

Adverse Effect Wage Rates

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As provided in 20 CFR part 655, subpart B, the OFLC Administrator establishes the nationwide monthly AEWR for range occupations governed by the procedures in §§ 655.200 through 655.235, as provided in § 655.211(c), and hourly AEWRs for all other occupations, as provided in § 655.120(b).

An employer seeking to employ foreign workers under the H-2A program is required to offer, advertise in its recruitment, and pay a wage that is at least equal to the AEWR when it is the highest applicable wage rate among the wage sources applicable to the employer's job opportunity. For range occupations, the wage offered and paid to H-2A workers and workers in corresponding employment must equal or exceed the monthly AEWR, the agreed-upon collective bargaining wage, or the applicable minimum wage imposed by Federal or State law or judicial action, or any agreed-upon collective bargaining rate, whichever is highest. See 20 CFR 655.210(g) and .211(a). For all other occupations, the wage offered and paid must equal or exceed the hourly AEWR, the prevailing wage rate (if available), the Federal minimum wage, the State minimum wage, or the agreed-upon collective bargaining rate, whichever is highest. See 20 CFR 655.120(a) and .122(l).

In addition, the OFLC Administrator publishes the average AEWR in accordance with 20 CFR 655.120 for use in calculating the bond amounts required of H-2A Labor Contractor employers under 20 CFR 655.132(c)(2)(ii). See 20 CFR 655.103(b) (definition of AEWR) and .120(b)(2) (process for publishing AEWR determinations).

Current AEWRs

I. Range Occupations (effective January 1, 2023)

\$1,901.21/month in all States

II. Non-Range Occupations (effective January 1, 2023)

State	AEWR
Alabama	\$13.67
Arizona	\$15.62
Arkansas	\$13.67
California	\$18.65
Colorado	\$16.34
Connecticut	\$16.95
Delaware	\$16.55
Florida	\$14.33
Georgia	\$13.67
Hawaii	\$17.25
Idaho	\$15.68
Illinois	\$17.17
Indiana	\$17.17
Iowa	\$17.54
Kansas	\$17.33
Kentucky	\$14.26
Louisiana	\$13.67
Maine	\$16.95
Maryland	\$16.55
Massachusetts	\$16.95
Michigan	\$17.34
Minnesota	\$17.34

State	AEWR
Mississippi	\$13.67
Missouri	\$17.54
Montana	\$15.68
Nebraska	\$17.33
Nevada	\$16.34
New Hampshire	\$16.95
New Jersey	\$16.55
New Mexico	\$15.62
New York	\$16.95
North Carolina	\$14.91
North Dakota	\$17.33
Ohio	\$17.17
Oklahoma	\$14.87
Oregon	\$17.97
Pennsylvania	\$16.55
Rhode Island	\$16.95
South Carolina	\$13.67
South Dakota	\$17.33
Tennessee	\$14.26
Texas	\$14.87
Utah	\$16.34
Vermont	\$16.95
Virginia	\$14.91
Washington	\$17.97
West Virginia	\$14.26
Wisconsin	\$17.34
Wyoming	\$15.68

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