

(II) ANY IMMEDIATE FAMILY MEMBER OF AN AGRICULTURAL EMPLOYER OR A FARM LABOR CONTRACTOR; AND

(III) ANY TEMPORARY NONIMMIGRANT ALIEN WHO IS AUTHORIZED TO WORK IN AGRICULTURAL EMPLOYMENT IN THE UNITED STATES UNDER SECTIONS-101(A)(15)(H)(II)-AND-214(C)-OF THE--FEDERAL--IMMIGRATION--AND--NATIONALITY--ACT 8 U.S.C. § 1101(A)(15)(H)(II), AS AMENDED.

(9) "PERSON" MEANS ANY INDIVIDUAL, PARTNERSHIP, ASSOCIATION, JOINT STOCK COMPANY, TRUST, COOPERATIVE, OR CORPORATION.

(B) THE FOLLOWING PERSONS ARE NOT SUBJECT TO THIS SUBTITLE:

(1) ANY PERSON WHO ENGAGES IN A FARM LABOR CONTRACTING ACTIVITY ON BEHALF OF A FARM, PROCESSING ESTABLISHMENT, SEED CONDITIONING ESTABLISHMENT, CANNERY, OR PACKING SHED, OWNED AND OPERATED EXCLUSIVELY BY THAT PERSON OR AN IMMEDIATE FAMILY MEMBER OF THAT PERSON, PROVIDED THAT ALL FARM LABOR CONTRACTING ACTIVITIES ARE PERFORMED ONLY FOR SUCH OPERATION AND EXCLUSIVELY BY THE PERSON OR AN IMMEDIATE FAMILY MEMBER;

(2) ANY PERSON, OTHER THAN A FARM LABOR CONTRACTOR, WHO IS SUPPLIED NOT MORE THAN 10 MIGRANT AGRICULTURAL WORKERS AT ANY 1 TIME DURING BOTH THE PRECEDING AND THE THEN CURRENT CALENDAR YEAR;

(3) ANY COMMON CARRIER WHICH WOULD BE A FARM LABOR CONTRACTOR SOLELY BECAUSE THE CARRIER IS ENGAGED IN THE LABOR CONTRACTING ACTIVITY OF TRANSPORTING MIGRANT AGRICULTURAL WORKERS;

(4) ANY PERSON WHO ENGAGES IN ANY FARM LABOR CONTRACTING ACTIVITY SOLELY WITHIN A 25 MILE INTRASTATE RADIUS OF SUCH PERSON'S PERMANENT PLACE OF RESIDENCE AND FOR NOT MORE THAN 13 WEEKS PER YEAR;

(5) ANY CUSTOM GRAIN COMBINE, HAY HARVESTING, OR SHEEP SHEARING OPERATION;

(6) ANY CUSTOM POULTRY HARVESTING, BREEDING, DEBEAKING, SEXING, OR HEALTH SERVICE OPERATION PROVIDED THE EMPLOYEES OF THE OPERATION ARE NOT REGULARLY REQUIRED TO BE AWAY FROM THEIR DOMICILE OTHER THAN DURING THEIR NORMAL WORKING HOURS; OR

(7) ANY EMPLOYEE OR ANY PERSON DESCRIBED IN PARAGRAPHS (3) THROUGH (6) OF THIS SUBSECTION WHEN PERFORMING FARM LABOR CONTRACTING ACTIVITIES EXCLUSIVELY FOR SUCH PERSON.