



**News Release**

**U.S. DEPARTMENT OF LABOR ISSUES FINAL RULE TO MODERNIZE H-2A TEMPORARY AGRICULTURAL LABOR CERTIFICATION PROGRAM**

**WASHINGTON, DC** – The U.S. Department of Labor today announced a final rule that modernizes the H-2A Temporary Agricultural Labor Certification Program.

Furthering the Trump Administration’s agenda to help American farmers, the Department’s Employment and Training Administration, and Wage and Hour Division are issuing this final rule in response to the extensive public comments received from farmers, farmworkers, as well as advocates and associations for both groups from across the country.

This rule will modernize the Department’s H-2A regulations in response to stakeholder concerns and enhance employer access to a legal source of agricultural labor, while maintaining the program’s protections for the U.S. workforce and enhancing enforcement against fraud and abuse.

“This final rule will streamline and simplify the H-2A application process, strengthen protections for U.S. and foreign workers, and ease unnecessary burdens on employers,” said Assistant Secretary for Employment and Training John Pallasch. “It is a victory for farmers, agricultural workers, and the American people, who rely on a vibrant agricultural sector to supply food for our families.”

The rule mandates electronic filing of job orders and applications, bringing the H-2A application process into the digital era and harnessing the power of electronic filing through the Foreign Labor Application Gateway system to share information with federal agencies like the Department of Homeland Security, and with State Workforce Systems and domestic farmworkers.

It also provides small employers that cannot offer full-time work for their H-2A employees with an opportunity to participate in the H-2A program by establishing new standards that permit individual employers possessing the same need for agricultural services or labor to file a single application and job order to employ workers jointly in full-time employment.

Additionally, the rule will provide additional flexibilities that will reduce unnecessary burdens on the agricultural employers that use the program. These flexibilities include the ability to stagger the entry of workers into the country over a 120-day period, allowing agricultural employers the flexibility to file a single application for different start dates of need within a certified employment period instead of multiple applications.

The rule will strengthen protections for U.S. and foreign workers by enhancing standards applicable to rental housing and public accommodations, strengthening surety bond requirements, and expanding the Department’s authority to use enforcement tools like program debarment for substantial violations of program rules.

[Learn more about H-2A Temporary Agricultural Labor Certification Program.](#) The Department will publish the final rule in the Federal Register at a later date. Read the final rule.

The mission of the Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

**Agency:** Employment and Training Administration

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