

Policy Advisory Group Report

Members

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Ag Labor/Immigration Policy Advisory Group

The agriculture labor policy advisory group met on March 10. The group welcomed several new members representing different segments of agriculture, including the seed industry and vegetable and melon farmers.

The group received a briefing from Jenifer Brown, partner at Ice Miller LLP, on the challenges of the U.S. immigration system and implications for agriculture. The talk included a summary of non-immigrant and immigrant classifications, differences and challenges confronting each in the current system. The group also heard about the president's actions on Deferred Action for Child Arrivals and the differences of the H2-A and H2-B visa programs, the most common for farmers and agricultural businesses.

The ag labor PAG identified and prioritized some policy issues on which to focus efforts. The first part of the group issue discussion included:

- Definitions of "ag labor" and the need for government agencies to use a uniform definition found in the Fair Labor Standards Act and Migrant Worker Protection Act.
 - New policy was proposed followed by unanimous agreement.
 - New policy: We support: Agriculture labor as being defined under the Fair Labor Standards Act and Migrant Worker Protection Act.
- FSMA compliance specifically related to labor provisions found in the rule. The PAG will continue researching this issue with the help of INFB staff. An update will be provided at the next meeting.
- Compliance costs and delays of the current H2-A program makes it unworkable for most farming operations. Farmers are disproportionately burdened by this system.
- H2-A delays: The PAG discussed a proposed revenue protection policy or program to compensate farmers when their guest workers do not show up on time due visa processing delays.
- The need for a significant focus on implementation of existing Farm Bureau policy on immigration reform. Comments were made by members regarding the need to identify "low hanging fruit" opportunities that stand a chance in the current political environment.

The PAG heard about rural labor and economic issues from David Oppedahl, an economist at the Federal Reserve Bank of Chicago. He talked about rural labor trends, the importance of guest workers to farms and key economic indicators. The impacts of

interest rate policies by the Federal Reserve were also discussed. In general, the economic recovery in rural areas and employment gains in those communities are lagging compared to other parts of the country.

The group also heard from Katie Rash from Great Lakes Ag Labor LLC. They received an overview of Michigan Farm Bureau's new company and services, which assist farmers with navigating the H2-A process and securing workers.

The final group discussion segment included the following issues and outcomes:

- Affordable Care Act: Health insurance premiums are increasing at an alarming rate for farmers due to ACA. While many farms may be exempt from providing insurance, they are being impacted with rising premiums.
- Immigration reform: There is a need to identify opportunities to address challenges, despite lack of movement by Congress to overhaul the immigration system. The group talked about the need to provide farmers a legal status provision for their undocumented guest workers, even if they had to pay a reasonable fine. A new policy was proposed and unanimously agreed upon as a result of this discussion.
 - New policy: We support the conversion of the barring system to a fine system resulting in an agricultural work permit for the guest worker.
 - The PAG also requested more information about the "barring" system for future discussion.

CALL TO ACTION

As part of the ongoing debate and need for reasonable actions to address the immigration challenges faced by American agriculture:

County Farm Bureaus can

- Identify farmers and other agricultural businesses in their communities who rely on guest workers, reach out to them to form relationships and work to build a local coalition for advocacy efforts.
- Organize an on-farm visit or meeting with state and federal legislators to highlight the importance of guest workers to agriculture in your community and need for immigration reform.

Farmers are asked to

- Contact INFB if they are currently using the H2-A program and have experienced delays in the arrival of workers due to processing delays or any other hardships with the program.
- Contact INFB if they would like to get more directly involved in immigration advocacy efforts.

Questions regarding the activities of the ag labor/immigration PAG can be directed to one of the group members or to [Kyle Cline](#), 317-692-7845, the Farm Bureau staff member facilitating the group.