

## Chapter DWD 147

### SEASONAL AGRICULTURAL EMPLOYERS

DWD 147.001 Definitions.  
DWD 147.01 Purpose.

DWD 147.02 Affected employers.

Note: Chapter ILHR 147 was renumbered Chapter DWD 147 under s. 13.93 (2m) (b) 1., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1997, No. 498.

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

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

**DWD 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.

**DWD 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 DWD 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	Mint farms
Broomcorn farms	Peanut farms
Clover farms	Potato farms, sweet
Grass seed farms	Sweet potato farms
Hay farms	Timothy farms
Hop 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	Lettuce farms
Bean farms, except dry beans	Market gardens
Beet farms, except sugar beet	Melon farms
Bok choy farms	Onion farms
Broccoli farms	Pea farms, except dry peas
Cabbage farms	Pepper farms, sweet and hot (vegetables)
Cantaloupe farms	Romaine farms
Cauliflower farms	Snap bean farms (bush and pole)
Celery farms	Squash farms
Corn farms, sweet	Tomato farms
Cucumber farms	Truck farms
English pea farms	Vegetable farms
Green lima bean farms	Watermelon farms
Green pea farms	

017

**FRUITS AND TREE NUTS**

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

Berry farms	Dewberry farms
Blackberry farms	Loganberry farms
Blueberry farms	Raspberry farms
Cranberry bogs	Strawberry farms
Currant farms	

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

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

Almond groves and farms	Pecan groves and farms
Filbert groves and farms	Pistachio groves and farms
Macadamia groves and farms	Walnut groves and farms

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

Citrus groves and farms	Lime groves and farms
Grapefruit groves and farms	Orange groves and farms
Lemon 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	Persimmon orchards and farms
Apricot orchards and farms	Plum orchards and farms
Cherry orchards and farms	Pomegranate orchards and farms
Nectarine orchards and farms	Prune orchards and farms
Peach orchards and farms	Quince orchards and farms
Pear 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.

<b>Industry Group No.</b>	<b>Industry No.</b>
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.

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



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 (c.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 (c.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.

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  
Hoeing  
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
------------------------------------	------------------------

**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                         | Forestry services    |
| Estimating timber                       | Pest control, forest |
| Fire prevention, forest                 | Reforestation        |
| Firefighting, forest                    | Timber valuation     |
| Forest management plans, preparation of |                      |

**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 | Pollack, catching of     |
| Cod, catching of      | Rays, catching of        |
| Eels, catching of     | Salmon, catching of      |
| Finfish, catching of  | Sea herring, catching of |
| Fisheries, finfish    | Sharks, catching of      |
| Haddock, catching of  | Tuna, catching of        |
| Mackerel, catching of | Whiting, catching of     |
| Menhaden, catching of |                          |
| Pilchard, catching of |                          |

0913

**Shellfish**

Establishments primarily engaged in the catching or taking of shellfish.

- |                       |                                 |
|-----------------------|---------------------------------|
| Clams, digging of     | Oysters, dredging or tonging of |
| Crabs, catching of    | Shellfish, catching of          |
| Crayfish, catching of | Shrimp, catching of             |
| Fisheries, shellfish  | Squid, catching of              |
| Lobsters, catching of |                                 |
| Mussels, taking of    |                                 |
| Oyster beds           |                                 |

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 | Terrapins, catching of |
| Frogs, catching of        | Turtles, catching of   |
| Sea urchins, catching of  |                        |
| Seaweed, gathering of     |                        |
| Sponges, gathering 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

