

**WAC 296-17A-4802 Classification 4802.**

**4802-02 Farms: Berry**

**Applies to:**

Businesses engaged in raising berries of all types.

**Work activities include, but are not limited to:**

- Preparing soil for new plants;
- Planting;
- Fertilizing;
- Weeding;
- Pruning canes;
- Cutting runners;
- Installing posts and wire supports;
- Tying vines;
- Machine harvesting of berries;
- Maintaining or installing sprinkler or irrigation systems.

**Notes:**

• Roadside stands are included in the farming classification when operated at or near the farm, even if a small stock of products not produced by the employer is also sold.

• If all the conditions of the general reporting rules covering the operations of a secondary business are met, farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately.

• For rules on assigning in more than one basic classification, see WAC 296-17-31017 Multiple classifications.

**Typical crops:**

- All types of mechanically harvested berries.

**Exclusions:**

• Worker hours or businesses engaged in fresh fruit packing operations must be reported separately in classification 2104;

• Worker hours or businesses engaged in canneries or freezer operations must be reported separately in classification 3902;

• Winery operations are classified in classification 3702;

• Hand harvesting of berries are classified in classification 4806; and

• Contractors hired by a farm to install, repair or build any farm equipment or structures report in the classification applicable to the work performed.

**What is a farm labor contractor?**

• A farm labor contractor is a specialty contractor who supplies laborers to a farm operation for specified services such as weeding, planting, irrigating or fertilizing; and

• Work usually involves manual labor tasks as opposed to machine operation.

**What risk classification are farm labor contractors to report in?**

• Farm labor contractors are reported in the classification that applies to the farm they are contracting with; and

• Contractors who provide both equipment or machinery and the machine operator are reported in classification 4808 "Custom farm services," as the process involved in operating machinery is the same regardless of the type of farm they are providing services to or the type of crop involved.

**4802-03 Farms: Bulb raising, flower or vegetable seeds, floral grow operations - Florists - Cultivating or gardening**

**Applies to:**

Businesses engaged in raising flowers, plants for bulbs, raising flowers or vegetable plants for seed, or in raising flowering plants for sale.

**Work activities include, but are not limited to:**

- Work done in an open field or a greenhouse;
- Preparing soil for new plants;
- Planting;
- Fertilizing;
- Weeding;
- Machine harvesting of seeds;
- Drying of seeds;
- Dead heading;
- Cutting fresh flowers;
- Cutting incidental fresh vegetables;
- Subsequent grading, sorting, packing, and shipping of bulbs;
- Maintaining or installing sprinkler or irrigation systems;
- Machine digging and harvesting bulbs;
- Subsequent grading, sorting, packing, and shipping of seed or fresh flowers or plants.

**Notes:**

- Roadside stands are included in the farming classification when operated at or near the farm, even if a small stock of products not produced by the employer is also sold.

- If all the conditions of the general reporting rules covering the operations of a secondary business are met, farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately.

**Typical crops:**

- Flowers, mechanically harvested;
- Flower bulbs or any type of bulb, mechanically harvested;
- Flower seeds, mechanically harvested;
- Vegetable seeds, mechanically harvested.

**Exclusions:**

- Worker hours or businesses engaged in fresh vegetable packing operations must be reported separately in classification 2104.

- Worker hours or businesses engaged in canneries or freezer operations must be reported separately in classification 3902.

- Businesses engaged exclusively in the sale of fresh cut flowers and potted plants that are not involved in the cultivation of plants or flowers are classified in classification 6404.

- Hand picking of bulbs or hand harvesting of flowers are classified in classification 4806.

- Hand gathering of seeds where no handheld cutting device is used is classified in classification 4806.

- Contractors hired by a farm to install, repair or build any farm equipment or structures are not farm labor contractors and must be reported in the classification applicable to the work being performed.

**What is a farm labor contractor?**

- A farm labor contractor is a specialty contractor who supplies laborers to a farm operation for specified services such as weeding, planting, irrigating or fertilizing; and

- Generally, the work involves manual labor tasks as opposed to machine operation.

**What risk classification are farm labor contractors to report in?**

- Farm labor contractors report in the classification that applies to the farm they are contracting with; and
- Contractors who provide both equipment or machinery and the machine operators are reported in classification 4808 "Custom farm services," as the process involved in operating machinery is the same regardless of the type of farm they are providing services to or the type of crop involved.

**4802-06 Picking of forest products, N.O.C.**

**Applies to:**

Businesses engaged exclusively in picking forest products that are not covered by another classification (N.O.C.).

**Work activities include, but are not limited to:**

- Hand picking operations;
- Using handheld pruning shears or saws;
- The farm labor contractor provision, as described in the general reporting rules, is not applicable to this classification as such establishments are not engaged in a farming operation;
- Properties from which products are harvested from are owned or leased; and
- Operations not described above report separately in the classification applicable to the work performed. (For example, if an employee harvests cedar boughs from the woods, the employee is reported in classification 4802-06.)

**Typical crops:**

- Cedar boughs;
- Cones;
- Ferns;
- Holly;
- Moss;
- Mushrooms;
- Tree bark;
- Wild berries;
- Wild flowers.

**4802-12 Farms: Field vegetable crops - Mechanically harvested for fresh market**

**Applies to:**

Businesses engaged in raising field vegetable crops that are mechanically harvested.

**Work activities include, but are not limited to:**

- Preparing soil for new plants;
- Planting;
- Fertilizing;
- Weeding;
- Pruning;
- Harvesting vegetables mechanically;
- Maintaining or installing sprinkler or irrigation systems.

**Notes:**

- Roadside stands are included in the farming classification when operated at or near the farm, even if a small stock of products not produced by the employer is also sold.
- If all the conditions of the general reporting rules covering the operations of a secondary business are met, farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately.

**Typical crops:**

- Carrots;
- Cucumbers;
- Green beans;
- Parsnips;
- Potatoes;
- Radishes;
- Rhubarb;
- Rutabagas;
- Squash;
- Sweet corn;
- Table beets;
- Tomatoes;
- Turnips.

**How is 4802-12 different from 4808 "Diversified field crops"?**

• **Work in 4802** is generally associated with plantings in smaller quantities that result in continuous harvests throughout the season. For example, although corn is technically a grain crop, it is widely accepted as a vegetable crop when harvested for fresh market, cannery, or frozen food. Classification 4808 is generally associated with vegetable crops that have a long growing season and are harvested when mature at the end of the season. These crops are left in the field to dry and are used as feed, flour, or cereal grain.

**Exclusions:**

- Worker hours or businesses engaged in field vegetable crops harvested by hand must be reported separately in classification 4810.
- Worker hours or businesses engaged in fresh vegetable packing operations must be reported separately in classification 2104.
- Worker hours or businesses engaged in canneries or freezer operations must be reported separately in classification 3902.
- Contractors hired by farm to install, repair or build any farm equipment or structures are not farm labor contractors and must be reported in the classification applicable to the work performed.

**What is a farm labor contractor?**

- A farm labor contractor is a specialty contractor who supplies laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing; and
- Generally, the work involves manual labor tasks as opposed to machine operation.

**What risk classification are farm labor contractors to report in?**

- Farm labor contractors are reported in the classification that applies to the farm they are contracting with; and
- Contractors who provide both equipment or machinery and the machine operators are reported in classification 4808 "Custom farm services," as the process involved in operating machinery is the same regardless of the type of farm they are providing services to or the type of crop involved.

[Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 20-20-108, § 296-17A-4802, filed 10/6/20, effective 1/1/21; WSR 15-02-060, § 296-17A-4802, filed 1/6/15, effective 7/1/15. WSR 07-01-014, recodified as § 296-17A-4802, filed 12/8/06, effective 12/8/06. Statutory Authority: RCW 51.16.035, 51.04.020. WSR 00-14-052, § 296-17-643, filed 7/1/00, effective 7/1/00. Statutory Authority: RCW 51.16.035. WSR 98-18-042, § 296-17-643, filed 8/28/98, effective 10/1/98; WSR 96-12-039, § 296-17-643, filed 5/31/96, effective 7/1/96. Statutory Authority: RCW 51.04.020(1) and 51.16.035. WSR 91-12-014, § 296-17-643, filed 5/31/91, effective 7/1/91. Statutory Authority: RCW

51.16.035. WSR 88-12-050 (Order 88-06), § 296-17-643, filed 5/31/88, effective 7/1/88; WSR 87-12-032 (Order 87-12), § 296-17-643, filed 5/29/87, effective 7/1/87; WSR 85-24-032 (Order 85-33), § 296-17-643, filed 11/27/85, effective 1/1/86; WSR 85-12-024 (Order 85-11), § 296-17-643, filed 5/31/85; WSR 85-06-026 (Order 85-7), § 296-17-643, filed 2/28/85, effective 4/1/85; WSR 83-24-017 (Order 83-36), § 296-17-643, filed 11/30/83, effective 1/1/84; Order 77-27, § 296-17-643, filed 11/30/77, effective 1/1/78; Order 75-38, § 296-17-643, filed 11/24/75, effective 1/1/76; Order 74-40, § 296-17-643, filed 11/27/74, effective 1/1/75; Order 73-22, § 296-17-643, filed 11/9/73, effective 1/1/74.]