



FARMWORKER LEGAL SERVICES

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Potential 2006 H2A Jobs in Michigan

Updated 3/29/2006

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 **\$9.43 per hour** in Michigan (starting 3/16/2006), and the employer has to provide housing to any worker who is not from the local area. From March 2, 2005 to March 15, 2006, the required H2A wage rate was \$9.18 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 \$9.18 to \$9.43, however all H2A jobs must pay \$9.43 starting March 16, 2006.

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 \$9.43 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.

We welcome corrections to the following table. Potential employers for these guestworkers are, in order of Half-way Point:

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)	3	Horticultural Worker (plants, saplings, field work, hi/lo equipment)	2/2/2006 to 7/1/2006	April 17, 2006	\$9.43	2417305
Gee Farms	Stockbridge (Ingham County)	7	Nursery Worker	2/27/2006 to 11/15/2006	July 7, 2006	\$9.43	2415362
Fogler's Orchard and Farm Market	Rochester (Oakland County)	5	Farmworker (vegetables and flowers, greenhouse and fields)	3/29/2006 to 10/31/2006	July 15, 2006	\$9.43	2422924

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Employer (Continued)	City and County	Positions Available	Type of Work	Period of Employment	Half-way Point	Hourly Pay	Michigan Job Order Number
KBR Inc.	Romeo (Macomb County)	7	Farmworker (peaches, cherries, plums, corn, cider, apples, pears, cabbage, squash, pumpkins)	3/15/2006 to 11/21/2006	July 18, 2006	\$9.43	2424301
Dutchman Tree Farms LLC	Manton (Missaukee County)	43	Christmas Tree Farmworker	2/27/2006 to 12/10/2006	July 20, 2006	\$9.43	2417219
Oliver Sod Farms	Macomb (Macomb County)	5	Farmworker (sod, greenhouse, corn, cabbage, peppers, cucumbers, squash)	3/11/2006 to 12/15/2006	July 28, 2006	\$9.43	2417334
Jim Hoffman & Sons	Petoskey (Emmet County)	6	Horticultural Worker (nursery)	3/25/2006 to 11/30/2006	July 28, 2006	\$9.43	2418578
Northern Farm Market	Armada (Macomb County)	5	Farm Laborer (greenhouse, vegetables, plants)	3/30/2006 to 11/30/2006	July 30, 2006	\$9.43	2424970
Bluff Gardens Inc.	Harbor Springs (Emmet County)	3	Farmworker - fruits and vegetables: hoeing, weeding, planting, harvesting	4/1/2006 to 11/30/2006	July 31, 2006	\$9.43	2424365
Bryant Sod Farm	Lapeer (Lapeer County)	10	Crop Laborer (sod farm)	4/1/2006 to 12/15/2006	August 8, 2006	\$9.43	2424023
Plesscher Nursery	McMillan (Luce County)	6	Nursery Laborer (tree farm)	4/15/2006 to 12/15/2006	August 15, 2006	\$9.43	2430022
Vreba Hoff Farm LLC	Hudson (Lenawee County)	20	Farmworker (corn, field crops)	4/15/2006 to 12/15/2006	August 15, 2006	\$9.43	2426420
Karni Family Farm LLC	Shelbyville (Allegan County)	10	Horticultural Worker (herbs)	4/1/2006 to 2/1/2007	September 1, 2006	\$9.43	2311058

Updated 3/29/2006