

Is the H-2A Temporary Agricultural Worker Program the best option for American farmers? Or is Agricultural Labor Reform necessary?



Meade County FFA Chapter
938 Old State Rd.
Brandenburg, KY 40108
270-422-7515

State Event: June 12, 2019

H-2A Temporary Agricultural Worker Program Information

Course(s) in which instruction occurred involving the issue.

Instruction relating to the Meade County FFA Chapters Agricultural Issues Forum topic took place in the Principles of Agriculture Science, Agriscience, and Agricultural Communications courses. One hundred twelve students studied content relating to the issue.

Why is the issue important now?

Farmers have voiced their concerns over what they say is a growing labor shortage (Honig, 2018). American farmers have been forced to rely more on migrant workers who are employed through the H-2A program. The demand for foreign workers is heightened due to the lack of a domestic workforce and the reverse migration of workers from the United States to Mexico due to immigration enforcement (Ag Labor Reform Background, 2019). The expenses related to the program and the grueling paperwork process are causing farmers to reconsider utilizing the H-2A program. This could lead to an increased amount of food that must be imported from other countries, which could result in a national security issue (Gasperini, 2017). Immigration reform to alleviate labor shortages is needed now, and not later (Gasperini, 2017).

What is the nature of the issue?

The nature of this issue is divided between those who believe that H-2A is a worthwhile program for the agricultural industry and those who believe that agricultural labor reform is necessary in order for farmers to be successful. American Farm Bureau (2019) reports instability in the agriculture workforce places domestic food production at risk. Without reform to the current program, it could cost American agriculture \$60 billion. Furthermore, American farmers are concerned about the cost and audits associated with the current program (F. Sipes, personal communication, March 30, 2019). Significant reductions in the number of workers available to first generation and produce farmers are likely if the H-2A program is not reformed or if the program is abolished (N. Hardesty, personal communication, March 4, 2019).

Who is involved?

There are several groups of people who are involved in this complex issue. Farmers who utilize H-2A workers are a vital part of this program. American farmers are not only relying on this for their workforce, but the program is heavily regulated and costly (Sieff & Gowan, 2019). These costs make it increasingly difficult for farmers to participate. Migrant workers from eligible countries are applying for employment in the United States because Americans are not willing to complete the work. Those who are employed under H-2A are involved with this issue because they appreciate the opportunity to earn competitive wages for their family (Sieff & Gowan, 2019). Legislators play a vital role in this program because of the decisions they make that directly affect the program, workers and farmers. American citizens are left to live with the repercussions of the program and have been forced to purchase imported goods due to the lack of a stable workforce in America (Daniels, 2018).

How can the issue be defined?

The utilization of the H-2A program in the United States is a policy issue, food safety issue and personnel issue for farmers. This is an issue involving policy because of the historical legislative background surrounding the H-2A program. The federal government has made numerous changes to the program since its development in 1986 in an attempt to ensure the legal entrance of migrant workers. Reform of the current program can assure that American agriculture has a stable workforce (H-2A Program Use Continues to Rise, 2017).

H-2A Temporary Agricultural Worker Program Information

What is the historical background of the issue?

Legislation regarding migrant laborers was first passed in 1952 and was called the Immigration and Nationality Act (H-2A Temporary Agricultural Workers, 2009). This allowed migrant workers to apply for a temporary work visa enter United States for temporary work purposes. In 1986 the Immigration Reform and Control Act divided migrant workers into categories based on the type of work being performed. This included work in the areas of agriculture, nursing, fashion models and specialty occupations. In 1992 regulations were established for the H-2A program and the first visas were issued (H-2A Program Use Continues to Rise, 2017).

What caused this issue?

Legislation that was passed in 1992 gave Americans the opportunity to recruit and hire migrant workers through the H-2A program. The lack of a stable American workforce in the agriculture industry has forced United States farmers to turn to the H-2A program to produce and harvest their time intensive crops. The lack of consistency within the programs paperwork process is causing workers to arrive on an average of 22 days past the date of need, which cost American farmers over \$169 million in lost crops in 2017 (Gasperini, 2017). Immigration reform is critical to the future of food production and labor intensive agriculture (Gasperini, 2017).

What are the risks?

The H-2A program brings forth risks for producers and consumers. The current program is costly for farmers who utilize this opportunity. The cost associated with the required hourly wage, housing requirements and travel expenses to and from their home of origin are making it difficult for farmers to continue utilizing the program (Zurko, 2018). Lengthy paperwork and the documentation that is required for approval of H-2A laborers is time intensive and the uncertainties of an audit looms over producers (F. Sipes, personal communication, March 30, 2019). In depth audits find inconsistencies in paperwork and payroll records can lead to farmers being fined or losing their migrant workers for the season (N. Hardesty, personal communication, March 4, 2019). Consumers want to be aware of where their food comes from and how it was produced. Shortfalls in the current H-2A program are making it difficult for fresh produce, citrus and nuts to be produced and harvested, therefore leading to an increase of food being imported from foreign countries (Daniels, 2018).

What are the benefits?

Benefits of the H-2A program are prevalent for migrant workers, first generation farmers and law enforcement agencies. The opportunities made available to migrant workers as a result of this program are substantial. Earning competitive wages to provide for their families and having stable working conditions have been positive elements for migrant workers (Honig, 2018). Those producers who are first generation producers and have fields of citrus, fresh produce and nuts are overwhelmed by the lack of employees who are willing to work. The H-2A program is giving these farmers a stable workforce that they cannot find in America (Honig, 2018). Law enforcements agencies have found that the program is safe for citizens and the laws in place are protecting Americans from migrant workers who are dangerous.

Bibliography

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- Sipes, F. (2019, March 30). Meade County Farm Bureau President [Personal interview].
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FORUM SCHEDULE

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Audience</u>	<u>Number Present</u>
April 18, 2019	3:30 p.m.	Meade County Cooperative Extension Office <i>Brandenburg, KY</i>	University of Kentucky Extension Agents	12
April 22, 2019	8:00 a.m.	Meade County Soil Conservation Office <i>Brandenburg, KY</i>	Meade County Soil Conservation Board	11
May 2, 2019	7:00 p.m.	Meade County Farm Bureau <i>Brandenburg, KY</i>	Meade County Farm Bureau Young Farmers	7
May 7, 2019	9:30 a.m.	Agriculture Workforce Management Assoc. <i>Lexington, KY</i>	AWMA Agents	5
May 7, 2019	11:00 a.m.	Franklin County Cooperative Extension Service <i>Frankfort, KY</i>	Franklin County Extension Agents	5
May 7, 2019	12:45 p.m.	Kentucky State Capitol Building <i>Frankfort, KY</i>	Nancy Tate-Kentucky State Representative	9
May 7, 2019	2:00 p.m.	Governor's Office of Agricultural Policy <i>Frankfort, KY</i>	Warren Beeler-Director of GOAP and Staff members	9
May 7, 2019	7:30 p.m.	Breckinridge County Farm Bureau <i>Hardinsburg, KY</i>	Breckinridge County Farm Bureau Board of Directors	22
May 8, 2019	6:00 p.m.	Meade County Public Library <i>Brandenburg, KY</i>	Meade County Public Forum	14



MEADE COUNTY COOPERATIVE EXTENSION SERVICE APRIL 18, 2019

April 18, 2019

Dear Mrs. Pack,

I would like to thank you and the members of your FFA chapter's Ag Issues Team for their presentation at our office on April 18th.

The group presented on the H2A program in Kentucky and discussed the pros and cons of the program. It is evident that they are passionate about FFA and agriculture and will play an important role in the future of agriculture as they pursue their own careers. As Cooperative Extension Agents, we work one on one with the public and their concerns regarding food safety and concerns with having ample employees on their operations. This was a valid issue that these students really brought to light.

On behalf of the staff at the Meade County Cooperative Extension Office, we wish your team the best of luck as they compete.

Sincerely,

Andy Mills

Andy Mills,
County Extension Agent
for Agriculture and Natural Resources Education—Meade

AM/gm

Cooperative Extension Service
Agriculture and Natural Resources
Family and Consumer Sciences
4-H Youth Development
Community and Economic Development

Educational programs of Kentucky Cooperative Extension serve all people regardless of economic or social status and will not discriminate on the basis of race, color, ethnic origin, creed, religion, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, age, veteran status, or physical or mental disability. University of Kentucky, Kentucky State University, U.S. Department of Agriculture, and Kentucky Counties, Cooperating.



MEADE COUNTY SOIL CONSERVATION DISTRICT BOARD APRIL 22, 2019



1194 Old Elron Road, Ste. B, Brandenburg, KY 40106
Phone: (270)422-3183 Fax: (270)422-1129

April 22, 2019

Dear Mrs. Pack

On behalf of the Meade County Conservation District I wanted to personally thank you for allowing your Agriculture Issues team to present to our board of supervisors today.

All 11 of us that were in attendance were impressed with the professionalism and knowledge that your students presented on the H2A program. They provided many insights both positive and negative about the program itself and answered all of our questions. They were well prepared.

Our State Representative, Nancy Tate, and the DOC environmental specialists, Kimberly Bartley were in attendance and they really enjoyed hearing about the program from their perspective.

It was a pleasure getting to meet them and I truly hope they do well at their state competition.

Sincerely

Melody Davenport

Melody Davenport
Administrative Secretary
Meade County Conservation District

Nicholas Hardesty
Meade County Farm Bureau Young Farmers Chair
7200 Hwy. 79
Guston, Ky 40142
270-668-7196

Mrs. Noel Pack

I would like to take this opportunity to thank you and your students for coming to our Young Farmers meeting on May 2nd and presenting to us their ag issues presentation. Being a farmer and utilizing the H2A farm work program I knew the information very well myself. With that being said the students knew the information very well and it was well presented. I look forward to hearing how they do in the contest. Best of luck to you and your students.

Thank you,



Nicholas Hardesty
Meade County Farm Bureau Young Farmer Chair

**MEADE COUNTY FARM BUREAU
YOUNG FARMERS
MAY 2, 2019**



**AMERICAN WORKFORCE
MANAGEMENT ASSOCIATION
MAY 7, 2019
9:30 a.m.**



620 South Broadway
Lexington, KY 40508
Phone: (859) 233-7845
Fax: (866) 751-8406
Text: (202) 810-2962
Website: www.awmalabor.com
Email: h2a@awmalabor.com

May 7, 2019

Noel Pack
Meade County High School

Dear Noel,

Thank you for letting us hear the Meade County FFA members presentation on the H2A visa program. We are always excited to see and hear FFA members and they did a great job of presenting the pros and cons of the H2A guest worker program. We live it everyday and it is good to hear how other people view the program. We hope to see you in Lexington in June.

Rick Alexander
Executive Director
Agriculture Workforce Management Assoc.

**FRANKLIN COUNTY
 EXTENSION SERVICE**
MAY 7, 2019
11:00 a.m.

May 9, 2019

To Whom it May Concern,

I am writing to inform you that the Meade County FFA Agriculture Issues team presented their presentation to our office on Tuesday, May 7, 2019. This team of young women did an outstanding job presenting and receiving positive feedback. Our office staff who was present for their presentation were the Franklin County Extension Agents for Agriculture and Natural Resources, Horticulture and 4-H Youth Development.

We look forward to hearing how they presented at the State FFA Convention in June and appreciated them coming to share their presentation with us.

Sincerely,

Krista M. Perry

Franklin County Extension Agent
for 4-H Youth Development Education



NANCY TATE, STATE REPRESENTATIVE
MAY 7, 2019
12:45 p.m.



Commonwealth of Kentucky

HOUSE OF REPRESENTATIVES

NANCY J. TATE

702 CAPITOL AVENUE

STATE REPRESENTATIVE
 27th LEGISLATIVE DISTRICT
 115 GARRETT ROAD
 BRANDENBURG, KY 40108



SUITE 351D
 FRANKFORT, KY 40601
 502-564-2217
 NANCY.TATE@LRC.KY.GOV

May 8, 2019

Dear Mrs. Noel Pack,

I appreciate the opportunity to watch the Meade County FFA students present yesterday at the Kentucky Capitol. The students gave the presentation that is intended for the Agriculture Issues Contest at the state FFA Convention in June.

The students were well prepared and gave a very information presentation concerning the benefits and issues of using migrant workers on their family farms.

Thank you and best wishes at the state FFA Convention. I hope to see you again during the 2019 Interim at the Capitol. My intentions are to invite the FFA students to give their presentation before the Kentucky House of Representatives Agriculture Committee.

Sincerely,

Nancy J. Tate

Nancy J. Tate
 State Representative
 27th Legislative District

**GOVERNOR'S OFFICE OF
AGRICULTURAL POLICY
MAY 7, 2019
2:00 p.m.**



Governor's Office of Agricultural Policy

Matthew G. Bevin
Governor

404 Ann Street
Frankfort, Kentucky 40601
(502) 564-4627
Fax (502) 564-8990
Internet: agpolicy.ky.gov

Warren Beeler
Executive Director

May 8, 2019

To Whom It May Concern,

The Meade County High School FFA presented to our office staff on May 7, 2019. We thoroughly enjoyed hearing the speech and provided feedback for improvement. My staff also asked questions to learn more on the subject of immigrant labor and how it affects Kentucky agriculture.

Thank you,

Warren Beeler

Warren Beeler
Executive Director
Governor's Office of Agricultural Policy



Kentucky Farm Bureau Federation

9201 Bunsen Parkway • P.O. Box 20700 • Louisville, KY 40250-0700
Telephone (502) 495-5000 • Fax (502) 495-5114 • kyfb.com

MARK HANEY
President
EDDIE MILTON
First Vice President
SHARON FURCHES
Second Vice President
DREW GRAHAM
Executive Vice President



**BRECKINRIDGE COUNTY FARM BUREAU
BOARD OF DIRECTORS
MAY 7, 2019
7:30 p.m.**

May 8, 2019

To Whom it May Concern:

The Meade County FFA Agriculture Issues Team attended the regular monthly meeting of Breckinridge County Farm Bureau on Tuesday May 7th. We were pleased they chose us as an audience for their presentation about the H2A migrant worker program. We wish them the best of luck at the state competition.

Thank You,

Stacy Sipes
Area 3 Program Director
Kentucky Farm Bureau Federation





May 9, 2019

To Whom It May Concern:

The Meade County Public Library was happy to host the Meade County FFA Agriculture Issues Team on May 8, 2019. The group used our facilities to host a public forum to hear their discussion on the H-2A migrant worker program. The group advertised their event on our Facebook page and hung up a flyer on our bulletin board, inviting any public citizens to their forum. The group of high school students did an excellent job of presenting the issue and received a lot of questions and feedback from the public. As always, we are happy to host the forum for the team and look forward to seeing how they perform at the state level.

Sincerely,

Ashley Childs

Ashley Childs
Assistant Director
Meade County Public Library

**MEADE COUNTY PUBLIC FORUM
MAY 8, 2019**

