

(I) THE CREW LEADER HOLDS A VALID CERTIFICATE OF REGISTRATION UNDER THE FEDERAL MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT; OR

(II) SUBSTANTIALLY ALL OF THE INDIVIDUALS MAINTAIN OR OPERATE TRACTORS, MECHANIZED HARVESTING OR CROPDUSTING EQUIPMENT, OR ANY OTHER MECHANIZED EQUIPMENT THAT THE CREW LEADER PROVIDES.

(2) IF THE CREW LEADER IS NOT THE EMPLOYING UNIT FOR AN INDIVIDUAL EMPLOYED IN AGRICULTURAL WORK UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PERSON TO WHOM THE CREW LEADER PROVIDES THE INDIVIDUAL IS THE EMPLOYING UNIT OF THE INDIVIDUAL.

(E) PAYMENT BY CREW LEADER.

IF UNDER SUBSECTION (D)(2) OF THIS SECTION THE CREW LEADER IS NOT THE EMPLOYING UNIT FOR AN INDIVIDUAL EMPLOYED IN AGRICULTURAL WORK, ANY CASH WAGES THAT THE CREW LEADER PAYS TO THE INDIVIDUAL SHALL BE CONSIDERED CASH WAGES PAID BY THE PERSON WHO IS THE EMPLOYING UNIT FOR THE INDIVIDUAL AND TO WHOM THE CREW LEADER PROVIDES THE INDIVIDUAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(f)(2), (g)(7)(vi) and (8)(iv) and (xx) and § 20(w) and (x).

In subsection (a)(1) of this section, the word "section" is substituted for the former word "article", to reflect that the terms that are defined in subsection (a) are used only in this section.

In the introductory language of subsection (a)(2) of this section, the term "agricultural work" is substituted for the former term "agricultural labor", to conform to terminology used in Title 7 of this article.

In subsection (a)(2)(i)2 of this section, the word "or" is substituted for the former word "and", to clarify that subsection (a)(2)(i)2 of this section includes any of the listed services for any of the listed agricultural or horticultural commodities.

In subsection (a)(2)(ii)1 of this section, the word "or" is substituted for the former word "and", to clarify that subsection (a)(2)(ii)1 of this section includes performing the listed services for either the farm or its equipment or tools.

In the introductory language of subsection (a)(2)(iv) of this section, the words "farmer" and "farmers" are substituted for the former words "operator of a farm" and "operators of farms", respectively, for brevity.