



## Today's Discussion

- Washington, D.C. Update
- AG Labor Legislation
- Ag Labor Regulations
- What's Preventing Major Ag Labor Reform?
- What's Next?
- Political Outlook: How the Current Political Climate May Impact Ag Labor and Workforce

# Washington, D.C. Update

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- Infrastructure
- Budget Reconciliation
- Fiscal Year 2022 Appropriations
- Other Year-End Legislation



## AG Labor Legislation:

### **U.S. House passed H.R.1603 - Farm Worker Modernization Act (FWMA)**

While GFVGA supports many of the items included in this bill there are concerns in the legislation that will result in unintended consequences harmful to Georgia growers.

#### **Concerns with the Farm Work Force Modernization Act:**

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Agricultural employers would be required to hire Certified Agricultural Workers over an H2-A worker.

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This bill only requires Certified Agricultural Workers to work a total of 100 days (just over 3 months).

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Freezes the Adverse Effect Wage Rates (AEWR) for one year and then imposes a restriction that wages could not decrease by more than 1.5% or increase by more than 3.25%.

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Proposes to disaggregate wages from various agricultural worker job classifications and the definition of seasonality.

## AG Labor Legislation:

### **Solutions to improve the Farm Work Force Modernization Act:**

Eligibility for the Certified Agricultural Workers program requirement of 100 days of agricultural work should be changed to 180 days per year to maintain the 5-year visa.

Certified Agricultural Workers should not be able to displace H2-A workers.

Adverse Effect Wage Rates increase should be capped at 2.25% annually. This would result in a labor cost increase of 20% by 2030.

Job classifications should be based on the primary work performed by a worker the majority of the time. Flexibility should be applied when defining seasonality for growers with complex operations and crops.

Establish a federal advisory committee of industry experts to make recommendations, to Congress.

## AG Labor Legislation:

### **Senate Bill: The Keep Food Local & Affordable Act of 2021**

- Introduced by Senator Thom Tillis of North Carolina
- Implements a temporary stay on the H-2A Adverse Effect Wage Rate (AEWR) to combat rising food prices across the nation
- Allow Governors of states with demonstrated food price increases of more than 3 percent in the past 12 months to request their state's wage rate stay at its 2021 rate.

## AG Labor Regulations

### **The U.S. Department of Labor is launching a multi-prong initiative on occupational heat exposure to protect outdoor workers.**

Measures to protect heat-exposed workers include:

- Launch a rulemaking process to develop a workplace heat standard.
- Implement an enforcement initiative on heat-related hazards.
- Develop a National Emphasis Program on heat inspections.
- Form a heat work group to engage stakeholders.

## AG Labor Regulations

### **Biden Administration Announces Details of Vaccination Policies**

The U.S. Occupational Safety and Health Administration (OSHA) is issuing a COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS) that requires employers with 100 or more employees to:

- Get their employees vaccinated by January 4th and require unvaccinated employees to produce a negative test on at least a weekly basis.
- Ensure all unvaccinated employees are masked.
- Provide paid time off for employee to get vaccinated.

# What's Preventing Major AG Labor Reform?

Too Many Organizations

Regional Differences

Partisan Division

Controversial Legislation

- Stand-alone Legislation
- U.S. Senate Parliamentarian ruling

Election Cycles

What's Next?

- Administration
- U.S. Congress



# Political Outlook

- 117<sup>th</sup> Congress
- 118<sup>th</sup> Congress



Thank you!

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