

GROWERTALKS

JZ on D.C.

2/1/2022

AmericanHort Meets With Agriculture Secretary

Jennifer Zurko

AmericanHort was part of a select group joining an agriculture roundtable discussion with Agriculture Secretary Tom Vilsack and Senator Sherrod Brown (D-OH) in Columbus, Ohio, on December 10. Brown is a member of the Senate Agriculture Committee. President & CEO Ken Fisher participated for AmericanHort.

During the visit, Brown and Vilsack announced that Ohio State will be receiving a \$1.2 million grant for climate-smart agriculture programs, including research into the use of robotics for nutrient application.

Pictured: AmericanHort's President & CEO Ken Fisher (right) meets with Secretary of Agriculture Tom Vilsack.

Prompted by a question from Ken Fisher, Vilsack noted that immigration reform is the most demagogued issue in Washington and that “we have a broken immigration system and we all know it.” He stated that the Biden administration would work incredibly hard to get a Senate vote on immigration reform benefiting agriculture.

Other topics of discussion included conservation, carbon sequestration and supply chain issues. AmericanHort looks forward to building on this engagement with Secretary Vilsack and USDA in 2022.

—Tal Coley, Director of Government Affairs, AmericanHort



2022 ADVERSE EFFECT WAGE RATES

State*	2022 AEWRs
Alabama	\$11.99
Arizona	\$14.79
Arkansas	\$12.45
California	\$17.51
Colorado	\$15.58
Connecticut	\$15.66
Delaware	\$15.54
Florida	\$12.41
Georgia	\$11.99
Hawaii	\$16.54
Idaho	\$14.68
Illinois	\$15.89
Indiana	\$15.89
Iowa	\$16.19
Kansas	\$16.47
Kentucky	\$13.89
Louisiana	\$12.45
Maine	\$15.66
Maryland	\$15.54
Massachusetts	\$15.66
Michigan	\$15.37
Minnesota	\$15.37
Mississippi	\$12.45
Missouri	\$16.19
Montana	\$14.68
Nebraska	\$16.47
Nevada	\$15.58
New Hampshire	\$15.66
New Jersey	\$15.54
New Mexico	\$14.79
New York	\$15.66
North Carolina	\$14.16
North Dakota	\$16.47
Ohio	\$15.89
Oklahoma	\$13.88
Oregon	\$17.41
Pennsylvania	\$15.54
Rhode Island	\$15.66
South Carolina	\$11.99
South Dakota	\$16.47
Tennessee	\$13.89
Texas	\$13.88
Utah	\$15.58
Vermont	\$15.66
Virginia	\$14.16
Washington	\$17.41
West Virginia	\$13.89
Wisconsin	\$15.37
Wyoming	\$14.68

2022 H-2A Wage Rates Now in Effect

The Department of Labor published a Federal Register notice on December 16, 2021, specifying the 2022 H-2A Adverse Effect Wage Rates (AEWR). The new rates took effect December 29, 2021.

While the H-2A program mandates payment of the higher of federal or state minimum wage, prevailing wage, a collective bargaining wage or the AEWR, the AEWR is generally the applicable wage for H-2A workers and any U.S. workers performing any of the same job duties. As reported previously, the national average wage increase for 2022 is just above 6%.

(*Alaska is not included in USDA's Farm Labor Survey.)

—Craig Regelbrugge, Executive VP – Advocacy, Research & Industry Relations, AmericanHort

News for Landscape Members Employing H-2B Workers

In early January, the U.S. Department of Labor (DOL) announced it received 7,875 H-2B applications requesting 136,555 worker positions for the April 1 second-half cap start date. This is a record 41% increase over last year and reflects the tight labor shortage. However, only 33,000 visas are available for the requested 136,555 H-2B seasonal workers. Under DOL procedures, the Office of Foreign Certification conducted a random lottery assigning these applications into priority groups for processing the H-2B applications with a work start date of April 1, 2022.

The U.S. Departments of Homeland Security (DHS) and Labor announced at the end of 2021 an agreement to make available an additional 20,000 H-2B temporary non-agricultural worker visas for the first half of fiscal year 2022. These additional visas will be set aside for U.S. employers seeking to employ additional workers on or before March 31, 2022. This marks the very first time DHS is making additional H-2B visas available in the first half of the fiscal year.

The supplemental H-2B visa allocation includes 13,500 visas available to returning

workers who received an

H-2B visa or were otherwise granted H-2B status during one of the last three fiscal years. The remaining 6,500 visas are exempt from the returning worker requirement and are for nationals of Haiti, Honduras, Guatemala and El Salvador.

As of press time, the rule was not finalized, but once it is, additional details on eligibility and filing requirements will be available in the temporary final rule and the Cap Count for H-2B Nonimmigrants webpage (uscis.gov). FNGLA's national association partners are urging DHS and DOL to issue a similar rule quickly to make additional visas available for the second half cap beginning April 1.

DHS also plans to issue a separate notice of proposed rulemaking to reform the H-2B program. The proposed rule will include efforts aimed at program efficiencies and protection against exploitation of H-2B workers.

—Ben Bolusky, CEO, Florida Nursery, Growers & Landscape Association

News, views, commentary and event coverage about the policies and legislation that directly affect our industry.

Share your thoughts, opinions and news with me: jzurko@ballpublishing.com.