

PLANET H-2B Update: Processing Resumes, But Support Still Needed



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H-2B Update: Processing continues through April 15, but your support is needed.

Thank you very much for everyone's continued engagement in our H-2B advocacy efforts. The good news is that H-2B processing has resumed. The bad news is that processing could come to a halt April 15. Further, without continued intervention by all H-2B users, we could face new burdensome H-2B requirements on or before April 30 that could render the program unusable once again.

Please continue to reach out to your senators and members of Congress and ask them to work with the [Department of Homeland Security](#) to ensure that the upcoming DHS-DOL interim final rule will not be used as an opportunity to impose burdensome new requirements on seasonal employers.

We need to ensure that none of the 2012 H-2B program rule provisions (already blocked by the court) are included in the new interim rule. The blocked rule would require employers to hire any qualified U.S. worker up to 21 days before the H-2B worker is scheduled to begin, even though the employer may have already offered the job to the H-2B worker, assisted with the visa process and paid transportation, housing and other associated fees. The rule also would have involved labor unions in the hiring process and required employers to pay transportation and subsistence costs for U.S. workers who work at least 50 percent of the season. In addition, the rule included provisions that would have required employers to pay workers with "corresponding employment" duties similar wages.

What Can You Do?

- Call your senators and member of Congress and ask them to work with the DHS to ensure that the upcoming DHS-DOL interim final rule will not be

used as an opportunity to impose burdensome new requirements on seasonal employers. You can reach your senators and representative through the congressional switchboard at 202-225-3121. Once connected, ask to speak to the person who handles the H-2B program. If your senator or representative sent a letter to the DOL and DHS to encourage the resumption of processing, please don't forget to say thank you and encourage him or her to keep up the fight.

- Ask your representative to co-sponsor H-2B legislation being drafted by Rep. Harris that will provide reforms to the program and end the constant litigation and uncertainty associated with the program.
- Set up a meeting locally with your senators and representative during the next two weeks when Congress is on recess. When possible, coordinate with other H-2B employers in your area.
- Come to Washington, D.C., April 15 and participate in H-2B Advocacy Day. Meet with your elected officials and explain the importance of a functional and predictable H-2B program to your business. The H-2B Workforce Coalition and H-2B Providers' Coalition are hosting this event. It will begin with a briefing for fly-in participants from 10–11 a.m. at a Congressional House Office Building on Capitol Hill—room to be announced later. Hear from Congressional staff and industry experts about the key points to make with your Senators and Representatives. Receive talking points and other helpful materials. From 11 a.m.–4 p.m. attend appointments with House and Senate Offices that you made prior to the event.
- Continue the dialogue on Twitter using the [#saveH2B](#). Continue to direct your tweets to your senators, representatives and the DOL and DHS. Some suggested tweets are:
 - Thanks to Congress for encouraging DOL and DHS to resume H-2B processing. Please continue the fight to [#saveH2B](#)
 - Congress keep the H-2B program operational. An interim final rule must not impose more burdens on seasonal employers. [#saveH2B](#)
 - Support legislation to reform the H-2B program and [#saveH2B](#).
 - Reinstate the H-2B returning worker exemption and [#saveH2B](#).
- Tell your own story by tweeting pictures of your H-2B workers, your business or unused equipment if you do not have your needed H-2B workers yet.

Thank you to all of our members who have repeatedly reached out to lawmakers to share the hardships associated with using the H-2B program. Your actions are essential in our fight to revive a workable H-2B program. Please continue to Tweet using the [#saveH2B](#), contact your legislators letting them know how this impacts your business, and follow developments on our Workforce Advocacy page.

If you have questions, contact Tom Delaney, PLANET director of government affairs, at TomDelaney@landcarenetwork.org.

[#saveh2b Tweets](#)