY  
14   IN FULL, PURSUANT TO SUBSECTION (B), ALL WAGES OR OTHER  
15   COMPENSATION FOR TIME, LABOR AND EMPLOYMENT DUE AND PAYABLE TO  
16   EVERY SEASONAL FARM WORKER, WITHIN 72 HOURS UPON TERMINATION OF  
17   THE PERIOD OF EMPLOYMENT FOR WHICH THE SEASONAL FARM WORKER WAS  
18   EMPLOYED OR BEFORE THE CLOSING OF THE SEASONAL FARM LABOR CAMP,  
19   WHICHEVER OCCURS FIRST.

20       (D)   NO EMPLOYER OF SEASONAL FARM LABOR SHALL DEDUCT,  
21   WITHDRAW, WITHHOLD OR OTHERWISE RETAIN FROM THE WAGES OF ANY  
22   SEASONAL FARM WORKER, ANY AMOUNT ON ACCOUNT OF DEBTS ACCRUED OR  
23   ANTICIPATED, REGARDLESS OF PURPOSE OR CIRCUMSTANCE: PROVIDED,  
24   THAT NOTHING IN THIS SUBSECTION SHALL PROHIBIT ANY EMPLOYER OF  
25   SEASONAL FARM LABOR FROM DEDUCTING OR WITHHOLDING FROM ANY WAGES  
26   PAID, SUCH AMOUNTS AS MAY BE REQUIRED ON ACCOUNT OF ANY TAX, OR  
27   OF ANY SOCIAL SECURITY PAYMENT, OR OF DUES PAYABLE TO A  
28   RECOGNIZED LABOR ORGANIZATION, OR OF ANY CONTRIBUTION OR  
29   VOLUNTARY SUBSCRIPTION FOR THE SUPPORT OF A CHARITABLE  
30   ORGANIZATION OR INSTITUTION, OR ON ACCOUNT OF ANY PREMIUM OR

1 OTHER CHARGE DUE FROM THE EMPLOYEE OR WORKER FOR GROUP INSURANCE  
2 PURSUANT TO ANY CONTRACT WITH ANY INSURANCE COMPANY, OR WITH ANY  
3 NONPROFIT CORPORATION PROVIDING MEDICAL, OSTEOPATHIC, DENTAL OR  
4 LEGAL SERVICES, WHICH THE EMPLOYEE OR WORKER HAS AUTHORIZED IN  
5 WRITING, OR OF ANY AMOUNT OR PARTIAL AMOUNT OF ANY ADVANCE  
6 PAYMENT BY THE EMPLOYER TO THE EMPLOYEE OR WORKER AGAINST  
7 SUBSEQUENT EARNINGS PURSUANT TO A CONTRACT OR PRIOR AGREEMENT  
8 WITH SUCH SEASONAL FARM WORKER.

9 (E) NO EMPLOYER OF SEASONAL FARM LABOR SHALL DESIGNATE AS  
10 HIS AGENT, OR SHALL PERMIT TO ACT OR PERFORM AS HIS AGENT, WITH  
11 RESPECT TO THE PAYMENT OF WAGES OR OTHER COMPENSATION, ANY FARM  
12 LABOR CONTRACTOR OR ANY PERSON ENGAGED IN ACTIVITIES AS A FARM  
13 LABOR CONTRACTOR; EXCEPT THAT THIS SUBSECTION SHALL NOT APPLY TO  
14 ANY PERSON, COPARTNERSHIP, ASSOCIATION OR CORPORATION WHICH IS  
15 THE HOLDER OF A VALID AND CURRENT LICENSE PURSUANT TO THE ACT OF  
16 JULY 31, 1941 (P.L.616, NO.261), KNOWN AS THE "EMPLOYMENT AGENCY  
17 LAW." IF NO SUCH FARM LABOR CONTRACTOR EXISTS, THIS REQUIREMENT  
18 SHALL APPLY ALSO TO THE FARMER, GROWER, NURSERYMAN OR LANDOWNER.

19 (F) NO PROVISION OF THIS SECTION SHALL BE CONSTRUED TO  
20 DEPRIVE ANY SEASONAL FARM WORKER, OF ANY RIGHT OR PRIVILEGE TO  
21 WHICH HE IS OR WOULD BE ENTITLED UNDER ANY GENERAL LAW OF THE  
22 COMMONWEALTH, OR BY ANY RULES OR REGULATIONS PROMULGATED  
23 PURSUANT TO ANY SUCH LAW.

24 (G) IF AN EMPLOYER OF SEASONAL FARM WORKERS FURNISHES A  
25 STATEMENT TO EACH SEASONAL FARM WORKER INCLUDING THE WAGE RATE  
26 OR RATES, PIECE RATE OR RATES AND OTHER CONDITIONS AND PRACTICES  
27 OF EMPLOYMENT WHICH HAVE BEEN AGREED UPON PRIOR TO HIRING AND  
28 ALSO POSTS SUCH STATEMENT IN AN EASILY ACCESSIBLE PLACE TO THE  
29 SEASONAL FARM WORKERS, THEN THE EMPLOYER MAY ALLOW THE FARM  
30 LABOR CONTRACTOR TO ACT AS HIS AGENT.

1 IF THE EMPLOYER DECIDES TO ALLOW THE FARM LABOR CONTRACTOR TO  
2 ACT AS HIS AGENT, THEN FOR THE PURPOSES OF SECTION 205(B) AND  
3 SECTION 206 THE FARM LABOR CONTRACTOR SHALL BE CONSIDERED TO BE  
4 THE EMPLOYER.

5 SECTION 207. HOURS OF LABOR.--(A) NO SEASONAL FARM WORKER,  
6 SHALL BE REQUIRED TO WORK OR PENALIZED FOR FAILURE TO WORK ON  
7 ANY PREMISES FOR MORE THAN SIX DAYS IN ANY ONE WEEK OR MORE THAN  
8 48 HOURS IN ANY ONE WEEK, OR MORE THAN TEN HOURS IN ANY ONE DAY.

9 (B) WHENEVER ANY SEASONAL FARM WORKER SHALL BE EMPLOYED OR  
10 PERMITTED TO WORK ON THE PREMISES OF MORE THAN ONE EMPLOYER IN  
11 ANY ONE WEEK OR IN ANY ONE DAY, THE AGGREGATE NUMBER OF HOURS  
12 DURING WHICH HE SHALL BE REQUIRED TO WORK ON SUCH PREMISES SHALL  
13 NOT EXCEED 48 IN ANY ONE WEEK OR TEN IN ANY ONE DAY.

14 (C) NO SEASONAL FARM WORKER SHALL BE REQUIRED TO WORK FOR  
15 MORE THAN FIVE HOURS CONTINUOUSLY ON ANY PREMISES WITHOUT A MEAL  
16 OR REST PERIOD OF AT LEAST 30 MINUTES, WHICH PERIOD SHALL NOT BE  
17 CONSIDERED A PART OF THE HOURS OF LABOR, AND NO PERIOD OF LESS  
18 THAN 30 MINUTES SHALL BE DEEMED TO INTERRUPT A CONTINUOUS PERIOD  
19 OF WORK.

### 20 ARTICLE III

#### 21 REGULATIONS AND INSPECTIONS

22 SECTION 301. RULES AND REGULATIONS.--(A) THE SECRETARY,  
23 SUBJECT TO THE PRIOR COMMENT OF THE SEASONAL FARM LABOR  
24 COMMITTEE ESTABLISHED IN SUBSECTION (B), SHALL ADOPT, AMEND AND  
25 REPEAL SUCH RULES AND REGULATIONS AS HE DEEMS NECESSARY FOR  
26 CARRYING OUT THE FUNCTIONS OF THE DEPARTMENT OF ENVIRONMENTAL  
27 RESOURCES UNDER THIS ACT. THE SEASONAL FARM LABOR COMMITTEE  
28 SHALL SUBMIT COMMENTS ON EXISTING RULES AND REGULATIONS TO THE  
29 SECRETARY AND THE ENVIRONMENTAL QUALITY BOARD.

30 (B) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT OF

1 ENVIRONMENTAL RESOURCES A SEASONAL FARM LABOR COMMITTEE  
2 CONSISTING OF THE SECRETARY OF ENVIRONMENTAL RESOURCES OR HIS  
3 DESIGNEE, WHO SHALL BE CHAIRMAN, THE SECRETARY OF AGRICULTURE OR  
4 HIS DESIGNEE, THE SECRETARY OF LABOR AND INDUSTRY OR HIS  
5 DESIGNEE AND SIX PERSONS APPOINTED BY THE GOVERNOR FOR TERMS OF  
6 FOUR YEARS, THREE OF WHOM SHALL BE SELECTED FROM LISTS SUBMITTED  
7 BY GROWER ORGANIZATIONS AND SHALL BE EMPLOYERS OF SEASONAL FARM  
8 LABOR OR PERSONS WITH EXPERIENCE IN USING SEASONAL FARM LABOR  
9 FOR AGRICULTURAL PURPOSES, AND THREE OF WHOM SHALL BE  
10 REPRESENTATIVES OF STATEWIDE ORGANIZATIONS OR AGENCIES ACTIVELY  
11 ENGAGED IN THE WELFARE OF SEASONAL FARM WORKERS. OF THE MEMBERS  
12 FIRST APPOINTED, ONE SHALL SERVE ONE YEAR, ONE SHALL SERVE TWO  
13 YEARS, TWO SHALL SERVE THREE YEARS AND TWO SHALL SERVE FOUR  
14 YEARS. THE PUBLIC MEMBERS SHALL BE REIMBURSED FOR NECESSARY  
15 EXPENSES INCURRED IN PERFORMING THEIR DUTIES UNDER THIS SECTION.

16 (C) THE ENVIRONMENTAL QUALITY BOARD SHALL HAVE NO POWER TO  
17 ADOPT RULES OR REGULATIONS FOR SEASONAL FARM LABOR OR LABOR  
18 CAMPS EXCEPT AFTER RECEIVING WRITTEN COMMENTS ON THE PROPOSED  
19 RULES OR REGULATIONS FROM THE SEASONAL FARM LABOR COMMITTEE  
20 WHICH SHALL BE SUBMITTED TO THE ENVIRONMENTAL QUALITY BOARD NO  
21 LATER THAN 30 DAYS AFTER RECEIPT OF THE PROPOSED CHANGE IN THE  
22 RULES OR REGULATIONS FROM THE SECRETARY. THE CHAIRMAN OF THE  
23 SEASONAL FARM LABOR COMMITTEE SHALL CALL A MEETING OF THE  
24 COMMITTEE WHENEVER RULES OR REGULATIONS ARE PROPOSED. EXISTING  
25 RULES AND REGULATIONS SHALL CONTINUE UNTIL MODIFIED, SUPERSEDED  
26 OR REPEALED BY THE SECRETARY UNDER THIS SECTION.

27 SECTION 302. INSPECTIONS AND ENTRY.--(A) EACH SEASONAL FARM  
28 LABOR CAMP SHALL BE INSPECTED BY THE DEPARTMENT OF ENVIRONMENTAL  
29 RESOURCES FROM TIME TO TIME. INSPECTORS SHALL BE AUTHORIZED TO  
30 CONSULT WITH AND TO ASSIST CAMP OWNERS AND OPERATORS WITH

1 RESPECT TO THE REQUIREMENTS OF THIS ACT, OF RULES AND  
2 REGULATIONS ISSUED PURSUANT TO THIS ACT, AND OF OTHER STATUTES  
3 AND ORDINANCES. INSPECTORS SHALL ASCERTAIN AND REPORT TO THE  
4 DEPARTMENT ALL VIOLATIONS OF THIS ACT OR OF RULES AND  
5 REGULATIONS ISSUED THEREUNDER, OR OF ANY OTHER ACT, RULES OR  
6 REGULATIONS APPARENT IN THE COURSE OF ANY INSPECTION. THE  
7 INSPECTOR SHALL PROVIDE THE CAMP OWNER WITH A COPY OF THE  
8 INSPECTION SHEET IMMEDIATELY FOLLOWING THE INSPECTION.

9 (B) THE SECRETARY, AND HIS AUTHORIZED OFFICERS AND AGENTS,  
10 UPON PROPER IDENTIFICATION, MAY FOR THE PURPOSES OF THIS ACT:

11 (1) ENTER PUBLIC OR PRIVATE PROPERTY TO DETERMINE WHETHER  
12 THERE EXISTS ANY CAMP TO WHICH THIS ACT APPLIES;

13 (2) ENTER AND INSPECT ALL CAMPS WHERESOEVER SITUATE, AND  
14 INSPECT ALL SITES, ACCOMMODATIONS, EQUIPMENT OR FACILITIES  
15 ASSOCIATED THEREWITH; AND

16 (3) ENTER AND INSPECT THE LAND ADJACENT TO ANY CAMP,  
17 EXCLUDING THAT RESERVED SOLELY FOR THE OWNER'S PERSONAL USE, TO  
18 DETERMINE WHETHER THE REQUIREMENTS OF THIS ACT, OR OF ANY RULES  
19 AND REGULATIONS ISSUED PURSUANT TO THIS OR ANY OTHER ACT, ARE  
20 BEING COMPLIED WITH.

#### 21 ARTICLE IV

#### 22 ACCESS AND ENTRY

23 SECTION 401. PRIVILEGED PERSONS.--THE ENTRY TO, OR EGRESS  
24 FROM THE PREMISES OF ANY SEASONAL FARM LABOR CAMP SHALL NOT BE  
25 DENIED BY ANY MEANS, NOR SHALL ANY PERSON ATTEMPT TO DENY OR TO  
26 LIMIT THE ACCESS TO OR EGRESS FROM ANY SEASONAL FARM LABOR CAMP  
27 AT ANY TIME; TO (I) ANY INSPECTOR EMPLOYED BY ANY DEPARTMENT,  
28 BOARD, AGENCY, BUREAU, COMMISSION OR SERVICE OF THE GOVERNMENT  
29 OF THE UNITED STATES, OR OF THE COMMONWEALTH OF PENNSYLVANIA, OR  
30 OF ANY LOCAL GOVERNMENT, OR THE EXECUTIVE OR ADMINISTRATIVE

1 OFFICER OF ANY SUCH DEPARTMENT, BOARD, AGENCY, BUREAU,  
2 COMMISSION OR SERVICE, OR HIS DULY AUTHORIZED REPRESENTATIVE  
3 WHILE ON OFFICIAL GOVERNMENTAL BUSINESS WHO SHALL, UPON REQUEST,  
4 PRESENT PROPER IDENTIFICATION; OR (II) TO GUESTS OF SEASONAL  
5 FARM WORKERS, PERSONS WORKING UNDER THE AUSPICES OF PRIVATE  
6 ORGANIZATIONS WHOSE PRIMARY OBJECTIVE IS THE HEALTH, SAFETY,  
7 WELFARE OR DIGNITY OF SEASONAL FARM WORKERS OR ANY INDIVIDUAL,  
8 GROUP OR PUBLIC AGENCY WHOSE PRIMARY PURPOSE IS TO PROVIDE A  
9 SERVICE TO THE OWNER OF A SEASONAL FARM LABOR CAMP, PROVIDED,  
10 THAT THE PRESENCE OF SUCH INDIVIDUALS OR GROUPS IS REQUESTED OR  
11 APPROVED BY THE OCCUPANTS OF THE FARM LABOR CAMPS AND THE OWNER  
12 IS PROPERLY NOTIFIED.

13 ARTICLE V

14 CONSTRUCTION, REPEALS, PENALTIES,

15 EFFECTIVE DATE

16 SECTION 501. ADMINISTRATIVE PROCEDURE.--THE ACT OF JUNE 4,  
17 1945 (P.L.1388, NO.442), KNOWN AS THE "ADMINISTRATIVE AGENCY  
18 LAW," SHALL BE APPLICABLE IN ITS ENTIRETY TO THE DEPARTMENT OF  
19 LABOR AND INDUSTRY WITH REFERENCE TO ARTICLE II, AND TO THE  
20 DEPARTMENT OF ENVIRONMENTAL RESOURCES WITH REFERENCE TO ARTICLE  
21 III, IN THE ADMINISTRATION OF THIS ACT.

22 SECTION 502. SAVING PROVISION.--THE PROVISIONS OF THIS ACT  
23 SHALL NOT AFFECT ANY ACT DONE, LIABILITY INCURRED, OR RIGHT  
24 ACCRUED OR VESTED, OR AFFECT ANY SUIT OR PROSECUTION PENDING TO  
25 ENFORCE ANY RIGHT OR PENALTY OR PUNISH ANY OFFENSE UNDER THE  
26 AUTHORITY OF ANY ACT OF ASSEMBLY, OR PART THEREOF, REPEALED BY  
27 THIS ACT.

28 SECTION 503. CONTINUATION OF REGULATIONS.--ANY ORDERS AND  
29 REGULATIONS PROMULGATED UNDER ANY LAW AFFECTED BY THIS ACT AND  
30 IN EFFECT ON THE EFFECTIVE DATE OF THIS ACT AND NOT IN CONFLICT

1 WITH IT SHALL CONTINUE IN EFFECT UNTIL MODIFIED, SUPERSEDED OR  
2 REPEALED.

3 SECTION 504. PENDING PROCEEDINGS.--PROSECUTION FOR ANY  
4 VIOLATION OF LAW OCCURRING PRIOR TO THE EFFECTIVE DATE OF THIS  
5 ACT IS NOT AFFECTED OR ABATED BY THIS ACT. INJUNCTIVE  
6 PROCEEDINGS COMMENCED PRIOR TO THE EFFECTIVE DATE OF THIS ACT  
7 ARE NOT AFFECTED BY THIS ACT. ALL ADMINISTRATIVE PROCEEDINGS  
8 PENDING UNDER PRIOR LAWS WHICH ARE SUPERSEDED BY THIS ACT SHALL  
9 BE CONTINUED AND BROUGHT TO A FINAL DETERMINATION IN ACCORD WITH  
10 THE LAWS AND RULES IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS  
11 ACT. THIS ACT APPLIES TO VIOLATIONS OF LAW, INJUNCTIVE  
12 PROCEEDINGS, ADMINISTRATIVE PROCEEDINGS AND INVESTIGATIONS WHICH  
13 OCCUR FOLLOWING ITS EFFECTIVE DATE.

14 SECTION 505. REPEALS.--ALL ACTS AND PARTS OF ACTS  
15 INCONSISTENT HEREWITH ARE REPEALED TO THE EXTENT OF SUCH  
16 INCONSISTENCY, PROVIDED THAT NOTHING IN THIS ACT SHALL BE  
17 CONSTRUED TO REPEAL OR MODIFY THE POWERS AND DUTIES OF ANY  
18 AGENCY OF THE COMMONWEALTH PURSUANT TO SECTION 9 OF THE ACT OF  
19 MAY 18, 1937 (P.L.654, NO.174), ENTITLED, AS AMENDED, "AN ACT TO  
20 PROVIDE FOR THE SAFETY AND TO PROTECT THE HEALTH AND MORALS OF  
21 PERSONS WHILE EMPLOYED; PRESCRIBING CERTAIN REGULATIONS AND  
22 RESTRICTIONS CONCERNING PLACES WHERE PERSONS ARE EMPLOYED, AND  
23 THE EQUIPMENT, APPARATUS, MATERIALS, DEVICES AND MACHINERY USED  
24 THEREIN; PRESCRIBING CERTAIN POWERS AND DUTIES OF THE DEPARTMENT  
25 OF LABOR AND INDUSTRY RELATIVE TO THE ENFORCEMENT OF THIS ACT;  
26 AND FIXING PENALTIES."

27 SECTION 506. PENALTIES.--WHOEVER VIOLATES ANY PROVISION OF  
28 ANY SECTION OF THIS ACT, SHALL, FOR THE FIRST OFFENSE IN A  
29 SUMMARY PROCEEDING, BE SENTENCED TO PAY A FINE OF NOT MORE THAN  
30 \$50 AND COST OF PROSECUTION OR TO UNDERGO IMPRISONMENT FOR NOT

1 MORE THAN TEN DAYS, AND FOR A SECOND OR SUBSEQUENT OFFENSE  
2 WITHIN ONE YEAR, SHALL BE GUILTY OF A MISDEMEANOR AND UPON  
3 CONVICTION SHALL BE SENTENCED TO PAY A FINE OF NOT MORE THAN  
4 \$500 OR TO UNDERGO IMPRISONMENT NOT EXCEEDING SIX MONTHS OR  
5 BOTH. FOR THE PURPOSES OF THIS SECTION VIOLATIONS OCCURRING FOR  
6 15 CONSECUTIVE DAYS SHALL BE CONSIDERED ONE OFFENSE.

7 SECTION 507. EFFECTIVE DATE.--THIS ACT SHALL TAKE EFFECT 90  
8 DAYS AFTER ITS APPROVAL.