

Chapter ILHR 147

SEASONAL AGRICULTURAL EMPLOYERS

ILHR 147.001 Definitions
ILHR 147.01 Purpose

ILHR 147.02 Affected employers

ILHR 147.001 Definitions. Unless the context clearly indicates a different meaning, the definitions in ch. ILHR 100 apply to this chapter.

History: Cr. Register, September, 1995, No. 477, eff. 10-1-95.

ILHR 147.01 Purpose. (1) Under s. 108.066, Stats., an employer engaged in agricultural activities may apply to the department by May 31 for designation as a seasonal employer. In response to such application the department shall issue an appealable determination by June 30. The department shall grant seasonal employer designation if it determines that:

(a) The employer is primarily engaged in agricultural production, agricultural services, forestry, or commercial fishing, hunting, or trapping;

(b) The employer customarily operates primarily during 2 calendar quarters within a year;

(b) At least 75% of the wages paid by the employer during the

preceding year were paid for work performed during those 2 calendar quarters; and

(c) The employer is not delinquent in making any contribution report or payment.

(2) This chapter enumerates which employers the department shall consider to be primarily engaged in agricultural production, agricultural services, forestry, or commercial fishing, hunting, or trapping.

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94.

ILHR 147.02 Affected employers. An employer shall be considered to be primarily engaged in agricultural production, agricultural services, forestry, or commercial fishing, hunting, or trapping if the department determines that the employer's primary type of business activity is one of those specified in figure ILHR 147.02 and assigns the employer one of the Standard Industrial Classification (SIC) codes listed in that figure. [see Figure 147.02 following]

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94.

0139 **Field Crops, Except Cash Grains, Not Elsewhere Classified**
Establishments primarily engaged in the production of field crops, except cash grains, not elsewhere classified.

Alfalfa farms
Broomcorn farms
Clover farms
Grass seed farms
Hay farms
Hop farms

Mint farms
Peanut farms
Potato farms, sweet
Sweet potato farms
Timothy farms
Yam farms

016

VEGETABLES AND MELONS

0161 **Vegetables and Melons**
Establishments primarily engaged in the production of vegetables and melons in the open. Those primarily engaged in growing vegetables under glass or other protection are in 0182; those producing dry field and seed beans and peas are in 0119; those producing Irish potatoes are in 0134, and those producing sweet potatoes and yams are in 0139.

Asparagus farms
Bean farms, except dry beans
Beet farms, except sugar beet
Bok choy farms
Broccoli farms
Cabbage farms
Cantaloupe farms
Cauliflower farms
Celery farms
Corn farms, sweet
Cucumber farms
English pea farms
Green lima bean farms
Green pea farms

Lettuce farms
Market gardens
Melon farms
Onion farms
Pea farms, except dry peas
Pepper farms, sweet and hot (vegetables)
Romaine farms
Snap bean farms (bush and pole)
Squash farms
Tomato farms
Truck farms
Vegetable farms
Watermelon farms

017

FRUITS AND TREE NUTS

0171 **Berry Crops**
Establishments primarily engaged in the production of cranberries, bush berries, and strawberries.

Berry farms
Blackberry farms
Blueberry farms
Cranberry bogs
Currant farms

Dewberry farms
Loganberry farms
Raspberry farms
Strawberry farms

0172 **Grapes**
Establishments primarily engaged in the production of grapes.

Grape farms

Vineyards

0173 **Tree Nuts**
Establishments primarily engaged in the production of tree nuts.

Almond groves and farms
Filbert groves and farms
Macadamia groves and farms

Pecan groves and farms
Pistachio groves and farms
Walnut groves and farms

0174 **Citrus Fruits**
Establishments primarily engaged in the production of citrus fruits.

Citrus groves and farms
Grapefruit groves and farms
Lemon groves and farms

Lime groves and farms
Orange groves and farms
Tangerine groves and farms

0175 **Deciduous Tree Fruits**
Establishments primarily engaged in the production of deciduous tree fruits. Those primarily growing citrus fruits are in 0174, and those growing tropical fruits are in 0179.

Apple orchards and farms
Apricot orchards and farms
Cherry orchards and farms
Nectarine orchards and farms
Peach orchards and farms
Pear orchards and farms

Persimmon orchards and farms
Plum orchards and farms
Pomegranate orchards and farms
Prune orchards and farms
Quince orchards and farms

0179 Fruits and Tree Nuts, Not Elsewhere Classified
Establishments primarily engaged in the production of fruits and nuts, not elsewhere classified.

- | | |
|----------------------------|------------------------|
| Avocado orchards and farms | Kiwi fruit farms |
| Banana farms | Olive groves and farms |
| Coffee farms | Pineapple farms |
| Date orchards and farms | Plantain farms |
| Fig orchards and farms | Tropical fruit farms |

018

HORTICULTURAL SPECIALTIES

0181 Ornamental Floriculture and Nursery Products
Establishments primarily engaged in the production of ornamental plants and other nursery products, such as bulbs, florists' greens, flowers, shrubbery, flower and vegetable seeds and plants, and sod. These products may be grown under cover (greenhouse, frame, cloth house, lath house) or outdoors.

- | | |
|--|--|
| Bedding plants, growing of | Nursery stock, growing of |
| Bulbs, growing of | Plants, ornamental: growing of |
| Field nurseries: growing of flowers and shrubbery, except forest shrubbery | Plants, potted: growing of |
| Florists' greens, cultivated: growing of | Rose growers |
| Flowers, growing of | Seeds, flower and vegetable: growing of |
| Foliage, growing of | Shrubberies, except forest shrubbery: growing of |
| Fruit stocks, growing of | Sod farms |
| Greenhouses for floral products | Vegetable bedding plants, growing of |
| Mats, preseeded: soil erosion - growing of | |

0182 Food Crops Grown Under Cover
Establishments primarily engaged in the production of mushrooms or of fruits and vegetables grown under cover.

- | | |
|-------------------------------------|------------------------------|
| Bean sprouts grown under cover | Rhubarb grown under cover |
| Fruits grown under cover | Seaweed grown under cover |
| Greenhouses for food crops | Tomatoes grown under cover |
| Hydroponic crops, grown under cover | Truffles grown under cover |
| Mushroom spawn, production of | Vegetables grown under cover |
| Mushrooms, growing of | |

019

GENERAL FARMS, PRIMARILY CROP

0191 General Farms, Primarily Crop
Establishments deriving a majority of their total value of sales of agricultural products from crops, including horticultural specialties, but not from products of any single three-digit industry group.

Crop farms, general

Major Group 02. AGRICULTURAL PRODUCTION - LIVESTOCK AND ANIMAL SPECIALTIES

This major group includes establishments (e.g., farms, ranches, dairies, feedlots, egg production facilities, broiler facilities, poultry hatcheries, apiaries) primarily engaged in the keeping, grazing, or feeding of livestock for the sale of livestock or livestock products (including serums), for livestock increase, or for value increase. Livestock, as used here, includes cattle, hogs, sheep, goats, and poultry of all kinds; also included in this major group are animal specialties, such as horses, rabbits, bees, fish in captivity, and fur-bearing animals in captivity.

Industry Group No.	Industry No.
021	

LIVESTOCK, EXCEPT DAIRY AND POULTRY

0211 Beef Cattle Feedlots
Establishments primarily engaged in the fattening of beef cattle in a confined area for a period of at least 30 days, on their own account or on a contract or fee basis. Feedlot operations that are an integral part of the breeding, raising, or grazing of beef cattle are in 0212. Establishments which feed beef cattle for periods of less than 30 days, generally in connection with their transport, are not included.

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|---------------------------|--|
| Cattle feeding farms | Feedlots, cattle |
| Cattle feedlot operations | Stockyards, exclusively for fattening cattle |

- 0212 Beef Cattle, Except Feedlots**
Establishments primarily engaged in the production of feeding of beef cattle, except feedlots. Those primarily raising dairy cattle are in 0241.
- Beef cattle farms, except feedlots
Cattle raising farms
- Cattle ranches
- 0213 Hogs**
Establishments primarily engaged in the production or feeding of hogs on their own account or on a contract or fee basis.
- Feedlots, hog
- Hog farms
- 0214 Sheep and Goats**
Establishments primarily engaged in the production of sheep, lambs, goats, goats' milk, wool, and mohair, including the operation of lamb feedlots, on their own account or on a contract or fee basis.
- Feedlots, lamb
Goat farms
Goats' milk production
Mohair
- Sheep feeding farms and ranches
Sheep raising farms and ranches
Wool production
- 0219 General Livestock, Except Dairy and Poultry**
Establishments deriving a majority of their total value of sales of agricultural products from livestock and livestock products but not from products of any single industry.
- 024 DAIRY FARMS**
- 0241 Dairy Farms**
Establishments primarily engaged in the production of cows' milk and other dairy products and in raising dairy heifer replacements. Such farms may process and bottle milk on the farm and sell at wholesale or retail. However, the processing and/or distribution of milk from a separate establishment not on the farm is in manufacturing or trade. Those primarily producing goats' milk are in 0214.
- Dairy farms
Milk production, dairy cattle farm
- Dairy heifer replacement farms
- 025 POULTRY AND EGGS**
- 0251 Broiler, Fryer, and Roaster Chickens**
Establishments primarily engaged in the production of chickens for slaughter, including those grown under contract.
- Broiler chickens, raising of
Chicken farms or ranches, raising for slaughter
- Cornish hen farms
Frying chickens, raising of
Roasting chickens, raising of
- 0252 Chicken Eggs**
Establishments primarily engaged in the production of chicken eggs, including table eggs and hatching eggs, and in the sale of cull hens.
- Chicken egg farms
- Started pullet farms
- 0253 Turkeys and Turkey Eggs**
Establishments primarily engaged in the production of turkeys and turkey eggs.
- Turkey egg farms and ranches
- Turkey farms and ranches
- 0254 Poultry Hatcheries**
Establishments primarily engaged in operating poultry hatcheries on their own account or on a contract or fee basis.
- Chicken hatcheries
Poultry hatcheries
- Egg hatcheries, poultry
- 0259 Poultry and Eggs, Not Elsewhere Classified**
Establishments primarily engaged in the production of poultry and eggs, not elsewhere classified.
- Duck farms
Egg farms, poultry: except chicken and turkey
Geese farms
- Pheasant farms
Pigeon farms
Quail farms
Squab farms

027

ANIMAL SPECIALTIES

0271

Fur-Bearing Animals and Rabbits

Establishments primarily engaged in the production of fur and fur-bearing animals and rabbits.

Chinchilla farms
Fox farms
Fur farms

Game farms (fur-bearing animals)
Mink farms
Rabbit Farms

0272

Horses and Other Equines

Establishments primarily engaged in the production of horses and other equines.

Burrow farms
Donkey farms
Horse farms

Mules farms
Pony farms

0273

Animal Aquaculture

Establishments primarily engaged in the production of finfish and shellfish, such as crustaceans and mollusks, within a confined space and under controlled feeding, sanitation, and harvesting procedures. Those primarily engaged in hatching fish and in operating fishing preserves are in 0921.

Catfish farms
Crustacean farms
Finfish farms
Fish farms, except hatcheries
Goldfish farms

Minnow farms
Mollusk farms
Tropical aquarium fish farms
Trout farms

0279

Animal Specialties, Not Elsewhere Classified

Establishments primarily engaged in the production of animal specialties, not elsewhere classified, such as pets, bees, worms, and laboratory animals.

Alligator farms
Apiaries
Aviaries (e.g., parakeet, canary, love birds)
Bee farms
Cat farms
Dog farms
Earthworm hatcheries
Frog farms

Honey production
Kennels, breeding and raising own stock
Laboratory animal farms (e.g., rats, mice, guinea pigs)
Rattlesnake farms
Silk (raw) production and silkworm farms
Worm farms.

029

GENERAL FARMS, PRIMARILY LIVESTOCK AND ANIMAL SPECIALTIES

0291

General Farms, Primarily Livestock and Animal Specialties

Establishments deriving a majority of their total value of sales of agricultural products from livestock and animal specialties and their products, but not from products of any single three-digit industry group.

Animal specialty and livestock farms, general

Livestock and animal specialty farms

Major Group 07. - AGRICULTURAL SERVICES

This major group includes establishments primarily engaged in performing soil preparation services, crop services, veterinary services, other animal services, farm labor and management services, and landscape and horticultural services, for others on a contract or fee basis.

Industry Group No.	Industry No.
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071

SOIL PREPARATION SERVICES

0711

Soil Preparation Services

Establishments primarily engaged in land breaking, plowing, application of fertilizer, seed bed preparation, and other services for improving the soil for crop planting. Those primarily engaged in land clearing and earth moving for terracing and pond and irrigation construction are not included.

Chemical treatment of soil for crops
Fertilizer application for crops
Lime spreading for crops

Plowing
Seed bed preparation
Weed control, crop: before planting

072

CROP SERVICES

0721

Crop Planting, Cultivating, and Protecting

Establishments primarily engaged in performing crop planting, cultivating, and protecting services. Those primarily engaged in complete maintenance of citrus groves, orchards, and vineyards are in 0762. Those providing water for irrigation, or providing both water and irrigation services, are not included.

Aerial dusting and spraying
Bracing of orchard trees and vines
Citrus grove cultivation services
Cultivation services, mechanical and flame
Detasseling of corn
Disease control for crops, with or without fertilizing
Dusting crops, with or without fertilizing
Entomological service, agricultural
Hoeling
Insect control for crops, with or without fertilizing
Irrigation system operation services (not providing water)
Orchard cultivation services

Planting crops, with or without fertilizing
Pollinating
Pruning of orchard trees and vines
Seeding crops, with or without fertilizing
Seeding of sprouts and twigs
Spraying crops, with or without fertilizing
Surgery on orchard trees and vines
Thinning of crops, mechanical and chemical
Trees, orchard: cultivation of
Trees, orchard: planting, pruning, bracing, spraying, removal, and surgery
Vineyard cultivation services
Weed control, crop: after planting.

0722

Crop Harvesting, Primarily by Machine

Establishments primarily engaged in mechanical harvesting, picking, and combining of crops, and related activities, using machinery provided by the service firm. Farm labor contractors providing personnel for manual harvesting are in 0761.

Berries, machine harvesting of
Chopping and silo filling
Combining, agricultural
Cotton, machine harvesting of
Fruits, machine harvesting of
Grain, machine harvesting of
Hay mowing, raking, baling, and chopping

Nuts, machine harvesting of
Peanuts, machine harvesting of
Sugar beets, machine harvesting of
Sugarcane, machine harvesting of
Threshing service
Vegetables, machine harvesting of

0723

Crop Preparation Services for Market, Except Cotton Ginning

Establishments primarily engaged in performing services on crops, subsequent to their harvest, with the intent of preparing them for market or further processing. Not included are those primarily engaged in buying farm products for resale to other than the general public for household consumption and which also prepare them for market or further processing or those primarily engaged in stemming and redrying tobacco.

Bean cleaning
Corn shelling
Cotton seed delinting
Drying of corn, rice, hay, fruits, and vegetables
Flax decorticating and retting
Fruit precooling, not in connection with transportation
Fruit vacuum cooling
Grain cleaning
Grain fumigation
Grain grinding, custom
Moss ginning
Nut hulling and shelling

Packaging fresh or farm-dried fruits and vegetables
Peanut shelling, custom
Potato curing
Seed cleaning
Sorting, grading, and packing of fruits and vegetables
Sweet potato curing
Tobacco grading
Vegetable precooling, not in connection with transportation
Vegetable vacuum cooling

0724

Cotton Ginning

Establishments primarily engaged in ginning cotton.

Cotton ginning
Gins, cotton: operation of

Cotton pickery

074

VETERINARY SERVICES

0741

Veterinary Services for Livestock

Establishments of licensed practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery, for cattle, hogs, sheep, goats, and poultry. Establishments of licensed practitioners primarily engaged in treating all other animals are in 0742.

Animal hospitals for livestock
Veterinary services for livestock

Veterinarians for livestock

0742 Veterinary Services for Animal Specialties
 Establishments of licensed practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery, for animal specialties. Animal specialties include horses, bees, fish, fur-bearing animals, rabbits, dogs, cats and other pets and birds, except poultry. Establishments of licensed practitioners primarily engaged in veterinary medicine for cattle, hogs, sheep, goats, and poultry are in 0741.

Animal hospitals for pets and other animal specialties	Veterinary services for pets and other animal specialties.
Pet hospitals	
Veterinarians for pets and other animal specialties	

075

ANIMAL SERVICES, EXCEPT VETERINARY

0751 Livestock Services, Except Veterinary
 Establishments primarily engaged in performing services, except veterinary, for cattle, hogs, sheep, goats, and poultry. Dairy herd improvement associations are also included. Those primarily engaged in the fattening of cattle are in 0211. Those engaged in incidental feeding of livestock as a part of holding them in stockyards for periods of less than 30 days (generally in the course of transportation) are not included. Those primarily engaged in performing services, except veterinary, for animals, except cattle, hogs, sheep, goats, and poultry are in 0752.

Artificial insemination services: livestock	Milk testing for butterfat
Breeding of livestock	Pedigree record services for cattle, hogs, sheep, goats, and poultry
Cattle spraying	Slaughtering, custom: for individuals
Cleaning poultry coops	Vaccinating livestock, except by veterinarians
Dairy herd improvement associations	
Livestock breeding services	

0752 Animal Specialty Services, Except Veterinary
 Establishments primarily engaged in performing services, except veterinary, for pets, equines, and other animal specialties. Those primarily engaged in performing services other than veterinary for cattle, hogs, sheep, goats, and poultry are in 0751. Those primarily engaged in training racehorses are not included.

Animal shelters	Honey straining on the farm
Artificial insemination services: animal specialties	Pedigree record services for pets and other animal specialties
Boarding horses	Showing of pets and other animal specialties
Boarding kennels	Training horses, except racing
Breeding of animals, other than cattle, hogs, sheep, goats, and poultry	Training of pets and other animal specialties
Dog grooming	Vaccinating pets and other animal specialties, except by veterinarians
Dog pounds	

076

FARM LABOR AND MANAGEMENT SERVICES

0761 Farm Labor Contractors and Crew Leaders
 Establishments primarily engaged in supplying labor for agricultural production or harvesting. Those primarily engaged in machine harvesting are in 0722.

Crew leaders, farm labor: contract	Farm labor contractors
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0762 Farm Management Services
 Establishments primarily engaged in providing farm management services, including management or complete maintenance of citrus groves, orchards, and vineyards. Such activities may include cultivating, harvesting, or other specialized activities, but those primarily engaged in performing such services without farm management services are in the appropriate specific industry within Industry Group 072.

Citrus grove management and maintenance, with or without crop services	Orchard management and maintenance, with or without crop services
Farm management services	Vineyard management and maintenance, with or without crop services

078

LANDSCAPE AND HORTICULTURAL SERVICES

0781

Landscape Counseling and Planning

Establishments primarily engaged in landscape planning and in performing landscape architectural and counseling services.

Garden planning
Horticultural advisory or counseling services
Landscape architects

Landscape counseling
Landscape planning

0782

Lawn and Garden Services

Establishments primarily engaged in performing a variety of lawn and garden services. Those primarily engaged in the installation of artificial turf are not included.

Bermuda sprigging services
Cemetery upkeep, independent
Garden maintenance
Garden planting
Lawn care
Lawn fertilizing services
Lawn mowing services

Lawn mulching services
Lawn seeding services
Lawn sprigging services
Mowing highway center strips and edges
Seeding highway strips
Sod laying
Turf installation, except artificial

0783

Ornamental Shrub and Tree Services

Establishments primarily engaged in performing a variety of ornamental shrub and tree services. Those primarily engaged in forestry services are not included. Those primarily engaged in general lawn and garden planting and maintenance are in 0782, and those primarily engaged in performing shrub and tree services for farm crops are in 0721.

Arborist services
Ornamental bush planting, pruning, bracing,
spraying, removal, and surgery
Ornamental tree planting, pruning, bracing,
spraying, removal, and surgery

Tree trimming for public utility line
Tree, ornamental: planting, pruning, bracing,
spraying, removal, and surgery
Utility line tree trimming services

Major Group 08. - FORESTRY

This major group include establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, and related activities such as reforestation services and the gathering of gums, barks, balsam needles, maple sap, Spanish moss, and other forest products.

**Industry
Group
No.**

**Industry
No.**

081

TIMBER TRACTS

0811

Timber Tracts

Establishments primarily engaged in the operation of timber tracts or tree farms for the purpose of selling standing timber. Not included are logging establishments, and those holding timber tracts as real property (not for sale of timber).

Christmas tree growing
Tree farms

Timber tracts

083

FOREST INDUSTRIES AND GATHERING OF FOREST PRODUCTS

0831

Forest Nurseries and Gathering of Forest Products

Establishments primarily engaged in growing trees for purposes of reforestation or in gathering forest products. The concentration or distillation of these products, when carried on in the forest, is included in this industry.

Balsam needles, gathering of
Distillation of gums if carried on at the
gum farm
Distillation of turpentine and rosin if carried
on at the gum farm
Forest nurseries
Gathering of forest products: (e.g., gums,
barks, seeds)
Ginseng, gathering of
Huckleberry greens, gathering of
Lac production

Maple sap, gathering of
Moss, gathering of
Pine gum, extraction of
Rubber plantations
Spanish moss, gathering of
Sphagnum moss, gathering of
Teaberries, gathering of
Tree seed gathering, extracting, and selling

085

FORESTRY SERVICES

0851

Forestry Services

Establishments primarily engaged in performing, on a contract or fee basis, services related to timber production, wood technology, forestry economics and marketing, and other forestry services, not elsewhere classified, such as cruising timber, firefighting, and reforestation.

Cruising timber
Estimating timber
Fire prevention, forest
Firefighting, forest
Forest management plans, preparation of

Forestry services
Pest control, forest
Reforestation
Timber valuation

Major Group 09. - FISHING, HUNTING, AND TRAPPING

This major group includes establishments primarily engaged in commercial fishing (including crabbing, lobstering, clamming, oystering, and the gathering of sponges and seaweed), and the operation of fish hatcheries and fish and game preserves, in commercial hunting and trapping, and in game propagation.

Industry Group No.

Industry No.

091

COMMERCIAL FISHING

0912

Finfish

Establishments primarily engaged in the catching or taking of finfish.

Bluefish, catching of
Cod, catching of
Eels, catching of
Finfish, catching of
Fisheries, finfish
Haddock, catching of
Mackerel, catching of
Menhaden, catching of
Pilchard, catching of

Pollack, catching of
Rays, catching of
Salmon, catching of
Sea herring, catching of
Sharks, catching of
Tuna, catching of
Whiting, catching of

0913

Shellfish

Establishments primarily engaged in the catching or taking of shellfish.

Clams, digging of
Crabs, catching of
Crayfish, catching of
Fisheries, shellfish
Lobsters, catching of
Mussels, taking of
Oyster beds

Oysters, dredging or tonging of
Shellfish, catching of
Shrimp, catching of
Squid, catching of

0919

Miscellaneous Marine Products

Establishments primarily engaged in miscellaneous fishing activities, such as catching or taking of sea urchins, terrapins, turtles, and frogs. The gathering of seaweed and sponges is also included in this industry.

Cultured pearl production
Frogs, catching of
Sea urchins, catching of
Seaweed, gathering of
Sponges, gathering of

Terrapins, catching of
Turtles, catching of

092

FISH HATCHERIES AND PRESERVES

0921

Fish Hatcheries and Preserves

Establishments primarily engaged in operating fish hatcheries or preserves. Those primarily engaged in the production of fish or frogs under controlled feeding, sanitation, and harvesting procedures are in 027.

Fish hatcheries

Fishing preserves

097

HUNTING AND TRAPPING, AND GAME PROPAGATION

0971

Hunting and Trapping, and Game Propagation

Establishments primarily engaged in commercial hunting and trapping, or in the operation of game preserves.

Animal trapping, commercial
Game management
Game preserves
Game propagation
Game retreats, operation of
Hunting carried on as a business enterprise

Hunting preserves, operation of
Trapping carried on as a business enterprise
Wildlife management