

End of summer labor and political updates revealing



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After all the promises from the 2016 federal election campaigns, one would have expected to be reporting significantly more business- and economy-friendly interpretation and application of regulations, at least solid movement toward regulatory improvements, and clear legislative action on issues important to agriculture; particularly, actions to stabilize our workforce and assure future flow.

Unfortunately, the combination of infighting, world and national events, and increasing positioning for the 2018 mid-term elections as well as 2020 seem to have conspired to leave us in some nether world where we still wait for regulatory and legislative reform, while the enforcement and compliance environment on a wide array of workforce issues rolls on.

So, while we wait for improvements, ICE and Border Patrol continue to audit

and enforce in agricultural worksites, the U.S. Department of Labor's Wage and Hour Division continues to audit, and all of you continue to struggle with the impact of a national deficit of willing, able and available labor.

During the August congressional recess, we know that there were substantial meetings in-district with congressional members and staff, and we are hopeful that there will be follow-through after Labor Day. We know that House Judiciary Chair, Robert Goodlatte, a Republican from Virginia, hopes to progress The Ag Act out of Committee in September. NCAE continues to work closely with the other members of the Agricultural Workforce Coalition (AWC) and hope this will ultimately result in legislation that will stabilize the current agricultural workforce and provide a flexible, market-driven work visa program for the future that is set up to serve all agricultural employers whether they need seasonal or year-around workers. This legislation remains an important agenda item, and will certainly be the topic of much discussion in fall and winter meetings and days on the hill.

On the regulatory side, we continue to work with the Departments of

Labor, Homeland Security, and State to improve and update implementation of the current H-2A temporary visa program. Although there have been glitches, in general the program has worked relatively smoothly for experienced employers and experienced agents or associations this year, even though the number of workers has substantially increased again.

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Best guess is that by year end there will be about 200,000 H-2A workers for 2017, versus about 160,000 last year. There have been additional congressional proposals to include year around work in H-2A, however these have not yet progressed, and we are not certain if they can be successful unless they are part of the overall effort by Chairman Goodlatte.

On a positive note, Secretary of Agriculture Sonny Perdue has engaged more on the agricultural labor crisis, and the importance of resolving it, in his brief five months onboard than his predecessor did in eight years. His engagement is very positive for agriculture because it reinforces the message we have been carrying to Congress and the administration.

By the time you read this article, we hope we have seen Chairman Goodlatte's bill, and that we also have enough key people in place in the departments of Labor and Homeland Security to make meaningful inroads for the 2018 season.

Some of you will be winding down your 2017 seasons and looking toward 2018 already. NCAE is planning our fourth annual Ag Employer's Labor Forum for Las Vegas Nov. 29-Dec. 1. Registration is already open in the NCAE Website at <http://ncaeonline.org>. Plan to participate, prepare for 2018, meet my successor as president and CEO at NCAE, and help shape employer labor policy for the future. Register, and make your hotel reservations soon as this event sells out every year. **VGN**