



# FARMWORKER LEGAL SERVICES

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## Potential 2005 H2A Jobs in Michigan

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Several agricultural employers have submitted job orders that could result in them being granted permission to bring foreign "guestworkers" into the U.S. under the federal H2A program. To be approved for H2A guestworkers, the employers have to assert that there is a shortage of workers in the area where the work will take place, due to them not being able to fill the jobs through advertisements and normal recruiting methods.

U.S. citizens and immigrants living in the U.S. have the right to apply for these jobs. If the employer finds enough qualified U.S. citizens or residents for the job, then they will not have to bring guestworkers into the U.S. H2A jobs have to pay at least \$9.18 per hour in Michigan (starting 3/2/2005), and the employer has to provide housing to any worker who is not from the local area. From March 3, 2004 to March 1, 2005, the required H2A wage rate was \$9.11 per hour. All the jobs listed below offer 40 hours per week.

**Some job orders shown below may have been submitted before the wage rate increased from \$9.11 to \$9.18, however all H2A jobs must pay \$9.18 starting March 2, 2005.**

Migrant and seasonal farmworkers who are already in the United States have a right to apply for these jobs and to receive the same terms and conditions that foreign guestworkers should receive. **They can apply up until the half-way point (shown below) of the employment period.** They should receive the same benefits of employment that the employer would give to a foreign worker.

This means that U.S. workers can receive the following benefits:

- an hourly wage of at least \$9.18 per hour
- free and licensed housing if the worker does not live within commuting distance
- a guarantee to be paid for at least 75% of the period of employment shown below
- the cost of travel from the place of recruitment to the job site, after completing 50% of the contract period
- the cost of travel back home, after completing the contract period
- workers compensation insurance
- a record of the amount of work performed and amount paid, including deductions

Farmworker Legal Services will counsel H2A workers about their rights under their contracts, as well as advise U.S. workers who are not given a chance to obtain the H2A jobs that the law permits them to obtain.

Potential employers for these guestworkers are:

Employer	City and County	Positions Available	Type of Work	Period of Employment	Half-way Point	Hourly Pay	Michigan Job Order Number
Van Thomme Greenhouse	New Baltimore (Macomb County)	4	Horticultural Worker (perennial plants, saplings, transplant machine, hi/lo equipment)	2/12/2005 to 7/1/2005	April 22, 2005	\$9.18 (40)	2297420
Gee Farms	Stockbridge (Ingham County)	7	Horticultural Worker (ornamental evergreen nursery)	2/28/2005 to 11/15/2005	July 8, 2005	\$9.18 (40)	2302867
Northern Farm Market	Romeo (Macomb County)	3	Farmworker (vegetable plants, greenhouse)	3/15/2005 to 11/11/2005	July 13, 2005	\$9.18 (40)	2303556
Fogler's Orchard and Farm Market	Rochester (Oakland County)	5	Horticultural Worker (vegetables and flowers, greenhouse and fields)	3/29/2005 to 10/31/2005	July 15, 2005	\$9.18	2305388 and 2305384

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<b>Employer (Continued)</b>	<b>City and County</b>	<b>Positions Available</b>	<b>Type of Work</b>	<b>Period of Employment</b>	<b>Half- way Point</b>	<b>Hourly Pay</b>	<b>Michigan Job Order Number</b>
Jim Hoffman & Sons	Petoskey (Emmet County)	9	Horticultural Worker (nursery)	3/1/2005 to 11/30/2005	July 16, 2005	\$9.11	2306025
Michael Parran	Ida (Monroe County)	4	Horticultural Worker (greenhouse)	4/1/2005 to 10/31/2005	July 16, 2005	\$9.18	2305955
KBR Inc.	Romeo (Macomb County)	7	Farmworker (peaches, cherries, plums, corn, cider, apples)	3/15/2005 to 11/21/2005	July 18, 2005	\$9.18	2303663
Oliver Sod Farms	Macomb (Macomb County)	5	Horticultural Worker (sod, cabbage, cucumbers, tomatoes, peppers, squash, corn)	3/10/2005 to 12/15/2005	July 28, 2005	\$9.18	2297146
Bluff Gardens Inc.	Harbor Springs (Emmet County)	8	Farmworker - fruits and vegetables: hoeing, weeding, planting, harvesting	4/1/2005 to 11/30/2005	July 31, 2005	\$9.18	2311929
Mericam Farms LLC	Waldron (Hillsdale County)	10	Farmworker (corn, wheat)	3/18/2005 to 12/15/2005	August 1, 2005	\$9.18	2303571
Vreba Hoff Farm LLC	Hudson (Lenawee County)	40	Farmworker (corn, hay)	3/18/2005 to 12/15/2005	August 1, 2005	\$9.18	2303637
Phoinix Farm LLC	Sturgis (St. Joseph County)	15	Farmworker (potatoes, pumpkins, watermelons)	4/1/2005 to 12/1/2005	August 1, 2005	\$9.18	2311662
Karni Family Farm LLC	Shelbyville (Allegan County)	10	Horticultural Worker (herbs)	3/06/2005 to 1/1/2006	August 3, 2005	\$9.18	2311058
Dutchman Tree Farms LLC	Manton (Missaukee County)	43	Christmas Tree Farmworker	4/4/2005 to 12/10/2005	August 7, 2005	\$9.18	2312939
Lynn Mayer's Great Lakes Glads	Bronson (Branch County)	15	Farmworker (harvesting gladiolus flowers)	6/15/2005 to 10/17/2005	August 16, 2005	\$9.18	2331458
Peggy's Gardening	Petoskey (Emmet County)	3	Nursery Worker (flower plants)	4/22/2005 to 12/15/2005	August 18, 2005	\$9.18	2321656
Bryant Sod Farm, Inc.	Lapeer (Lapeer County)	8	Crop laborer (sod farm)	4/25/2005 to 12/15/2005	August 20, 2005	\$9.23	2321441
Huggett Sod Farm	Marlette (Sanilac County)	8	Farm worker (sod grass)	4/25/2005 to 12/20/2005	August 22, 2005	\$9.23	2321685

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