

Thanks to Slaughter's Urging, U.S. Labor Department Says It Will Be Easier for Growers to Get the Labor They Need for Harvest Season

WASHINGTON – Congresswoman Louise Slaughter (NY-28) today announced that the U.S. Department of Labor is already beginning to make changes to a program that has caused local growers headaches just before harvest season. Fruit and vegetable farmers who call Western New York home have long been frustrated by the U.S. Labor Department's enforcement of the H-2A program which oversees the seasonal workers local growers need to harvest their apples, strawberries and other fruits and vegetables.

Slaughter, as a long-time advocate for farmers, stepped in to press the Labor Department to streamline their administration of the H-2A program, stating that the program suffers from excessive time delays, paperwork burdens, and confusion with both growers and administrators of the program. These bureaucratic hurdles put the economic vitality of Western New York farmers at risk. As the number one economic driver in Upstate New York, a thriving agriculture industry is essential for the Empire State, she argued.

In response to Slaughter's [June letter](#), Deputy Secretary of Labor Seth Harris wrote that action is already being taken to enhance the administration of the program by making better use of the internet, establishing a web-based filing system, providing more guidance to growers before they file necessary paperwork, and making Department representatives available to growers early in the process to more quickly iron out any discrepancies.

"After months of work and input from my friends who grow Upstate New York's fruits and vegetables, I'm delighted to see changes being made to assure them that they have the workforce they need before this harvest season," said Slaughter. "They understand, and I know the Department of Labor does as well, that an efficient administration of the H-2A program is about saving American jobs, and allowing Upstate to thrive. Farmers already gamble with the weather, with commodity prices, and with invasive pests - they shouldn't have to gamble with federal paperwork to obtain a legal workforce, and I'm doing everything I can to see that they don't."

Today's good news comes as Slaughter meets again in Washington with local representatives of the farming community who have been hurt by inconsistent enforcement of the H-2A program

which allows them to have the seasonal workers needed to harvest their seasonal crops.

It was thanks to a [July summit](#) hosted by Slaughter with Deputy Secretary of Labor Seth Harris, Members of Congress and several regional growers that allowed many of the concerns raised consistently by local growers to be addressed directly by the Labor Department.

Among the improvements already underway announced today by Slaughter:

- ***Making Better Use of the Internet.*** New York is one of the selected states to participate in a pilot e-mail program allowing the Department to communicate more efficiently with growers. In addition, a dedicated e-mail address has been established for growers to ask direct questions to the National Processing Center in Chicago ( [TLC.Chicago@dol.gov](mailto:TLC.Chicago@dol.gov) ).
- ***Establishing a Web-Based Filing System.*** The Labor Department is also working to develop a new web-based filing system for the H-2A program that will allow growers to check an application's status electronically. The Labor Department announced that a contract to develop the program will be awarded by the end of October and the new system should be ready for implementation in late summer 2012.
- ***Providing More Guidance Before Filing.*** The Department of Labor has developed “ [filing tips](#) ” based on actual problems encountered by growers and the OFLC will continue to post [Frequently Asked Questions](#) on an ongoing basis and publish an H-2A Small Business Handbook in late fall. For example, one common pitfall growers can avoid is looking up and offering on their application the current [Adverse Effect Wage Rate](#) for their state.
- ***Developing a Long-Needed Process.*** OFLC will establish a “stakeholder” process where

Department representatives and growers who will be in direct communication on emerging issues to address before they turn into a larger problem.

[A copy of Harris' letter is attached.](#)

Slaughter remains steadfast in her commitment to helping farmers obtain a legal, useable workforce through the only federal program available. Growers are encouraged to continue contacting Slaughter's office with comments, suggestions, and in search of help finding solutions to the H-2A process.

### **The Problem**

In the past five years, changes in procedures have caused delays and processing problems often at the expense of farmers. In just the past year there has been an abnormally large number of deficiencies and denials of H-2A certifications. Many of these deficiencies and denials have involved requests similar to those approved in past years and have forced farmers, in desperate need of workers, to engage in costly, stressful, and time consuming administrative appeals. This is a huge burden on the farmer, especially when most of these appeals have been ruled in favor of the farmer.

Agriculture is an important industry for the Empire State and the leading economic driver in Upstate New York. New York has a diverse agricultural sector ranking second in the nation for apple production, third in the nation for production of grapes for juice and wine, and fourth in the production of several key vegetable crops including cucumbers and snap beans. Many of these crops, including apples, strawberries and many vegetables rely on seasonal workers, many of whom come to the United States temporarily to assist with the harvest season.

The efficient administration of the H-2A program is a matter of saving American jobs. It is estimated that for every farm owner and farm employee, there are three jobs directly related to agriculture in off-the-farm employment, with many of these positions held by American workers. In New York, this means 59,000 on-farm jobs and over 150,000 related off-the-farm jobs are reliant on a reliable H-2A program.

### **Slaughter's Fight to Streamline Regulations for Local Growers**

Today's meeting is one more action in months of work by Slaughter to assist Western New York seasonal farmers obtain the labor they need in advance of this year's harvest season. In March, Slaughter hosted a meeting with Department of Labor officials and local growers to begin a dialogue that will ease the process for local farmers.

On June 14, [Slaughter wrote to U.S. Labor Secretary Hilda Solis](#) saying, "I respectfully request that U.S. Department of Labor (DOL) take dedicated actions to provide consistent guidance and timely processing of H-2A applications for producers and growers and that any outstanding New York H-2A applications be reviewed to immediately remedy any problems and/or delays in their

processing.”

One month later on July 14, [Slaughter hosted a summit with Deputy Secretary of Labor Seth Harris](#), local fruit and vegetable growers and fellow members of Congress in Washington, D.C. allowing local growers the access they needed to bring their reoccurring concerns to the Labor Department’s senior leadership. Slaughter said of the meeting at the time, “This was one of the best meetings I’ve had in my time in Congress and I want to thank my friend Deputy Secretary Harris for coming with his staff to listen to our growers.”