

State Farmworker Definitions

<p>Overview</p>	<p>The following Farm Work definitions were derived from HB 2154 Section 1(5) in the 2011 Legislative session.</p>
<p>Definitions</p>	
<p>Farm Work</p>	<p>Farm work is defined as work in connection with cultivating the soil, raising or harvesting any agriculture commodity or aquaculture commodity. It is also work in connection with catching, netting, handling, planting, drying, packing, grading, storing, or preserving in its unmanufactured state any agriculture or aquaculture commodity. It is also delivering to storage, market, or a carrier for transportation to market or to processing any agricultural or aqua-cultural commodity. Farm work can be in the forestation or reforestation of lands, including but not limited to the planting, transplanting, tubing, pre-commercial thinning and thinning of trees and seedlings, the clearing, piling and disposal of brush and slash and other related activities.</p>
<p>Farmworker</p>	<p>A farmworker is defined as a person working in connection with cultivating the soil, raising or harvesting any agriculture or aquaculture commodity. A farmworker may also work in connection with catching, netting, handling, planting, drying, packing, grading, storing, or preserving in its unmanufactured state any agriculture or aquaculture commodity. A farmworker may deliver to storage, market, or a carrier for transportation to market or to processing any agricultural or aqua-cultural commodity. Also, a farmworker can work in the forestation or reforestation of lands, including but not limited to the planting, transplanting, tubing pre-commercial thinning and thinning of trees and seedlings, the clearing, piling and disposal of brush and slash and other related activities.</p> <p>There are three categories within the definition of farmworker; permanent, seasonal, and migrant. Each of these categories represents a distinct population who may have needs that are unique to their population:</p> <ul style="list-style-type: none"> • A permanent farmworker is defined as a farmworker whose primary source of income comes from farm work and is compensated by a constant year round salary or wage. • A seasonal farmworker is defined as a farmworker who was employed in farm work at least 25 days and earned at least \$400 during a twelve month period and who has been primarily employed in farm work on a seasonal basis without a constant year round salary or wage. • A migrant farmworker is defined as a seasonal farmworker who performs farm work during the past twelve months which requires travel such that the worker is unable to return to his/her domicile (permanent place of residence) within the same day and who establish a temporary residence while performing farm work at one or more locations away from the place he/she calls home or home base. (this does not include day-haul farmworkers whose travels are limited to work areas within one day of their work locations.) <p>Note: Certain programs at OHCS may have more limiting definitions of a farmworker than that above, such as a requirement of being a citizen or legal permanent resident, or excluding aqua-culture work.</p>