

● **STATE LABOR LAWS (*HEALTH INSURANCE FOR MIGRANT LABOR*)**

STATUTORY CITATION: Minn. Stat. §§ 181.73 – 181.74

GENERAL SUMMARY: The state labor laws include a requirement that certain employers of migrant labor provide such workers with health care insurance during their term of employment.

SPECIFIC TERMS AND CONDITIONS

REQUIRED INSURANCE — Any person, company or group that employs 5 or more recruited migrant workers, as defined below, must provide at its expense state-prescribed health care insurance covering such workers during the period of employment, or for illness or injury incurred while employed.

COVERED WORKERS — Subject employers are required to insure those workers who meet all of the following conditions:

- (1) Are not residents of Minnesota.
- (2) Are employed, or were recruited for employment, in the processing of agricultural products other than as field labor.
- (3) Are offered some type of housing or transportation benefits by an employer as an employment inducement.
- (4) Do not have comparable health care insurance.

EXEMPTION — No such insurance need be purchased for any worker exclusively performing on-farm services, processing agricultural products on or off the farm in a plant where more than half the commodities being processed are grown by the employer, or engaging solely in other operations defined as "agricultural labor" in the Federal Insurance Contributions Act (26 USC 3121(g)).

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Job Service Division, Minnesota Department of Employment and Economic Development, St. Paul, Minnesota 55101 (651-259-7114; toll-free 800-657-3858).* A migrant farmworker who is recruited for agricultural processing work and who has reason to believe he or she is not being provided the health insurance coverage required by these provisions should contact the Department, at any local WorkForce Center.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*