

IMMIGRATION

Stable Workforce for Fresh Fruit and Vegetable Producers

Since 1986 when President Reagan and a Democratic House passed the last immigration law, United Fresh advocates for further immigration reform to ensure that agricultural employers have access to the workforce they need to not only survive, but to thrive. While U.S. employers only seek to employ legal workers, the reality of our farm labor force is that most are foreign-born and are falsely documented. Given the overwhelming pressures on American growers to ensure they have the workforce to harvest their crops, it is vital to reform our immigration system.

Congress has attempted to form bipartisan consensus to address the challenges of farmers of all sizes and commodities. This includes a bipartisan effort in the House of Representatives to ensure that producers can maintain their current workforce and have access to an expanded pool of legal workers through reforms to the H-2A visa program. By modernizing and reforming this program to make it easier for producers to use, we can address the workforce challenges of the produce industry.

In 2018, the Administration proposed reforms to the H2A program that previously required employers seeking workers to advertise in local news publications to give American workers priority. A new set of administrative reforms are already under consideration to speed up the process of ensuring that H2A contracted workers arrive on time for harvest, including mandatory electronic communication to cutdown on paperwork, staggered entry to ensure employees have workers when they need them and a more accurate calculation of wage rates.

We urge Congress and the Administration to:

- Work with our industry to develop new legislation that could provide an effective solution to our labor crisis. That solution must include the following:
 1. Transition falsely documented workers to legal status under appropriate conditions.
 2. Create a workable guest worker program that addresses the needs of labor- intensive agriculture without unreasonable limitations on visas.
 3. Oppose mandatory E-verify until after both parts of this immigration solution are fully implemented.
 4. Protect employers who have acted in good faith despite a broken legal immigration system.
- Modernize the H-2A program to fairly set the Adverse Effect Wage Rate (AEWR), and relax burdensome administrative requirements to ensure access to a viable workforce.

Agriculture Labor by the Numbers

- There are an estimated 3 million foreign workers in the U.S. agricultural labor force
- The number of full-time equivalent field and crop workers fell by more than 20 percent between 2002 and 2014
- As of 2016, the average age of a farm worker in the U.S. is 40 years old
- In 2018 the Department of Labor approved 242,762 H-2A positions and in just the last year the number of approved H-2A jobs grew by 21% and the number of employer applicants grew by over 16%
- The total number of Mexican immigrants living in the United States illegally has declined by 2 million since 2007 with a significant portion of that loss coming from a decrease in agricultural workers