

Senate Resolution 931

By: Senators Black of the 8th, Anderson of the 24th, Summers of the 13th, Walker III of the 20th and Burke of the 11th

A RESOLUTION

1 Urging Congress to expand the eligibility requirements of the H-2A and H-2B guest worker
2 visa programs; and for other purposes.

3 WHEREAS, Georgia's agricultural industry consists of a diverse expanse of poultry,
4 livestock, row crops, forestry, landscape sod, and ornamental plants, fruits, nuts, and a
5 variety of agribusiness interests that continue to shine as this state's top economic driver; and

6 WHEREAS, in 2018, according to the UGA Center for Agribusiness and Economic
7 Development, the agricultural industry in Georgia contributed \$76 billion in output to the
8 state's \$1 trillion economy; and

9 WHEREAS, Georgia's agriculture industry is the primary source of employment in this state,
10 with over 399,200 jobs in agriculture, forestry, or other related fields, including landscaping,
11 agricultural dealers and supplies, and processing; and

12 WHEREAS, with exceptional economic growth and unemployment rates at a record low 3.2
13 percent, many employers in agriculture, forestry, and landscape sectors cannot find the
14 necessary workforce to meet production demands, thus losing economic opportunities; and

15 WHEREAS, many of these businesses testified to the Senate Study Committee on
16 Agriculture, Forestry, and Landscape Workforce Access that they start employee pay at
17 \$14.00 per hour but are unable to fill many jobs, and that 70 percent of applicants are unable
18 to pass a drug test; and

19 WHEREAS, in January 2020, Labor Commissioner Mark Butler told the Joint
20 Appropriations Committee members that the website www.EmployGeorgia.com indicates
21 over 101,700 jobs in Georgia are unfilled; and

22 WHEREAS, landscape businesses have stated they are often 20 percent understaffed every
23 week, costing their businesses millions in lost revenue every year; and

24 WHEREAS, even with substantial wage growth and workplace benefits, many employers
25 in the agriculture, forestry, and landscape industries are desperate for a workforce and now
26 require the assistance of foreign workers obtained through federal H-2A and H-2B guest
27 worker visas issued by the United States Department of Labor; and

28 WHEREAS, H-2A and H-2B federal programs are only able to be used when there are not
29 enough United States workers able, willing, qualified, and available to do the temporary
30 work so that they will not adversely affect the wages and working conditions of similarly
31 employed United States workers; and

32 WHEREAS, the H-2A guest worker program is only available to farms with work needs of
33 a temporary or seasonal nature, but due to the year-round nature of some sectors within
34 agriculture, this provision prohibits many sectors, specifically the dairy, poultry, livestock,
35 and many processing industries, from being eligible; and

36 WHEREAS, the program requires that employers meet specific regulatory requirements
37 before being allowed to apply for visas to bring foreign workers into the country and that
38 these employers must provide housing, three meals a day, and daily transportation for H-2A
39 workers; and

40 WHEREAS, the H-2B visa program may be used by forestry, landscape, and other related
41 sectors for temporary nonagricultural work, but it has a statutory limit on the number of
42 H-2B visas allowed in a fiscal year; and

43 WHEREAS, applications by employers far surpasses the limited number of H-2B visas,
44 causing great business disruption to those that rely on this workforce being available; and

45 WHEREAS, with the current H-2B program being woefully short of available visas, even
46 businesses that have used the program successfully for years are not guaranteed to receive
47 visa workers in the future, impacting rural and urban communities from achieving otherwise
48 available economic growth; and

49 WHEREAS, employers in the agriculture, forestry, and landscape industries have no other
50 hope to find a legal, viable workforce unless the federal government is provided the

51 parameters and resources to deliver foreign workers to the industry sectors that must now
52 rely on those workers.

53 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
54 urge Congress to make much needed changes to the federal H-2A and H-2B guest worker
55 visa programs so that they may be more useful for the businesses of Georgia struggling to
56 find a viable domestic workforce.

57 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
58 to make appropriate copies of this resolution available for distribution to the President of the
59 United States, the President Pro Tempore and Secretary of the United States Senate, the
60 Speaker and Clerk of the United States House of Representatives, and each member of the
61 Georgia congressional delegation.