

America Needs AgJOBS, not Harsh Guestworker Programs

Background: Immigration is a critical issue for farmworkers. The majority of farmworkers are undocumented, with estimates ranging from 53% to 75% of the workforce. Without legal status, most farmworkers are too fearful of deportation to challenge unfair treatment. Intensified immigration enforcement efforts have driven undocumented workers further underground, leaving them even more vulnerable to exploitation.

In February, the Bush Administration proposed changes to the H-2A agricultural guestworker program that would cut wages and weaken the program's modest labor protections and minimum housing standards. The H-2A program allows agricultural employers to hire temporary foreign workers if no U.S. workers are available and the wages and working conditions of U.S. workers will not be adversely affected. Under the proposal, farmworker wages would be lowered as DOL proposes to adopt a flawed wage formula. Many H-2A employers would be permitted to provide a housing "voucher" instead of actual housing—a voucher is essentially worthless as there is frequently no housing available for farmworkers. The changes also would allow employers to hire foreign workers without having to recruit U.S. workers effectively and would even permit employers to offer some U.S. workers lower wages and fewer benefits than the guestworkers with whom they work side-by-side.

These changes do not address the reality that the majority of farmworkers already in the United States are undocumented. Instead, the proposed changes would make it easier for employers to import exploitable guestworkers and would subject both U.S. workers and foreign workers to poor wages and working conditions. The Department of Labor will allow 45 days for the public to comment on the proposal before finalizing it. The proposed changes should not be implemented.

Solution: The solution to our agricultural labor needs is AgJOBS –the Agricultural Job Opportunities, Benefits and Security Act, S. 340/HR 371. AgJOBS is a labor-management, bipartisan compromise that would provide America with a stable farm labor force and help ensure that farmworkers are treated fairly.

AgJOBS has two parts: *First*, AgJOBS would offer many currently undocumented farmworkers the chance to earn temporary legal status by meeting a past-work requirement in US agriculture, undergoing security checks, and paying fees and fines. Participants then could earn permanent immigration status by meeting a future-work requirement of 3 to 5 additional years in U.S. agriculture, complying with immigration requirements, and paying fees and a fine. *Second*, to regulate migration in the future, AgJOBS would revise the H-2A agricultural guestworker program in a balanced manner.

AgJOBS offers an effective and humane solution. We depend on the farm labor force for the food on our table. America's farmworkers, farmers, and consumers need AgJOBS. Please support AgJOBS.

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