

## Sub-Group 103-05, Greenhouses, Nurseries & Market Gardening Industry Sector 1: Agriculture & Forestry

Rate Risk Category

33%

*Farmers and family members of farmers are exempt from mandatory coverage.  
(Please refer to relevant exclusion excerpt from the Workers Compensation Act ("WCA")  
under Regulation 169/2008 below).*

Included	Similar but Classified Elsewhere
<p>✓ Operating a greenhouse - produce flowers, vegetables, and bedding plants from seed. Can be sold on a wholesale or retail basis. Activities include planting, weeding, watering, heating or cooling plants as necessary.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• Incidental retail sales of seeds, bulbs, pots, fertilizer, etc.</li> <li>• Garden centres</li> </ul>	<p>✗ Coverage for farmers (personal) and/or their family members (optional farm family) is available by application.</p> <p>✗ Growing mushrooms is found under 302-05, "Manufacturing Food Products".</p> <p>✗ A large retail outlet has also operates a "garden centre" is incidental to their main operations and may be found under:</p> <ul style="list-style-type: none"> <li>• 601-02, "Specialty Retail Stores"</li> <li>• 601-05, "Department Stores"</li> </ul>
<p>✓ Operating a nursery - grow, care for, and sell trees and shrubs. Can be sold on a wholesale or retail basis, and includes:</p> <ul style="list-style-type: none"> <li>• Christmas tree farms</li> <li>• Tapping trees for sap</li> </ul>	<p>✗ Tree planting and moving is found under 401-15, "Landscaping".</p>
<p>✓ Growing vegetables or fruits for market, including:</p> <ul style="list-style-type: none"> <li>• Asparagus</li> <li>• Beans/legumes</li> <li>• Broccoli</li> <li>• Lettuce</li> <li>• Onions</li> <li>• Spinach</li> </ul>	<p>✗ Coverage for farmers (personal) and/or their family members (optional farm family) is available by application.</p> <p>✗ The operation of a large-scale potato farm where the potato is their main crop is found under 102-02, "Farming - Crop Production".</p>

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Included	Similar but Classified Elsewhere
<ul style="list-style-type: none"> <li>• Pumpkins</li> <li>• Blueberries</li> <li>• Melons</li> <li>• Raspberries</li> <li>• Strawberries</li> <li>• Etc.</li> </ul>	<ul style="list-style-type: none"> <li>✘ Growing grain crops is found under 102-02, "Farming - Crop Production".</li> <li>✘ Growing mushrooms is found under 302-05, "Manufacturing Food Products".</li> </ul>
<ul style="list-style-type: none"> <li>✓ Farmer's markets</li> <li>✓ U-Pick Farms (e.g. strawberries)</li> <li>✓ Roadside vegetable stands</li> </ul>	<ul style="list-style-type: none"> <li>✘ Retail stores that sell fruits and vegetables grown by others are found under 601-04, "Grocery Chains" or 601-06, "Independent Grocery Stores".</li> </ul>
<ul style="list-style-type: none"> <li>✓ Indoor plant sales/rental and maintenance. E.g., rental of plants to offices along with a contract to water and prune the plants and replace when necessary.</li> </ul> <p><i>(No farm family exemption for this specific activity).</i></p>	<ul style="list-style-type: none"> <li>✘ Outside planting and garden maintenance is found under: <ul style="list-style-type: none"> <li>• 706-05, "Yard Maintenance &amp; Pest Control"</li> <li>• 401-15, "Landscaping"</li> </ul> </li> </ul>

### Relevant Exclusion(s): Schedule A, Regulation 169/2008, WCA

Farmers and family members of farmers

15(1) A farmer or a family member of a farmer engaged in farming on a farm that is owned or operated

(a) by the farmer, or

(b) by a family farm corporation - being a corporation

(i) That is primarily engaged in the business of farming.

(ii) That is under the control in fact of the farmer, a family member of the farmer or any combination of them, and

(iii) Of which a majority of the issued and outstanding shares of each class of shares are legally and beneficially owned by the farmer, a family member of the farmer or any combination of them.

15(2) The following definitions apply in this section.

**"family member of a farmer"** means

**Relevant Exclusion(s): Schedule A, Regulation 169/2008, WCA**

- (a) a spouse or common-law partner of the farmer;
- (b) a child of the farmer or a child of the farmer's spouse or common-law partner;
- (c) a brother, sister, step-brother, step-sister, uncle, aunt, nephew, niece, grandchild or grandparent of the farmer or of the farmer's spouse or common-law partner;
- (d) a parent of the farmer's spouse or common-law partner;
- (e) a current or former foster parent of the farmer or of the farmer's spouse or common-law partner;
- (f) a current or former foster child, ward or guardian of the farmer or of the farmer's spouse or common-law partner;
- (g) the spouse or common-law partner of a person mentioned in any of clauses (d) to (g);
- (h) any other person whom the farmer considers to be like a close relative, whether or not they are related by blood, adoptions, marriage or common-law relationship.

**"farming"** means the primary production of livestock, poultry, livestock and poultry products, fruits, vegetables, grains, oilseeds, pulse, forage, market garden or horticultural products or other agricultural products, and includes the cutting of timber or lumber ties, cordwood or pulpwood.

**"farmer"** means an individual who

- (a) receives a significant portion of his or her income either directly or indirectly from his or her occupation of farming; and
- (b) spends a significant portion of his or her time actively engaged in farming.