

Seyfarth Shaw Partner Leon Sequeira Testifies Before the House Subcommittee on Workforce Protections

WASHINGTON, D.C. (September 15, 2011) -- Seyfarth Shaw LLP Labor & Employment senior counsel and former Assistant Secretary of Labor for Policy at the U.S. Department of Labor, Leon Sequeira, recently testified before the U.S. House of Representatives Subcommittee on Workforce Protections at a hearing addressing “Workforce Challenges Facing the Agriculture Industry.”

The H-2A temporary worker program administered by the Department of Labor is utilized by agricultural employers across the country to hire thousands of seasonal workers. Employers are required to demonstrate that there is an insufficient pool of U.S. workers in the job market, and the hiring of guest workers will not adversely affect U.S. workers. The hearing examined enforcement of the H-2A visa program under the Obama administration, which implemented a number of changes to the program in March 2010. It also addressed the program’s impact on employers.

The subcommittee reports that through the first quarter of fiscal year 2011, disapprovals of employer petitions have risen, and the number of appeals increased from 158 in fiscal year 2010 to an estimated 700 for fiscal year 2011.

Sequeira testified that in the past two years, the Department of Labor routinely employed dilatory tactics in processing H-2A applications and commented, “Rather than helping facilitate timely access to seasonal labor, the Department instead regularly subjects farmers to a bureaucratic and regulatory morass that has left the program in near total disarray.”

Click [here](#) to read Sequeira’s full, written testimony.

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