

New Well Water Testing Requirements for H-2A Worker Housing

Employers, new federal regulations require that all H-2A worker housing be provided with an “...adequate and convenient supply of water that meets New York State Department of Health standards.”

The Department of Labor inspects H-2A housing that will house 4 or fewer workers.

If your H-2A housing uses well water, you must:

- Have the well water tested twice per season:
 - Pre-Occupancy Test, done prior to or during the housing inspection.
 - Mid-Season Test, done mid-season to ensure continued compliance.
- Send the test results to the Department as part of the housing inspection. You may email them to: labor.sm.dipa.Water.Results@labor.ny.gov.

Minimally, well water must be tested for the presence of coliform bacteria.

- **No level of coliform bacteria is acceptable.**
- Testing for additional safety measures is recommended.

If your test results show the water supply is not compliant you must immediately follow the next two steps to comply with this regulation:

- Sign and submit the statement attesting that you will immediately provide adequate bottled water to all occupants for the purposes of drinking, cooking, and bathing.
- Continue to provide bottled water until the well water test results are deemed compliant. And, immediately begin water treatment.

Well water tests must be completed by an Environmental Laboratory Approval Program (ELAP) certified lab. For a list of labs go to: <https://www.wadsworth.org/regulatory/elap/certified-labs>.

Questions? Contact us!

- Telephone: Caylin Gwise - 585-258-8855
- Email: labor.sm.dipa.Water.Results@labor.ny.gov
- Website: <https://www.labor.ny.gov/immigrants/foreign-labor-certification-unit/h-2a.shtm>