

## Worker's Compensation Coverage by State

## Workers' Compensa

States differ widely in the extent to which they require farmworkers be covered by existing workers' compensation laws. Eighteen states do not have compulsory coverage. Fourteen states extend coverage to farmworkers as if they were other workers, making no distinction about the size of the farm they work on. And 18 other states provide some, limited coverage to farmworkers. Even where coverage is mandated by law, many farmworkers find it difficult or impossible to collect their benefits. A state-by-state listing of coverage requirements follows:

State	Coverage Required?	Who is Covered?
Alabama	no	Farmworkers are not required to be covered.
Alaska	yes	Agricultural employees, except part-timers.
Arizona	yes	Agricultural employees are covered like other workers.
Arkansas	no	Farmworkers are not required to be covered.
California	yes	Agricultural employees are covered like other workers.
Colorado	yes	Agricultural employees are covered like other workers.
Connecticut	yes	Agricultural employees are covered like other workers.
Delaware	no	Farmworkers are not required to be covered.
District of Columbia	yes	Agricultural employees are covered like other workers.
Florida	yes	Agricultural employees, except those performing agricultural labor where there are less than five regular employees and less than 12 other employees at one time for seasonal employment lasting less than 30 days, if such seasonal employment does not exceed 45 days in the same calendar year.
Georgia	no	Farmworkers are not required to be covered.
Hawaii	yes	Agricultural employees are covered like other workers.
Idaho	yes (effective 1/97)	Agricultural employees are covered like other workers.
Illinois	yes	Agricultural employees of an individual employer for 400 or more aggregate man-days in any quarter during the preceding calendar year, exclusive of spouse and other members of employer's immediate family residing with him/her.
Indiana	no	Farmworkers are not required to be covered.
Iowa	yes	Agricultural employees other than excluded family members; employer's total cash wages during the preceding year must be at least \$2,500.
Kansas	no	Farmworkers are not required to be covered.
Kentucky	no	Farmworkers are not required to be covered.
Louisiana	yes	Agricultural employees are covered like other workers.
Maine	yes	Agricultural employees except seasonal or "casual" employees.
Maryland	yes	Agricultural employees, whose employer has three or more full-time employees or a yearly payroll for full-time employees of \$15,000.
Massachusetts	yes	Agricultural employees are covered like other workers.
Michigan	yes	Agricultural employees, whose employers have three or more regular agricultural employees for at least 35 or more hours for 13 consecutive weeks during the previous 52 week period.

Minnesota	yes	Farm laborers who do not work on a "family farm," any farm operation which pays less than \$8,000 in cash wages, exclusive of machine hire, to farm laborers during the preceding calendar year.
Mississippi	no	Farmworkers are not required to be covered.
Missouri	no	Farmworkers are not required to be covered.
Montana	yes	Agricultural employees are covered like other workers.
Nebraska	no	Farmworkers are not required to be covered.
Nevada	no	Farmworkers are not required to be covered.
New Hampshire	yes	Agricultural employees are covered like other workers.
New Jersey	yes	Agricultural employees are covered like other workers.
New Mexico	no	Farmworkers are not required to be covered.
New York	yes	Requires worker's comp coverage of agricultural employees for 12 months, from April 1, if the farmer's total cash wages during the preceding calendar year amounts to \$1200 or more; agricultural employees supplied to the farmer by the farm labor contractor are deemed employees of the farmer.
North Carolina	no	Farmworkers are not required to be covered.
North Dakota	no	Farmworkers are not required to be covered.
Ohio	yes	Agricultural employees are covered like other workers.
Oklahoma	yes	All workers employed in agriculture or horticulture by an employer who had a gross annual payroll, including money paid to independent contractors in the preceding calendar year of \$100,000 or more.
Oregon	yes	Agricultural employees are covered like other workers.
Pennsylvania	yes	Agricultural employees working on farms on which at least one employee makes \$150 a year or one employee works 20 or more days.
Puerto Rico	yes	Agricultural employees are covered like other workers.
Rhode Island	no	Farmworkers are not required to be covered.
South Carolina	no	Farmworkers are not required to be covered.
South Dakota	yes	Workers engaged commercially in operation of threshing machines, grain combines, corn shellers, corn huskers, shredders, silage cutters, and seed hullers.
Tennessee	no	Farmworkers are not required to be covered.
Texas	no	Farmworkers are not required to be covered.
Utah	yes	Agricultural employees are covered like other workers.
Vermont	yes	All agricultural employees except those working for an employer with 5 or less employees, other than immediate family members, for 40 hours or more per week per each employee for 13 consecutive weeks during any part of the preceding 12 months.
Virgin Islands	yes	Agricultural employees are covered like other workers.
Virginia	yes	Agricultural employees working for an employer who regularly has in service more than two full-time employees.
Washington	yes	All agricultural employees except a child under 18 employed by the child's parents in agricultural activities on a family farm.
West Virginia	yes	Employees of an employer who has 6 or more full-time workers in agricultural service.
Wisconsin	yes	Agricultural employees on farms with six or more employees for 20 or more days.
Wyoming	yes	Only farmworkers employed on "power farms" using certain types of large machinery.

Source: Information in this chart was provided by the Migrant Farmworker Justice Project of Florida.