

EMPLOYER ESSENTIALS

Services and Information for Today's Business



LABOR CONFERENCE REGISTRATION DEADLINE APPROACHING

The registration deadline for the Labor Conference is quickly approaching. Don't miss out on this conference! The **FAX** registration form deadline is now

Friday, February 19. The cut off date for **online** registration is **Noon, Tuesday, February 23.** Please go to www.wsfb.com to view this "can't miss" agenda and register today!

LAST TWO RETRO WORKSHOPS

These workshops are required for WFB retro members.

February 18 Everett

Best Western, Alpine Lakes
Rm. 2800 Pacific Ave.

March 11 Spokane

WSU Extension, 222 N. Havana
Street

There is no charge. Simply show up. For additional information or possible make-up workshop dates, see the "For Employers" tab at

U.S. DOL ERECTS BARRIERS TO LEGAL AG WORKFORCE

Last week the U.S. Department of Labor published the final rule changes regarding the federal H-2A agricultural guest worker program. The rule changes are essentially a roll-back of the 2008 rules adopted by then – Labor Secretary Elaine Chao. Those rules were designed to provide a more flexible and workable structure for solving ag labor shortages.

Instead of finding ways for agricultural employers to obtain an adequate, legal, and stable labor supply, it appears that the new rules impose more barriers for farmers who need to hire workers to keep their farm operations running, and want to access the federal program to obtain a legal workforce.

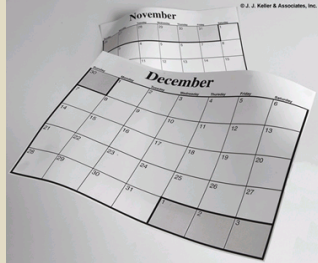
Ironically, the Obama Administration still insists that comprehensive immigration reform is a priority, while it simultaneously imposes more impediments to the usage of already-existing, overly complex, guest worker programs.

"This final H-2A rule will only compound existing labor shortages," American Farm Bureau Federation President Bob Stallman said in a statement. "It is the right policy of the United States to require that only those who are legally eligible to work in this country should be given U.S. jobs. But since there haven't been, for several years, enough legal workers in the U.S. to meet the demand of U.S. agricultural employers, it is the responsibility of the administration and Congress to authorize a useful program and enable capable, dependable and willing employees to come to the U.S. temporarily to do the jobs that domestic workers don't want."

- The rules add more complexities and bureaucracy to a program that ought to be streamlined. Here are some examples:
- Rates of pay for guest workers (the Adverse Effect Wage Rate) would no longer be tied to a prevailing wage for the job in question, and the resulting increase would make the program virtually un-useable for farmers who already struggle to compete with cheap overseas competition.
- State Workforce Agencies will not verify the identity and employment eligibility of the domestic workers they require farmers to interview in response to an H-2A application.

www.wsfb.com or contact the retro department at (800) 331-3276.

DCS FREE WORKSHOPS



Yakima - March 23, 2010

1P - 5P (1002 North 16th Ave.)

Vancouver April 27, 2010

8A - Noon (5411 E. Mill Plain Blvd.)

Tacoma/Fife May 17, 2010

8A - Noon (2121 South State St.)

Seattle May 18, 2010

8A - Noon (500 1st Ave South)

Everett June 8, 2010

8A - Noon (5415 Evergreen Way)

Spokane October 12, 2010

1P - 5P (W. 1608 Boone)

Olympia October 27, 2010

8A - Noon (6135 Martin Way)

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Instead, farmers will be forced to offer employment to domestic workers, and will not be able to verify the employment eligibility of domestic workers until the season starts, often a month or more after the offer of employment. This delay will make it impossible to replace an undocumented domestic worker with a legally documented foreign worker.

- The rules create more bureaucracy in a program that advocates for farmers and workers agree is already too bureaucratic. It would create a national job registry for all H-2A job orders and require farmers to hire domestic workers months after positions had been filled.
- Other details are summarized on a fact sheet: <http://www.dol.gov/opa/media/press/eta/eta20100198-fs.htm> by U.S. DOL.

“The new rules are bad news for U.S. agriculture and bad news for comprehensive immigration reform,” said Tamar Jacoby, president of ImmigrationWorks USA. “Instead of making it easier for needed foreign workers to come to the U.S. legally and contribute to the U.S. economy – the primary goal of immigration reform – the new H-2A regulations will make it harder for American farmers to hire the workers they need to keep their operations running and provide food for Americans. This will be ruinous for agricultural employers – and also for many American workers employed in the farm sector and in an array of related fields.”

These rules were rushed through after attempts by Labor Secretary Solis to merely cancel the H-2A rules that were rebuffed in court. The newly adopted rules are opposed by virtually every agriculture-related association, and the American Farm Bureau Federation is considering a legal challenge to the new rules. According to Stallman, Farm Bureau is instead encouraging Congress to create a meaningful guest worker program that works fairly and honorably for employers and employees alike.

DIVISION OF CHILD SUPPORT HOLDING FREE WORKSHOPS

Division of Child Support (DCS) is holding free child support workshops in your area. Discover fresh ideas and time saving tools. The free workshops are suggested for payroll officers, HR staff, office managers and business owners. Receive valuable training on the following topics: avoiding costly mistakes; withholding requirements; medical enrollment; payment methods; new hire reporting; tips, tools and tricks. You can receive credits through the American Payroll Association. To register, please contact Doug Cheney at 360- 664-5043 or dcheney@dshs.wa.gov. Workshop dates and locations listed in left column.