

Amendment 5 to Amendment 6 to Council Bill No. 82 - 2021

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Legislative Day 19

Date: December 6, 2021

Amendment No. 5

(This amendment creates an exemption for an individual who is employed as a hand-harvest laborer under specified circumstances.)

Strike the title and substitute the following:

“(This amendment creates an exemption for an individual who is employed as a hand-harvest laborer under specified circumstances.)”.

On page 1, strike line 2 down through line 4 in the entirety and substitute the following:

“(C) EXCEPTION(S). THIS SUBTITLE DOES NOT APPLY TO AN INDIVIDUAL WHO IS EMPLOYED AS A HAND-HARVEST LABORER AND IS PAID ON A PIECE-RATE BASIS IN AN OPERATION THAT, IN THE REGION OF EMPLOYMENT, HAS BEEN AND CUSTOMARILY AND GENERALLY IS RECOGNIZED AS HAVING BEEN PAID ON THAT BASIS, IF:

(I) THE INDIVIDUAL:

1. COMMUTES DAILY FROM THE PERMANENT RESIDENCE OF THE INDIVIDUAL TO THE FARM WHERE THE INDIVIDUAL IS EMPLOYED; AND

2. DURING THE PRECEDING CALENDAR YEAR, WAS EMPLOYED IN AGRICULTURE LESS THAN 13 WEEKS; OR

(II) THE INDIVIDUAL:

1. IS UNDER THE AGE OF 17;

- 1 2. IS EMPLOYED ON THE SAME FARM AS A PARENT OF THE INDIVIDUAL OR A PERSON
- 2 STANDING IN THE PLACE OF THE PARENT; AND
- 3 3. IS PAID AT THE SAME RATE THAT AN EMPLOYEE WHO IS AT LEAST 17 YEARS OLD IS PAID
- 4 ON THE SAME FARM”.