

H-2A Processing Updates

On June 11, the AWMA Board of Directors and the Commons Shareholders that voted by proxy voted unanimously to Amend and Restated the Articles of Incorporation. This eliminates Preferred Shares as part of the capital stock of the Corporation, clarifies that all Corporation's Directors be elected by the Common Shareholders, and that common shares can only be owned by individuals or entities utilizing the services of the Corporation.

Social Security Numbers

Due to the coronavirus, most Social Security Offices were closed and may still be closed. This creates issues with the H-2A workers applying for a social security number. An employer, at the request of a Social Security Office, mailed them a workers' passport/visa and I-94. The Social Security Office completed the application and mailed the documents back to the employer, but it is now lost in the mail. DO NOT SEND such documents to a Social Security Office. Please just wait for the office to open and have the workers apply at the office in person.

H-2A Application Deadlines

We need your application & payment, 75 days prior to your date of need.

If you need workers by September 15, we need your application no later than July 1.

If you need workers by October 1, we need your application no later than July 15.

If you need workers by October 15, we need your application no later than August 1.

If you need workers by November 1, we need your application no later than August 15.

We can not accept faxed, emailed, or two-sided applications.

We must have original documents signed in ink!

Please include your payment with the documents.

U.S. Referrals

(You must continue to take all referrals up to your 50% of your contract period unless you have a small business exemption)

Answer the phone or have an answering machine to accept calls. You must return all calls within 48 hours of receipt. (Not answering your phone or not responding to U.S. referrals could get you debarred from the H-2A program. Please respond appropriately).

You must document each recruitment source by name, address, and telephone number of each U.S. worker who responded during the recruitment period. You may use the U.S. referral log that we have on our website.

Inform the applicant of the start & end date of the contract and the physical requirements. Ask the applicant if they are physically able to do the job as outlined, if they will complete at least 3/4 of the contract time and if they will submit to random drug/alcohol tests after hire. Inform the applicant they are required to do all of the jobs that are required of the H-2A guest workers and this job will not qualify them for unemployment insurance if terminated. Should the applicant answer no to any of the questions they are not eligible for the job. If the applicant answered yes and is interested, mail them an application. You may use the seasonal application that is on our website. Note the date application was mailed & address on the referral log.

Should the applicant return the application schedule an interview. If the applicant comes to the interview as scheduled, provide a copy of the contract i.e. job description; we can provide you a contract in English. (If they are referred from the Employment Office, a copy was made available to them). Proceed with the interview. (Do not hesitate to contact AWMA prior to the interview to review the process.) Review all the information covered in the contract (i.e. start date, end date, 3/4 guarantee, drug/alcohol testing, etc.) If the applicant agrees to all the terms & conditions of the job you will hire him to start on the official start date of the contract.

[Consulate & Passport Offices in Mexico remain closed as of this writing.](#)

[There aren't any dates set for reopening.](#)

«city», «state» «zip»
 «address»
 «First» «Last»

June/July Newsletter



Each Employer Will Receive A Packet After Each Group of Workers Cross the Border

1. Partially Completed I-9's - You and your worker must complete and sign their I-9. You must maintain these signed I-9's in your records.
2. Reimbursement for Worker's Expenses - You must reimburse your workers for the expenses they incurred when they arrive on the farm. We will enclose a minimum recommended reimbursement for each worker.
3. Work Contract, which includes the work rules in English & Spanish - Please give a copy to each worker. There is a form provided for the workers to sign once you have given them a copy of the work contract.
4. Weekly Wage Statement - You must give each employee, under contract, a wage statement at the end of each pay period.
5. Post the Migrant and Seasonal Agriculture Worker Protection Act Poster and the Employee Rights Under the H-2A Program Posters (English & Spanish) in a conspicuous place where all workers can see it. If you have U.S. workers employed, you must also post the Fair Labor Standards Act Poster.
6. The packet will include the following forms:
 - Employee Abandonment, Voluntary Resignation, Temporary Leave, & Contract Completion

3/4 Guarantee

When entering a contract with your H-2A worker, you guaranteed them that you would pay them at least 3/4 of the contract hours listed in your contract. The 3/4 clock starts when the workers arrive on your farm and continues until the end of contract. If the workers leave your farm temporarily for any reason, the clock is still running.

Example:

40 hours contracted x 3/4 = 30 hours

You must average 30 hours of pay per week over the length of the contract.

Worker Transportation

When AWMA schedules your H2A workers' consulate appointment, they are given your nearest bus location and your telephone number (s) per the information that you provided us. The workers are responsible for obtaining their own transportation after they cross the border. AWMA doesn't get involved in the transportation of the workers and we don't know the exact time or where they will actually arrive.

AWMA Contact Info

Voice - (859) 233-7845

Text - (202) 810-2962

Fax - (866) 751-8406

620 South Broadway

Lexington, KY 40508

Adverse Effect Wage Rates for 2020

KY, TN, WV	\$12.40 up 77 cents	OK, TX	\$12.67 up 44 cents
AR, LA, MS	\$11.83 up 50 cents	IL, IN, OH	\$14.52 up \$1.26
IA, MO	\$14.58 up \$1.24	CO, NV, UT	\$14.26 up \$1.13
PA	\$13.34 up 19 cents	AL	\$11.71 up 58 cents