SEASONAL EMPLOYMENT
(Source: Highlights of State Unemployment Compensation Laws, UWC January 2008)

SEASONALITY PROVISIONS

Sixteen states have special provisions relating to workers employed in seasonal industries. As Table 24 shows, these provisions usually include definitions of "seasonal industry" and "seasonal worker." Generally benefits based on seasonal work are limited to unemployment occurring during the operating period of the seasonal industry.

Table 24—SEASONALITY PROVISIONS

State (1)	Seasonal Industry (2)	Seasonal Worker (3)	Restriction (4)
	Industry which customarily operates only during regularly recurring periods of less than:	Seasonal wages in operating period of seasonal industry:	Seasonal wage credits available for benefits:
Colorado	26 weeks	Some seasonal wages.	Only during season.
Indiana	26 weeks	Some seasonal wages.	Only during season.
Maine	26 weeks	Some seasonal wages.	Only during season.
Massachusetts	16 weeks	Some seasonal wages.	Only during season.
Michigan	Operates 26 weeks or less, or at least 50% of the employees work 26 weeks or less a year. Excludes the construction industry.	Some seasonal wages.	Only during season.
Ohio	41 weeks	Some seasonal wages.	Only during season.
North Carolina	36 weeks	25% or more of base period wages earned in season with seasonal employer.	Only during season.
South Dakota	7 months	Some seasonal wages.	Only during season.
	Other Industry Definitions		
Arizona	Single employer who qualifies for state agency's transient lodging classification; employer's workforce must be reduced by at least $^{2}/_{3}$ of the average highest 12 wks of employment during one-year period prior to seasonal slowdown.	Some seasonal wages.	Only during season.
Arkansas	Industry which customarily lays off 40% or more workers for at least 4 consecutive months during regularly recurring period each yr.	Off-season wages less than 30 x WBA if season 2-6 months. Off-season wages less than 24 x wba if season is 7-8 months.	Only during season.
Delaware	First processing of agricultural products and/or seafood products	75% or more of base period wages earned in seasonal employment.	Only during season. Benefit payable in any calendar month only if claimant employed in corresponding month of claim base period.

Table 24—SEASONALITY PROVISIONS — Continued

State (1)	Seasonal Industry (2)	Seasonal Worker (3)	Restriction (4)
	Other Industry Definitions	Seasonal wages in operating period of seasonal industry:	Seasonal wage credits available for benefits:
Mississippi	Cotton ginning or professional baseball.	Off-season wages less than 30 x WBA if earned in cotton ginning or professional baseball with season of 6-26 weeks, or less than 24 x WBA if earned in cotton ginning or professional baseball with season of 27-36 weeks.	Only during season.
Pennsylvania	An industry or process, which because of climactic conditions make it impractical or impossible to do or operate otherwise. This is usually commercial canning or commercial freezing of fruits and vegetables operating during regularly recurring period of 180 days or less in a calendar year.	Performs commercial canning or commercial freezing services for less than 180 days in a year.	Only during season. Between seasons benefits based on nonseasonal wages. If there is no opportunity for work next season benefits based on both seasonal and nonseasonal wages payable retroactively.
West Virginia	Industry recognized seasonal: such as food processing and canning.	Some seasonal wages.	Ineligible if less than 100 days in seasonal industry and less than $100 in other work.
Wisconsin	Seasonal agricultural employers and employers in a tourism, recreational or tourist service industry if at least 75% of the gross wages paid by employer during prior year were paid in 2 cal. quarters. Employers voluntarily elect seasonal designation. An additional 2% solvency tax applies to seasonal employers.	Excluded if received written notice prior to beginning work for employer that the work may be excluded for UI purposes, or if worker was employed for a period less than 90 days and earned less than $500 for work performed for another covered employer.	None