

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;

(bm) 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; correction in (1) made under s. 13.93 (2m) (b) 1., Stats., Register, November 1999, No. 527.

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.

Figure DWD 147.02:

Major Group 01. – Agricultural Production – Crops

This major group includes establishments (e. g. farms, orchards, greenhouses, nurseries) primarily engaged in the production of crops, plants, vines, and trees (excluding forestry operations). Also includes establishments primarily engaged in the operation of sod farms, and cranberry bogs; in the production of mushrooms, bulbs, flower seeds, and vegetable seeds; and in the growing of hydroponic crops. Seeds of field crops are classified in the same industry as crops grown for other purposes.

Industry Group No.	Industry No.	
011		CASH GRAINS
	0111	Wheat Establishments primarily engaged in the production of wheat – Wheat farms.
	0112	Rice Establishments primarily engaged in the production of rice – Rice farms.
	0115	Corn Establishments primarily engaged in the production of field corn for grain or seed. Those primarily engaged in the production of sweet corn are in 0161, and those producing popcorn are in 0119. Corn farms, except sweet corn or popcorn
	0116	Soybeans Establishments primarily engaged in the production of soybeans – Soybean farms.

- 0119 Cash Grains, Not Elsewhere Classified**
 Establishments primarily engaged in the production of cash grains, not elsewhere classified. Included are: dry field and seed peas and beans, safflowers, sunflowers, or popcorn.
- | | |
|---|---------------------------------|
| Barley farms | Mustard seed farms |
| Bean farms, dry field and seed | Oat farms |
| Buckwheat farms | Pea farms, dry field and seed |
| Cowpea farms | Popcorn farms |
| Flaxseed farms | Rye farms |
| Grain farms: except wheat, rice, corn, and soybeans | Safflower farms |
| Lentil farms | Sorghum farms, except for syrup |
| Milo farms | Sunflower farms |

013**FIELD CROPS, EXCEPT CASH GRAINS**

- 0131 Cotton**
 Establishments primarily engaged in the production of cotton and cottonseed.
- | | |
|--------------|------------------|
| Cotton farms | Cottonseed farms |
|--------------|------------------|
- 0132 Tobacco**
 Establishments primarily engaged in the production of tobacco — Tobacco farms
- 0133 Sugarcane and Sugar Beets**
 Establishments primarily engaged in the production of sugarcane and sugar beets.
- | | |
|-------------------|------------------|
| Beet farms, sugar | Sugar beet farms |
| Cane farms, sugar | Sugar cane farms |
- 0134 Irish Potatoes**
 Establishments primarily engaged in the production of potatoes, except sweet potatoes. Those primarily engaged in the production of sweet potatoes and yams are 0139.
- | | |
|---------------------|---|
| Potato farms, Irish | Potato farms, except sweet potato and yam |
|---------------------|---|
- 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
Pollage, 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	

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 speciality 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.

Cattle 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 with 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	Nut hulling and shelling
Corn shelling	Packaging fresh or farm-dried fruits and vegetables
Cotton seed delinting	Peanut shelling, custom
Drying of corn, rice, hay, fruits, and vegetables	Potato curing
Flax decorticating and retting	Seed cleaning
Fruit precooling, not in connection with transportation	Sorting, grading, and packing of fruits and vegetables
Fruit vacuum cooling	Sweet potato curing
Grain cleaning	Tobacco grading
Grain fumigation	Vegetable precooling, not in connection with transportation
Grain grinding, custom	Vegetable vacuum cooling
Moss ginning	

0724

Cotton Ginning

Establishments primarily engaged in ginning cotton.

Cotton ginning	Cotton pickery
Gins, cotton: operation of	

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	Veterinarians for livestock
Veterinary services 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	Veterinarians for pets and other animal specialties
Pet hospitals	Veterinary services 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 period 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
Farm management servicesOrchard management and maintenance, with or without crop 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 architectsLandscape 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 servicesLawn 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 surgeryTree 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 includes 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.
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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	Lac production
Distillation of gums if carried on at the gum farm	Maple sap, gathering of
Distillation of turpentine and rosin if carried on at the gum farm	Moss, gathering of
Forest nurseries	Pine gum, extraction of
Gathering of forest products: (e. g., gums, barks, seeds)	Rubber plantations
Ginseng, gathering of	Spanish moss, gathering of
Huckleberry greens, 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	Sponges, gathering of
Frogs, catching of	Terrapins, catching of
Sea urchins, catching of	Turtles, catching of
Seaweed, 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, operations of

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