



## **Rampant Violations of Workers' Rights Reveal Flaws of H-2A Visa Program**

In November 2021, federal prosecutors brought charges in Operation Blooming Onion, [one of the largest human trafficking and visa fraud investigations in U.S. history](#), involving more than 24 defendants and affecting potentially thousands of victims holding H-2A temporary agricultural visas. Officials described the defendants' treatment of H-2A workers as "[modern-day slavery](#)." Defendants sold and traded the victims, forced many to dig for onions with their bare hands, and threatened them with a gun to keep them in line. The indictment includes allegations of kidnapping, rape, and threats of death and violence to family members. Two workers tragically died of heat exhaustion.

The abuses in Operation Blooming Onion are not unique. In just the last year, similar H-2A trafficking operations have been uncovered in [South Carolina](#) and [Florida](#). The H-2A program is the visa category with the highest number of reported [human trafficking cases](#). These crimes are the direct result of the extraordinary power imbalance between workers and employers in the H-2A visa program. The H-2A visa ties a worker to a single employer and provides no path to immigration status or citizenship. Worker power is further undermined by employers' reliance on labor recruiters, who act as gatekeepers for foreign workers seeking H-2A jobs. As a result, workers are often unwilling to speak up about violations they are suffering in the workplace for fear of losing their current job, their legal status in the U.S., and future work opportunities.

**The rampant violations of workers' rights make clear that the H-2A program needs major reform and should not be expanded.** Because of the employers' total control and the geographic isolation of many agricultural worksites, only a small fraction of violations result in enforcement or public scrutiny, but below are just a few recent examples:

- ***Wage Theft and Deportation:*** An Idaho farm [threatened to deport H-2A workers](#) if they did not accept wages that fell well below the legal requirements and, at the same time, underpaid more than 60 domestic farmworker employees.
- ***Workplace Threats:*** In Louisiana, video shows a farmer [threatening H-2A workers at gunpoint](#) after they requested access to adequate drinking water in the field.
- ***Unsafe Housing:*** On one Georgia farm, 19 H-2A workers were [forced to live in dilapidated housing](#) that was infested with roaches and had no heat, hot water, or working toilets. One worker had to use plastic wrap as a blanket while sleeping in a dog shed.
- ***Illegal Recruitment Fees:*** A significant percentage of H-2A workers [report having to pay illegal fees](#) to H-2A recruiters abroad; one Honduran recruiter reports charging [as much as US\\$10,000](#).
- ***Coercion:*** A group of H-2A workers in California [were pressured by their employers](#) to appear at a public hearing and speak out against proposed wildfire safety protections, against their will.
- ***Displacement of U.S. Workers:*** In Mississippi, growers made many Black workers, who had worked on the farms for decades, train newly-hired white South-African H-2A workers before [telling the domestic farmworkers their services were no longer needed](#).