TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 1 - FARM LABOR CONTRACTOR'S ACT - DEFINITIONS

001. This chapter is adopted pursuant to Neb. Rev. Stat. §48-1708.

002. "Department" means the Department of Labor.

003. "Commissioner" means the Commissioner of Labor.

004. "Division" means the Labor and Safety Standards Division of the Department of Labor.

005. "Farm Labor Contractor" means:

A. Any person who, for an agreed remuneration or rate of pay, recruits, solicits, hires, supplies or employs workers to perform labor for another in the production or harvesting of farm products; or

B. Any person who recruits, solicits, hires, supplies, transports or employs workers for an employer who is engaged in the production or harvesting of farm products; or

C. Any person who recruits or employs workers in the production or harvesting of farm products; or

D. Any person who bids or submits contract offers for the production or harvesting of farm products; or

E. Any person who subcontracts with another for the production or harvesting of farm products.

006. "Production and harvesting of farm products" includes, but is not limited to, the cultivation and tillage of the soil, the production, cultivation, growing and harvesting of any agricultural commodity and the preparation for and delivery to market of any such commodity.

007. "Agreed remuneration" means compensation of any kind which is agreed upon by a farm labor contractor and another for the services of such contractor.

008. "Perform labor" means the performance of work which is manual or physical in nature (including the use of tools).

009. "Worker" means any individual performing labor in the production and harvesting of farm products.

010. "Person" means any individual, sole proprietorship, partnership, corporation, cooperative association, association or other business or legal entity.

011. "Farmer" means the owner or lessee of land used in the production and harvesting of farm products.

012. "License" means a farm labor contractor's license issued by the Department.

013. "Farm Labor Contracting Activity" means recruiting, soliciting, hiring, employing, furnishing, or transporting any migrant or seasonal agriculture worker.

014. "Exemption certificate" refers to a certificate issued by the Department in lieu of a license to a person that employs only individuals domiciled within fifty miles of the location where the labor is to be performed.