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More Foreign Workers Are Filling Temporary Agricultural Jobs

BY CRISTINA RIVERO, POLITICO PRO DATAPOINT

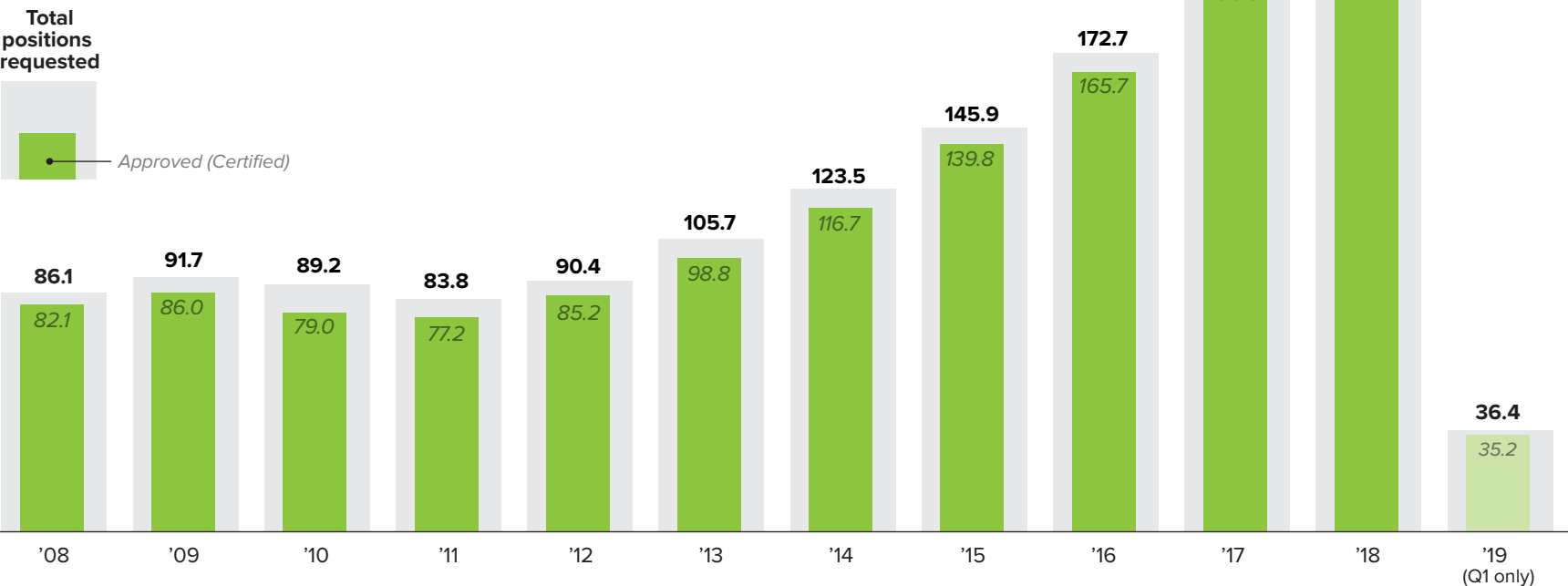
Without comprehensive immigration reform, farmers have increasingly turned to the H-2A visa program to satisfy their needs for temporary agricultural labor. The H-2A program, which provides guest workers on a seasonal basis, experienced a record number of labor requests in 2018 — 242,762 positions were certified, an increase of 196 percent compared with the level from a decade ago. Farmworker advocacy groups are opposed to expanding H-2A to become a year-round program and would rather see foreign workers offered a path to legalization and permanent residency.

Rep. Zoe Lofgren (D-Calif.), chair of the House Judiciary Committee's immigration panel, and Senate Judiciary ranking member Dianne Feinstein (D-Calif.) have introduced the Agricultural Worker Program Act of 2019 that would provide a path to citizenship for certain farmworkers. Under the bill, foreign farmworkers who have worked consistently in the U.S. for at least 100 days over the last two years could apply for legal status via a so-called blue card. Laborers with blue-card status for three to five years would be eligible for permanent legal residency.

H-2A workforce requests submitted to Department of Labor

Total number of seasonal positions agricultural employers requested in H-2A labor applications submitted to DOL's Employment and Training Administration's Office of Foreign Labor Certification.

IN THOUSANDS, BY FISCAL YEAR



H-2A labor applications certified by Department of Labor

Number of applications agricultural employers submitted to DOL that were certified, allowing employers to move forward in the H-2A process to hire foreign workers for seasonal jobs. Employers may submit one application to DOL requesting to fill multiple positions.

IN THOUSANDS, BY FISCAL YEAR



The H-2A visa program process: Filling seasonal agricultural job shortages

1 Farmers and agricultural employers must first attempt to find U.S. workers who are qualified, willing, able and available to fill temporary farm jobs.

2 If agricultural employers are unable to find enough U.S. workers to recruit, they can file a labor shortage application with Labor's Employment and Training Administration. ETA's Office of Foreign Labor Certification can approve H-2A applications, which include the number of requested positions to fill and require the employer to state that foreign worker employment will not negatively affect wages and working conditions of others in similar jobs.*

3 If H-2A labor requests are certified by ETA, agricultural employers must then submit petitions to U.S. Citizenship and Immigration Services. If petitions are approved, foreign workers can apply to the Department of State for issuance of H-2A visas to work seasonal agricultural jobs.

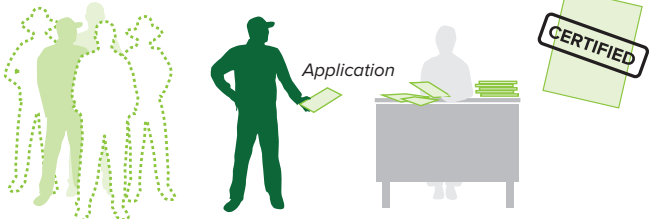
U.S. WORKERS

EMPLOYER



EMPLOYER

DOL



EMPLOYER

DHS

FOREIGN WORKER



*H-2A workers and U.S. workers employed in similar jobs must be paid special rates and be provided housing and transportation to their jobs if the work requires being away from their homes overnight.
Sources: U.S. Department of Labor, POLITICO staff reports

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