

109TH CONGRESS  
1ST SESSION

# H. R. 4502

To amend the Migrant and Seasonal Agricultural Worker Protection Act to provide an exemption for workers who work year-round and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2005

Mr. NORWOOD (for himself, Mr. DAVIS of Tennessee, and Mr. GRAVES) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Migrant and Seasonal Agricultural Worker Protection Act to provide an exemption for workers who work year-round and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Family Farm and Ag-  
5       ricultural Definitions Restoration Act”.

6       **SEC. 2. APPLICABILITY OF THE MIGRANT AND SEASONAL**  
7       **AGRICULTURAL WORKER PROTECTION ACT.**

8       (a) FAMILY BUSINESS EXEMPTION.—Section 4(a)(1)  
9       of the Migrant and Seasonal Agricultural Worker Protec-

tion Act (29 U.S.C. 1803(a)(1)) is amended by inserting before the period the following: “, such individual’s employees choose to work for another person in addition to their work for that individual, such individual used a State employment service agency to obtain employees, or such individual obtained referrals for employment from the other migrant or seasonal agricultural workers”.

(b) YEAR-ROUND EMPLOYMENT.—Section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802) is amended—

(1) in paragraph (8)(B)—

(A) in clause (i), by striking “or” at the end;

(B) in clause (ii), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

“(iii) any individual who is employed by a specific agricultural employer or association on a year-round basis.”;

(2) in paragraph (10)(B)—

(A) in clause (ii), by striking “or” at the end;

(B) in clause (iii), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

1                   “(iv) any individual who is employed  
2                   by a specific agricultural employer or asso-  
3                   ciation on a year-round basis.”.

4           (c) CARPOOL ARRANGEMENTS.—Section 3(6) of the  
5 Migrant and Seasonal Agricultural Worker Protection Act  
6 (29 U.S.C. 1802(6)) is amended by inserting at the end  
7 the following: “Such term does not include a migrant or  
8 seasonal agricultural worker who voluntarily enters into  
9 carpool arrangements or who is directed or requested to  
10 do so by a person pursuant to Federal, State, or local  
11 law.”.

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