



Impact of New H-2A Regulations on the Apple Industry

Nationally, the Adverse Effect Wage Rate (AEWR) ranges from \$13.67 to \$18.65. In apple country that range is \$14.91 to \$17.51 and nearly 90 percent of apples are grown in states where the AEWR is between \$16.55 and \$18.65.

In February, the U.S. Department of Labor (DOL) announced plans to go forward with changes to the calculation of H-2A wage rates as first proposed in December of 2021. The changes would significantly increase the cost of the H-2A program and add additional bureaucracy and administrative burdens. Under this new system, H-2A wages will be disaggregated based on the interpretation by the Certifying Officer of job duties included in an H-2A job order. This means that if a harvest worker is occasionally asked to perform a duty deemed to be in another category such as supervising other workers, driving a van or operating equipment they will now have to be paid the wage for whichever category is the highest for the duration of their contract.

In addition, new requirements for joint employers restrict flexibility for growers and hinder the workers' ability to earn full compensation. Some employers may have a lighter crop load on a given week, a smaller employer may have short dates of need within a larger employers' season and family businesses with joint management have historically moved workers back and forth.

26,000

Apple Growers

\$8B

Total Wages

150,000

Jobs

\$23B

Economic Activity

3 Full-Time



Year-Round Jobs Sustained
by Every Harvest Worker



CONTACT US

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