



CIERTO

**Helping to Build a Skilled, Professional
Agricultural Workforce**



H-2A 101

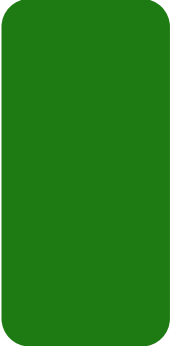
A Primer on the H-2A Guest Worker Program

What Is the H-2A Program?

- Created in 1986 to help fill jobs for which American producers could not find American workers.
- H-2A allows legal guest workers to temporarily work for U.S. farmers.
- Provides between 7% and 10% of the total agricultural workforce.



**H-2A is no longer
simply a last resort
for growers hiring
farm workers.**

- 
- The most effective option to fill these jobs
 - Protects the security of our food supply
 - Helps ensure stable labor supply

**An aging domestic workforce
means that H-2A is
increasingly the best option
for reliable farm labor.**



H-2A Requirements

To Qualify for the Program, Growers Must:

- Offer a temporary or seasonal job
- Demonstrate that not enough U.S. workers are able, willing, qualified & available to do the temporary work
- Show that employing H-2A workers will not adversely affect the wages and working conditions of similarly employed U.S. workers
- Submit a single, valid, temporary labor certification from the U.S. Department of Labor with the H-2A petition

H-2A Timeline



Pre-Filing

3 to 4 months before start date

- Position description, number of workers needed, contract dates, housing & meals, recruitment in Mexico

State Workforce Agency Filing – Job Order

75 days before start date

- First day employer can file with SWA

60 days before start date

- Last day to file with SWA



H-2A Timeline

DOL – Chicago National Processing Center

45 days before start date

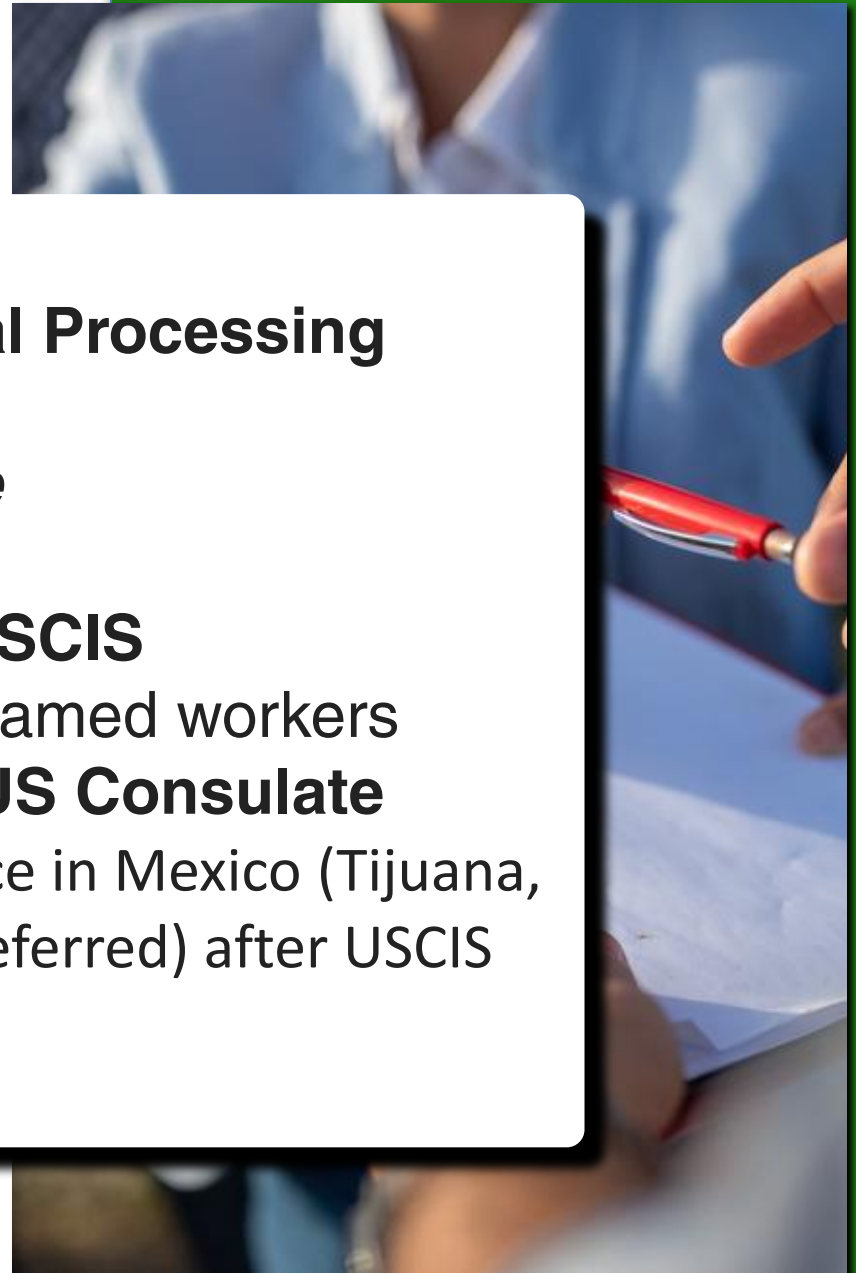
- Last day to file

I-29 Petition Filing w/ USCIS

- File for unnamed or named workers

Visa Appointments at US Consulate

- Visa issuance takes place in Mexico (Tijuana, Nogales, Hermosillo preferred) after USCIS approves petition



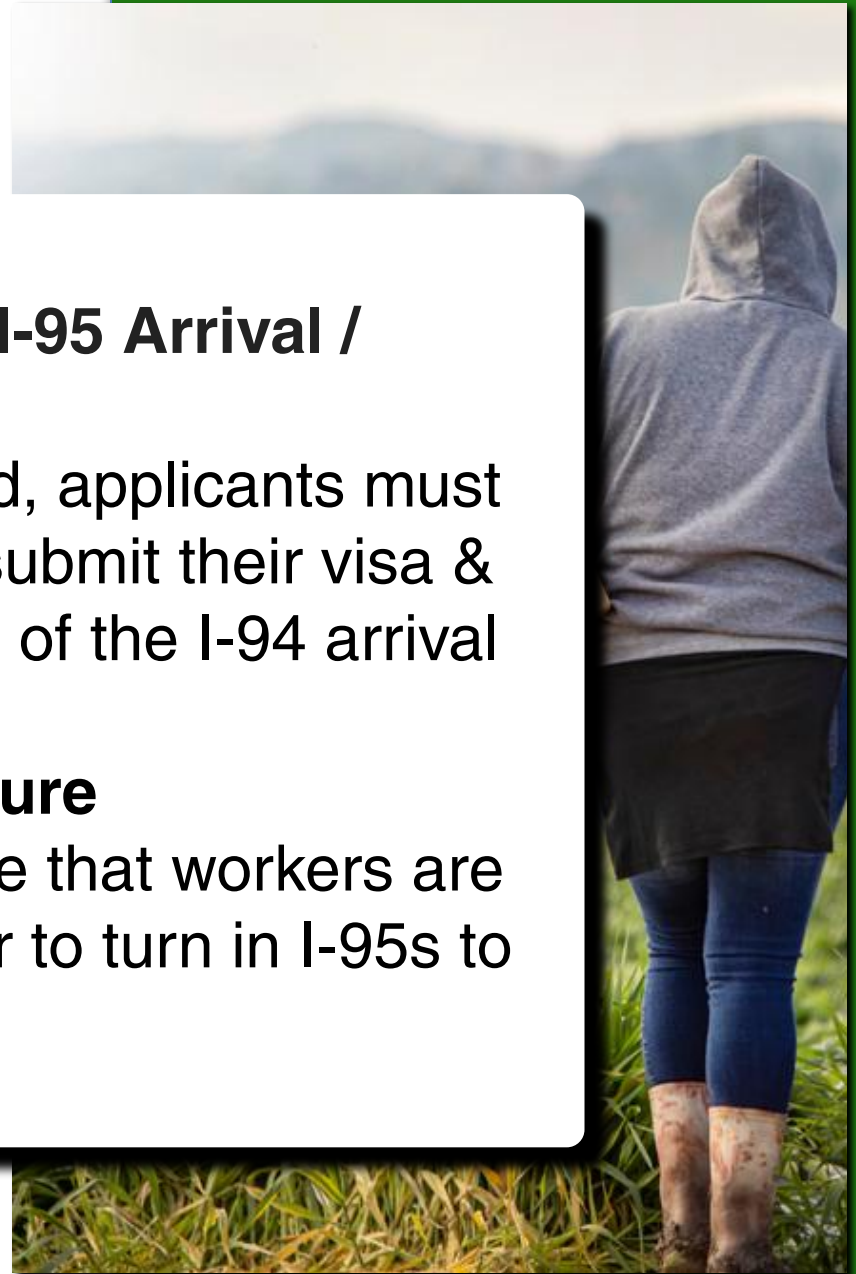
H-2A Timeline

Crossing the Border & I-95 Arrival / Departure Record

- Once visas are issued, applicants must stop at the border & submit their visa & passport for issuance of the I-94 arrival record

End of Contract Departure

- Employer must ensure that workers are returned to the border to turn in I-95s to border officer



H-2A Worker Benefits

H-2A Workers Are Entitled to

- Dept. of Labor & State Workforce Agency-inspected housing
- Cooking facilities or employer-provided meals
- Worker's Compensation
- Transportation OR reimbursement for travel costs to and from the farm
- 75% of contract-specified hours


H-2A Worker Benefits

H-2A Workers Are Entitled to

- Wages higher than the AWER, the prevailing wage, or the federal minimum wage
- Tools & equipment required to perform assigned duties
- Transportation to stores every 2 weeks for food and necessities
- Employment to any qualified US worker who applies for the job for 50% of contract period



H-2A Is Necessary, but Not Without Its Problems

- 
- Complex rules & regulations
 - Fraud, deception, extortion & abuse
 - Gendered abuse & human trafficking



**Internal audits don't always reveal hidden abuse,
making external scrutiny a necessity.**

Labor abuses – often driven by conditions of recruitment – threaten the resilience of the US agricultural supply chain and grower profits.

The problem is widely acknowledged, but hard to solve.

Ethical Charter on Responsible Labor Practices

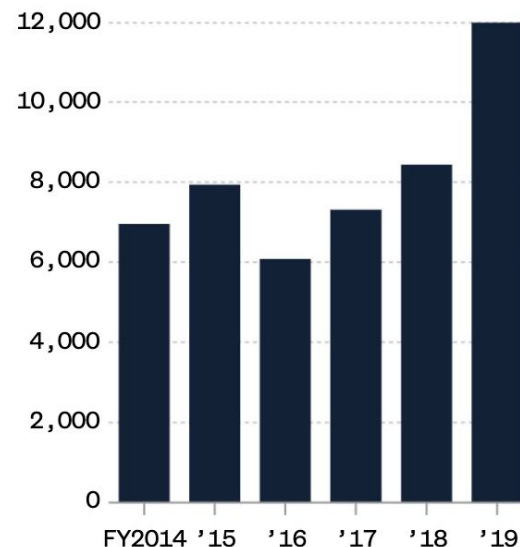
A Framework for Operations in the Fresh Produce and Floral Supply Chains



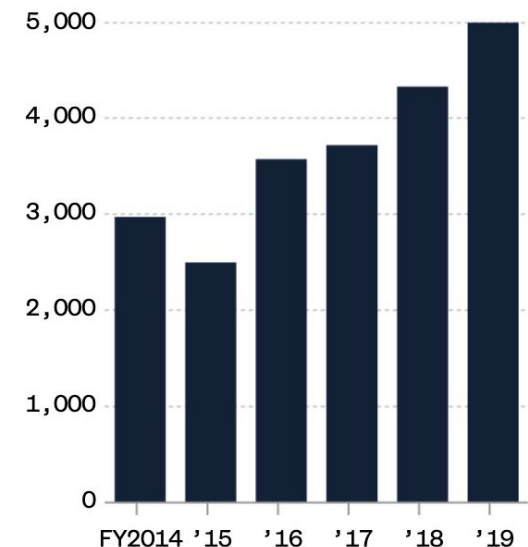
H-2A labor violations on the rise

The Labor Department has documented more H-2A violations by employers and more workers who were not paid what they were owed.

H-2A violations by employers



Employees owed back wages




Source: Labor Department

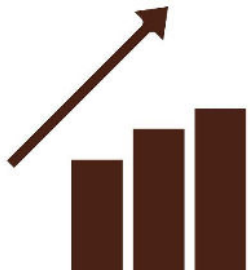


CIERTO Ethically Recruits, Trains & Places H-2A Visa Workers on Farms Throughout North America

We Specialize in Recruiting Workers Who Are

- 
- Knowledgeable
 - Highly motivated
 - Eager to return to your farm season after season

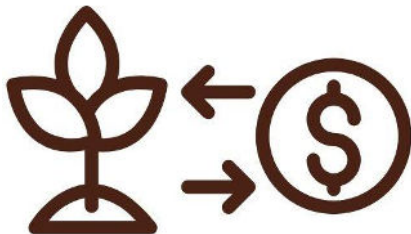
Clean, Transparent Recruiting Is Good Business.



**Significant
Productivity
Improvements**



**Fully Trained,
Knowledgeable
Workers**



**A Reliable
Labor Supply
Chain**



**Guaranteed
H-2A
Compliance**



H-2A Trends

Major retailers like Walmart, Costco & McDonald's increasingly hold growers accountable for their brand integrity, including workers rights and welfare.

CIERTO works **directly** with powerful companies like these to ensure that clean recruiting plays a major role in protecting their brand's consumer reputation.



What's Next?

Expansion

- The U.S. government is working to expand grower access to Northern Triangle H-2A workers.
- **CIERTO** has secured funding to bring our proven model of Responsible Recruiting to Guatemala.
- ***Funds are available to help growers offset the increased logistical costs of this effort.***

For more information on this program, visit
CiertoGlobal.Org/NorthernTriangle



Thank You

Carolyn M. Fairman
cfairman@ciertoglobal.org

Norma A. Encinas
nencinas@ciertoglobal.org



CIERTO

Creating Value In The Supply Chain

CiertoGlobal.Org

