



**MAWB Operations Committee
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**H-2A Job
Opportunities
And
AJCs / One-Stop Centers**

MN Foreign Labor Certification

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Foreign Labor Certification (FLC)

Allows employers to bring workers from other countries, for permanent or temporary employment.

Employers must demonstrate there are insufficient qualified U.S. workers available and willing to work.

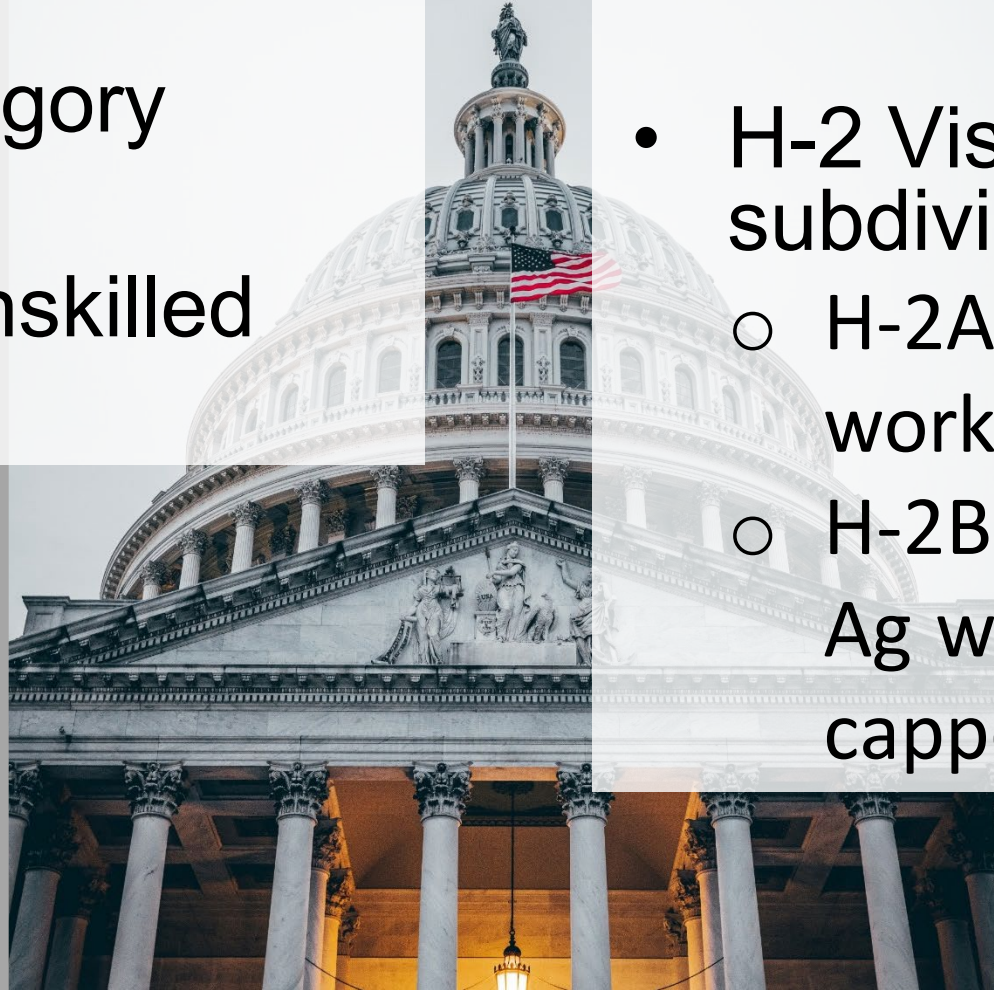
Admission of foreign workers must not adversely affect U.S. workers.

Immigration and Nationality Act of 1952:

- H-2 Visa category created
- Temporary unskilled workers only

Immigration Reform and Control Act of 1986:

- H-2 Visa category was subdivided:
 - H-2A –temporary Ag workers, no limit/cap
 - H-2B –temporary non-Ag workers, limited / capped



H-2A Program

In Minnesota:

- Over 250 employers
- Approx. 3,500 jobs
- Agriculture: Grain, Seed, Hay, Forage, Vegetables, Apple Orchards, Beekeeping/Honey, Nursery / Greenhouse, Sod, Ag Services
- Temporary, less than 1 year
- Jobs must be posted through 50% of the work contract.

H-2B Program



In Minnesota:

- Over 200 employers
- Approximately 2,500 jobs
- Non-agricultural jobs: Hospitality, Landscaping, Light Industry, Amusement & Concessions Attendants, Forestry
- Temporary, 9 months/less, unless a 1-time occurrence
- Jobs must be posted until 21 days before start date

H-2A Program

U.S. workers are given priority over H-2A foreign workers--even if the foreign workers are already present in the U.S.--through 50% of the work contract period.

U.S. workers who wish to apply for an H-2A job must be screened.

Qualified workers are referred to the employer by the SMA, an MLR, the FLC Coordinator, or ES/AJC staff.

H-2A Workers

Eligible for limited MSFW services, such as Farmworker rights

All H-2A workers, whether foreign nationals or U.S. workers are Farmworkers, and are included in the protections for farmworkers under federal regulations.

U.S. job seekers can apply for H-2A jobs.



Title 20, Chapter V, Part 653, Subpart B

§ 653.102 Job information.

- All SWAs must make job order information conspicuous and available to MSFWs by all reasonable means.
- Such information must, at minimum, be available through internet labor exchange systems and through the one-stop centers.
- One-stop centers must provide adequate assistance to MSFWs to access job order information easily and efficiently.
- In designated significant MSFW multilingual offices, such assistance must be provided to MSFWs in their native language, whenever requested or necessary.



H-2A Opportunities

Temporary agricultural jobs, open to H-2A Visa-holders and U.S. workers.

H-2A job opportunities must be promoted and posted within ES locations. Ideas: Binders, desktop and bulletin boards.

Qualified US workers can apply for H-2A jobs through 50 percent of the work contract period.

Who are your points of contact?

- On-site Staff
- Duties:
 - Receive weekly H-2A Job Notice Emails
 - Display / Maintain H-2A Job Postings
 - Share Job Postings with partner organizations
- Foreign Labor Staff provides:
 - H-2A Referral Process Training
 - Ongoing support

Thank You!

Contact us any time with questions.
We are here to help you!

Mary Garcia & Jessica Bordun