

State Workers' Compensation Coverage for Agricultural Workers

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State	Are farm employers REQUIRED to provide workers' compensation, or is it OPTIONAL*?	Limitations, if any	State Workers' Compensation Web Site	State Workers' Compensation Forms
Alabama	Optional	Undocumented workers are not eligible for workers' compensation benefits.	http://dir.alabama.gov/wc/	http://dir.alabama.gov/docs/dept_type.aspx?id=3
Alaska	Required (limited)	Employers do not have to provide workers' compensation for workers hired for the harvest or for workers who are part-time or transient help.	http://labor.state.ak.us/wc/home.htm	http://labor.state.ak.us/wc/pdf_list.htm
Arizona	Required		http://www.ica.state.az.us/workersCompensation/index.html	http://www.ica.state.az.us/forms/workersComp/index.html
Arkansas	Optional		http://www.awcc.state.ar.us/	http://www.awcc.state.ar.us/forms.html
California	Required		http://www.dir.ca.gov/dwc/dwc_home_page.htm	http://www.dir.ca.gov/dwc/forms.html
Colorado	Required		http://www.coworkforce.com/dwc/	http://www.coworkforce.com/dwc/FormsDeskAids/MainForms.asp
Connecticut	Required		http://wcc.state.ct.us/	http://wcc.state.ct.us/download/forms.htm
Delaware	Optional		http://www.delawareworks.com/industrialaffairs/services/WorkersComp.shtml	http://www.delawareworks.com/industrialaffairs/information/forms.shtml
District of Columbia	Required	Undocumented workers are not eligible for workers' compensation benefits.	http://www.does.dc.gov/does/cwp/view.asp?a=1232&Q=537428	

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Florida	Required (limited)	Employers do not have to provide workers' compensation if they have 5 or fewer regular employees and fewer than 12 other employees at one time for seasonal agricultural labor that is completed in less than 30 days, as long as such seasonal employment does not exceed 45 days in the same calendar year.	http://www.fldfs.com/WC/	http://www.fldfs.com/WC/forms.html
Georgia	Optional		http://sbwc.georgia.gov/	http://sbwc.georgia.gov/00/channel_modifieddate/0,2096,11394008_11400551,00.html
Hawaii	Required		http://hawaii.gov/labor/dcd	/dcd-links/forms
Idaho	Required	Undocumented workers are not covered.	http://www.iic.idaho.gov/	http://www.iic.idaho.gov/forms.html
Illinois	Required (limited)	Employers who employed less than 400 working days of agricultural or aquacultural labor per quarter during the previous calendar year do not have to provide workers compensation.	http://www.iwcc.il.gov/	http://www.iwcc.il.gov/forms.htm

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Indiana	Optional		http://www.in.gov/wcb/	http://www.in.gov/wcb/2339.htm
Iowa	Required (limited)	Employers whose total cash wage payments in the previous year (excluding payments to family members) were less than \$2,500 do not have to provide workers' compensation.	http://www.iowaworkforce.org/wc/	http://www.iowaworkforce.org/wc/publications.htm
Kansas	Optional		http://www.dol.ks.gov/WC/HTML/wc_ALL.html	http://www.dol.ks.gov/wc/html/wcfrmpub_ALL.html
Kentucky	Optional		http://www.labor.ky.gov/workersclaims/	http://www.labor.ky.gov/workersclaims/forms.htm
Louisiana	Required (limited)	Employers that are private unincorporated farms do not have to provide an employee coverage if the employee's annual net earnings is \$1,000 or less OR the total net earnings of all the employees do not exceed \$2,500.	http://www.laworks.net/WorkersComp/OWC_WorkerMenu.asp	http://www.laworks.net/Downloads/Downloads_OWC.asp

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Maine	Required (limited)	Instead of providing workers' compensation, the following employers of agricultural and aquacultural laborers may maintain an employer's liability insurance: (1) employers of seasonal or casual agricultural or aquacultural laborers; (2) employers of 6 or fewer agricultural or aquacultural laborers; and (3) employers of more than 6 such laborers when the total number of hours worked by all such laborers in a week does not exceed 240 (which is the equivalent of 6 full-time laborers) and has not exceeded 240 at any time during the 52 weeks immediately preceding the injury.	http://www.maine.gov/wcb/	http://www.maine.gov/wcb/departments/board.htm

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Maryland	Required (limited)	Employers that have fewer than 3 full-time employees or an annual payroll of less than \$15,000 for full-time employees do not have to provide workers' compensation.	http://www.wcc.state.md.us/	Forms are listed under various topics. To find the form you need to mouse over the headings in the black navigation bar that runs across the top of the screen and select the form you need from the drop-down menu.
Massachusetts	Required		http://www.mass.gov/wcac/	http://www.mass.gov/?pageID=elwdtopic&L=3&L0=Home&L1=Attorneys+and+Insurers&L2=Medical+Providers+Handling+Injured+Workers&sid=Elwd
Michigan	Required (limited)	The following employers do not have to provide workers' compensation: employers with less than 3 regular employees paid hourly wages or salary (not piece work) who are employed 35 hours or more per week by that same employer for 13 or more consecutive weeks during the preceding 52 weeks.	http://www.michigan.gov/wca	http://www.michigan.gov/wca/0,1607,7-191-26917---,00.html

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Minnesota	Required (limited)	Employers that are "family farms" do not have to provide workers' compensation. Family farm is defined as a farm operation that pays wages, (not including machine hire) to farm laborers for services during the previous year (1) that are less than \$8,000; OR (2) that are less than the state average annual wage, if the farm operation has total liability and medical payment coverage equal to \$300,000 and \$5,000, respectively, under a farm liability insurance policy, and the policy covers injuries to farm laborers.	http://www.dli.mn.gov/WorkComp.asp	http://www.dli.mn.gov/WC/Wcforms.asp
Mississippi	Optional		http://www.mwcc.state.ms.us/	http://www.mwcc.state.ms.us/forms/forms.asp
Missouri	Optional		http://www.dolir.missouri.gov/wc/	http://www.dolir.missouri.gov/forms.htm
Montana	Required		http://erd.dli.mt.gov/wcclaims/wcchome.asp	http://erd.dli.mt.gov/wcclaims/latestform.asp

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Nebraska	Required (limited)	The only employers that must provide workers' compensation are those with 10 or more full-time employees for 13 weeks during the calendar year (the weeks do not have to be consecutive).	http://www.wcc.ne.gov/	http://www.wcc.ne.gov/publications.htm#forms
Nevada	Optional		http://dirweb.state.nv.us/WCS/wcs.htm	http://dirweb.state.nv.us/wcs/wcsform.htm
New Hampshire	Required		http://www.labor.state.nh.us/workers_compensation.asp	http://www.labor.state.nh.us/workers_compensation_forms.asp
New Jersey	Optional	Farmworkers are not excluded from workers' comp, but all workers' comp in New Jersey is optional. Nevertheless, if an employer chooses not to provide workers' comp, s/he must either indicate that in the employment contract or by providing written notice to the employer prior to any accident. Therefore, injured employees who do not recall such an exclusion should be encouraged to file a claim.	http://lwd.dol.state.nj.us/labor/wc/wc_index.html	http://lwd.dol.state.nj.us/labor/wc/forms/forms_index.html

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New Mexico	Optional		http://www.workerscomp.state.nm.us/	http://workerscomp.state.nm.us/downloads/index.php
New York	Required (limited)	Employers that paid less than \$1,200 in total cash wages to all farm laborers during the previous calendar year do not have to provide workers' compensation.	http://www.wcb.state.ny.us/	http://www.wcb.state.ny.us/content/main/Forms.jsp
North Carolina	Required (limited)	Employers with less than 10 full-time nonseasonal farm laborers do not have to provide workers' compensation.	http://www.ic.nc.gov/	http://www.ic.nc.gov/ncic/pages/forms.htm
North Dakota	Optional		http://www.workforcesafety.com/	http://www.workforcesafety.com/medical-providers/
Ohio	Required		http://www.ohiobwc.com/	https://www.ohiobwc.com/bwcccommon/forms/BWCForms/nlbwc/ProviderForms.aspx
Oklahoma	Required (limited)	Employers with a gross annual payroll of less than \$100,000 in cash wages for agricultural and horticultural workers during the previous calendar year do not have to provide workers' compensation.	http://www.owcc.state.ok.us/	http://www.owcc.state.ok.us/Forms.htm

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Oregon	Required		http://wcd.oregon.gov/	http://wcd.oregon.gov/policy/bulletins/forms.html
Pennsylvania	Required (limited)	Employer must provide workers' compensation if the employer pays one agricultural worker wages of \$1,200 or more, or furnishes employment to one employee in agricultural labor for 30 or more days in a calendar year.	http://www.dli.state.pa.us/andi/cwp/view.asp?a=138&q=220671	http://www.dli.state.pa.us/andi/cwp/view.asp?a=138&Q=58670&landiPNavCtr= &TNID=1045#1045
Puerto Rico	Required*	Injuries caused to farm laborers by fellow employees are not covered under workers' compensation.	http://www.cipr.gobierno.pr/	http://www.cipr.gobierno.pr/Formularios.htm
Rhode Island	Required (limited)	Employer must provide workers' compensation if employer employs 25 or more farm laborers for 13 consecutive weeks.	http://www.dlt.ri.gov/wc/	http://www.dlt.ri.gov/wc/formsmedical.htm
South Carolina	Optional		http://www.wcc.sc.gov/	http://www.wcc.sc.gov/Welcome+and+Overview/Forms/

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South Dakota	Required (limited)	Employers must provide workers' compensation only to workers operating threshing machines, grain combines, corn shellers, cornhuskers, shredders, silage cutters, and seed hullers.	http://dol.sd.gov/workerscomp/default.aspx	http://dol.sd.gov/workerscomp/forms.aspx
Tennessee	Optional		http://www.state.tn.us/labor-wfd/wcomp.html	http://www.tn.gov/labor-wfd/mainforms.html
Texas	Optional		http://www.tdi.state.tx.us/wc/indexwc.html	http://www.tdi.state.tx.us/forms/form20.html

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Utah	Required (limited)	Employers with a total annual payroll for nonimmediate family employees of less than \$8,000 does not have to provide coverage. Employers with a total annual payroll for nonimmediate family employees between \$8,000 and \$50,000 must either provide workers' compensation or liability insurance in the amount of \$300,000 and \$5,000 for medical care. Employers with a total annual payroll for nonimmediate family employees of more than \$50,000 must provide workers' compensation.	http://www.laborcommission.utah.gov/IndustrialAccidents/index.html	http://www.laborcommission.utah.gov/Downloads.html#IndustrialAccidents
Vermont	Required (limited)	Employers with an aggregate payroll of less than \$10,000 in a calendar year do not have to provide workers' compensation.	http://labor.vermont.gov/Workers/Injured/tabid/110/Default.aspx	http://labor.vermont.gov/WCFormsandPublications/tabid/133/Default.aspx

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Virginia	Required (limited)	Employers that regularly have in service more than 2 full-time employees are required to provide workers' compensation.	http://www.vwc.state.va.us/	http://www.vwc.state.va.us/forms_main.htm
Virgin Islands	Required		http://www.vidol.gov/Units/Workers_Compensation/Workers_Comp.htm	N/A
Washington	Required		http://www.lni.wa.gov/ClaimsIns/default.asp	http://www.lni.wa.gov/ClaimsIns/Providers/FormPub/default.asp
West Virginia	Required (limited)	Employers with more than five full-time agricultural employees must provide workers' compensation.	http://www.wvinsurance.gov/wc/index.htm	http://www.wvinsurance.gov/wc/index.htm
Wisconsin	Required (limited)	Employers who employ 6 or more employees on 20 days (does not have to be consecutive) during a calendar year whether in one or more locations must provide workers' compensation.	http://www.dwd.state.wi.us/wc/default.htm	http://www.dwd.state.wi.us/wc/medical/default.htm
Wyoming	Optional	Undocumented workers are not eligible for workers' compensation benefits.	http://wydoe.state.wy.us/doe.asp?ID=9	http://wydoe.state.wy.us/doe.asp?ID=453