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Farmworker Advocates Coalition Submits Comments on Major Trump Administration Proposal re Agricultural Guestworkers

WASHINGTON, D.C. – On September 24, Farmworker Justice, on behalf of 42 organizations, submitted to the US Department of Labor a 165-page comment and numerous exhibits responding to the DOL's proposed changes to the H-2A temporary foreign agricultural worker program.

Farmworker Justice staff coordinated the comment process and, with several farmworker advocacy groups around the country, co-wrote and edited the detailed comment. We also drafted shorter model comments which many farmworker-supporting organizations used to write their own comments.

DOL proposed extensive changes to the H-2A guestworker program regulations. They would substantially alter or eliminate many labor protections for U.S. and H-2A visa workers.

Under the complicated proposal, many farmworkers at H-2A program employers would be subjected to lower wages. Recruitment of qualified U.S. workers would be reduced, allowing employers to act on their preference for exploitable guestworkers. Guestworkers would bear more of the costs of travel to the U.S., leading to more worker debt and forcing workers to accept abusive conditions for fear of being fired, deported and unable to repay the debt. Housing safety requirements would be reduced. While some workers would see limited improvements on some issues, even if they appear in the final rule, they do not outweigh the harm.

The H-2A program is rapidly expanding, with almost 250,000 approved H-2A jobs in FY 2018. (There is no annual visa limit on H-2A visas and almost all employer applications are approved.) Thus, the proposed changes to the H-2A program will have increasingly substantial effects on farmworkers across the nation.

Next, the Department of Labor will review the comments submitted by several thousand organizations and individuals and issue a final regulation.

You may read the lengthy comment here and the much shorter model comment here.