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**IMPACT**  
**WASHINGTON**

## ISSUE: SECURING THE WORKFORCE .....

### BACKGROUND

For years, agricultural/horticultural employers have struggled to find and retain adequate domestic labor. The problem is not wages; rather, it is the nature and often the location of the work. As a result, roughly half of the skilled and experienced current ag/nursery/greenhouse workforce is believed to lack proper immigration status. One quarter of experienced landscape workers are similarly document-challenged. The existing legal visa programs -- H-2A for growers and H-2B for seasonal non-agricultural jobs -- are bureaucratic, oversubscribed, and straining under growing demand.

US growers and employers are losing growth opportunities and market share to imports due to lack of available labor. US GDP and job growth suffer as a result, since each farm worker sustains two to three jobs in the surrounding economy.

Our employers are eager to hire every willing and able American that applies. We are actively supporting vocational and apprenticeship programs to attract people to horticulture. Further mechanization and automation will help over time, but major progress there is slow and expensive. The near-term solution requires federal legislative reform.

**For Agriculture, including nursery and greenhouse growers, the needed fix has four components:** provide an opportunity for experienced workers to earn legal presence and agricultural work authorization; improve or replace H-2A with a more reliable program; establish a new visa

option that tests concepts like self-petitioning and visa portability; and, streamline the employer's obligations in the hiring process.

House Judiciary Committee Chairman Bob Goodlatte (R-VA) is expected to introduce an agriculture labor reform bill in early September. Early drafts have some attractive features, and some points of serious concern. We support the Judiciary Committee moving forward with a bill, recognizing that we will most likely need to work with Goodlatte, House Leadership, and other interested members to improve a bill as it comes to the House floor.

**For Seasonal non-Ag employers, such as the landscape sector,** the place to start is immediate H-2B program cap relief. We also support two bills that would substantially improve the H-2B program:

- **Save our Small and Seasonal Businesses Act of 2017 (S.792)**
- **Strengthen Employment and Seasonal Opportunities Act (H.R. 2004)**

Legislative relief will directly help our member employers struggling with labor shortages. Stabilizing reforms will benefit the whole horticulture supply chain, including garden retailers, landscape distributors, and suppliers of inputs, tools, and equipment.

### MESSAGE POINTS:

Worsening labor shortages are plaguing our industry, especially our nursery and greenhouse

growers, and landscape companies. Lack of sufficient workers is inhibiting business growth at a time when market conditions would otherwise support growth. The whole horticulture industry supply chain is being harmed.

- For agriculture, including our grower employers, a legislative solution that works should address four needs:
  - Improve or replace the H-2A visa program to reduce employer burdens and streamline the process.
  - Enable experienced agricultural workers to attain legal presence and agricultural work authorization through a mechanism separate from the H-2A or replacement visa program.
  - Establish a new, flexible visa option that allows workers to move “at will” among registered employers;
  - Streamline the employer’s role in ensuring a legally authorized workforce. If E-Verify is made mandatory, it should be done only after these other reforms are achieved. And, E-Verify should replace the cumbersome I-9 process.
- For landscape employers, seasonal worker relief is urgently needed. We support:
  - Immediate cap and regulatory relief through the Fiscal 2018 appropriations process;
  - Permanent H-2B reform legislation to address burdensome regulatory requirements, legal uncertainties, and the arbitrary visa cap. We support reforms proposed in the S.792, the Save our Small and Seasonal Businesses Act, and H.R.2004, the Strengthen Employment and Seasonal Opportunities Now (SEASON) Act.