



# NCFH

National Center for Farmworker Health, Inc

Resource Id # 5518

**Farmworker Status Verification and PHS Definitions**

## FARMWORKER STATUS VERIFICATION

The following are key questions to ask in determining whether an individual seeking health care at a community/migrant health center is an agricultural worker, and if they are to be considered seasonal (stays in one area all year long) or migratory. Technically, one night in another "home" in order to seek agricultural employment qualifies them as migratory. On the reverse side of this questionnaire are the PHS definitions of "migrant", "seasonal", agriculture", and "Aged or Disabled" for additional clarification.

**Key questions for verifying migrant or seasonal farmworker:** In either of the past 2 years, or prior to retirement/ disability, have you or your head of household:

1. Worked as an agricultural laborer in planting, tilling or harvesting crops grown on the land such as fruits and vegetables? (Please see definition of Agriculture on the reverse side of this questionnaire). **NO** \_\_\_\_\_ **STOP**

**YES** \_\_\_\_\_ **Farmworker, Continue to Question #2**

**Note:** A "Yes" to this question establishes them as an agricultural worker. If the answer is "No", there is no need to complete questions 2 and 3.

2. Moved to another area (established a temporary home) in order to perform agricultural labor? **YES** \_\_\_\_\_ **Migrant Farmworker**

**NO** \_\_\_\_\_ **Continue to Question #3**

**Note:** The answer to this question determines whether they are migratory agricultural workers or seasonal agricultural workers.

3. Worked in seasonal agricultural labor as your principal source of employment?  
**YES** \_\_\_\_\_ **Seasonal Worker**  
**NO** \_\_\_\_\_

**Note** A "Yes" to this question qualifies them as an agricultural worker in that the majority of their earned income is from agricultural labor.



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## PHS DEFINITIONS

Definition obtained from the Health Centers Consolidation Act of 1996, Section 330(g) (Public Law 104-299-Oct. 11, 1996):

**Migratory Agricultural Worker:** The term "migratory agricultural worker means an individual whose principal employment is in agriculture on a seasonal basis, who has been so employed within the last twenty-four months, and who establishes for the purposes of such employment a temporary abode.

**Seasonal Agricultural Worker:** The term "seasonal agricultural worker" means and individual whose principal employment is in agriculture on a seasonal basis and who is not a migratory agricultural worker.

**Agriculture:** The term "agriculture" means farming in all its branches, including:

- (A) cultivation and tillage of the soil
- (B) the production, cultivation, growing and harvesting of any commodity grown on, in, or as an adjunct to or part of a commodity grown in or on, the land, and
- (C) any practice (including preparation and processing for market and delivery of storage or to market or to carriers for transportation to market) performed by a farmer or on a farm incident to or in conjunction with an activity as described in sub-section paragraphs (B).

**Note:** the following paragraph is extracted and paraphrased from the above referenced act. Please see for full Act for additional details regarding this definition.

**Aged or Disabled:** The term aged or disabled applies to individuals who have previously been migratory agricultural workers but who no longer meet the requirements because of age or disability and members of the families of such individuals who are within such catchment area.