



An Analysis of the H-2A Agricultural Guest Worker Program and Recommendations for Future Policy

Paulina M. Irigaray

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The majority of the people who make up the United States' seasonal agricultural workforce are nonimmigrant Mexican citizens. Immigration policies such as the Immigration Reform and Control Act (IRCA) and the H-2A agricultural guest worker program were meant to encourage growers to employ legal labor workforces. A study of the laws and practices that eventually resulted in the H-2A program shows how and why the demographics are predominantly Mexican. In addition, such study is revealing as to why the US enacted the H-2A program-including definitional details of the program itself. However, does this program really work? This question has radically different answers. In theory, the program seems to be well designed; but, in practice, it does not function as intended because of its many shortcomings, loopholes, open-ended issues, and poor enforcement. I will analyze and demonstrate how these inadequacies perpetuate illegal immigration and exploitation of both legal and illegal seasonal agricultural farm workers. Lastly, I will offer a composite of recommendations for legislative reform of the H-2A program; as well as provide pertinent, resourceful questions for further research.

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