



Farmworker Justice Statement on USDA and DHS Policy Announcement re H-2A Agricultural Guestworker Program: Flexibility for Employers and No Action to Protect Farmworkers from COVID-19 or Ensure Access to Testing or Health Care

April 15, 2020 Contact Bruce Goldstein bgoldstein@farmworkerjustice.org

The USDA and DHS today announced that agricultural employers that have received approval to hire guestworkers under the H-2A agricultural guestworker program will have flexibility to hire guestworkers already in the country even if they ordinarily would be required to go home after their previous H-2A employer's job ended. The announcement also said H-2A workers, who are supposed to fill jobs that are seasonal or temporary, could stay for longer periods of time if an H-2A program employer hires them.

"The Administration announcement does nothing to address the stability of the farm labor force or the health and economic risks of COVID-19 to farmworkers who continue to labor as essential food system workers on farms and ranches," said Bruce Goldstein, President of the national advocacy group, Farmworker Justice, based in Washington, D.C.

The H-2A guestworkers are a small part of the farm labor force, perhaps 250,000 guestworkers out of a farm labor force estimated at 2.5 million. . The large majority of farmworkers are either undocumented or lawfully present as US citizens or green card holders, NOT H-2A visa workers. Meanwhile, current farmworkers face COVID-19.

He added, "Allowing employers more flexibility in using H-2A workers while the Administration does nothing to ensure the health and safety of H-2A workers or other farmworkers is unconscionable." H-2A program employers arrange for guestworkers to travel long distances from Mexico and other nations, often in crowded buses, and then house the guestworkers in group housing that is often crowded with limited sanitary facilities. Many farmworkers are reporting that they are not receiving adequate information or protection against COVID-19 and that they do not have access to testing or health care. "The Administration has done nothing to require H-2A program employers to provide safety and health protections or access to sick leave or

health care, even as it issues several policy changes that grant flexibility to agricultural employers, who will be receiving \$9.5 billion in financial support,” said Goldstein.

www.farmworkerjustice.org