

H-2A Agricultural Work Visas

The H-2A program is a vehicle by which agricultural employers facing a certified labor shortage may recruit workers abroad to work on a temporary basis (less than one year). It was codified in the Immigration Reform and Control Act of 1986 as one of the mitigations to potential effects of the new ban on hiring unauthorized workers. The program permits issuance of work visas only if and after the Department of Labor (DOL) certifies that a local labor shortage exists after the employer actively recruits locally and through the interstate public job service. H-2A rules specify several conditions of the employment contract, including wage, transportation, and housing provisions.

In recent years Congress has considered legislative proposals that would significantly revise or augment the H-2A program. Detailed information and forms related to the H-2A program are available from DOL and updates on proposed rule changes from the USDA Labor Affairs Coordinator, both available at *AgHelpWanted.org*.



What knowledge, abilities, and other characteristics would a person have to possess to be suited for the job?

Assessing Applicants

In getting ready to assess applicants, employers need to be clear about (1) what the job qualifications are, and (2) how to get information about whether individuals possess them. The list of functions, duties, and responsibilities on a job description states what the position incumbent will have to do. What would the employer need to know about applicants to decide whether they are capable of performing the job? What knowledge, abilities, and other characteristics would a person have to possess to be suited for the job? Answering these questions translates the job *description* into a job *specification*, or list of qualifications, which usually becomes a section of the description document. The description characterizes a job, the specification a person.

Suppose a business needs to fill a position with the duties shown in Figure 3.5. It can afford neither the time nor other resources to train an unskilled person. A department manager wants someone who can do the job right now. What are the characteristics of a well-qualified applicant? And once those characteristics or qualifications are established, how could the employer determine whether applicants possess them? Systematic approaches to employee selection depend on information that measures applicants on criteria related to requirements of the job. Casual approaches are not designed to carefully sort workers according to qualifications, so the information requirements—and the costs of meeting them—are less.

Through what sources can information be obtained about the degree to which individuals possess each of the qualifications in a job specification? A combination of sources (Figure 3.4, p. 74) is needed to develop information on

Figure 3.5. Greenhouse worker job duties.

Summary: Plant, cultivate, and harvest horticultural specialties, and perform related duties essential to production of flowers and shrubs in a structure with a controlled environment. Report to department supervisors, as currently assigned.

Percent of time	Major duties
5%	1. Ascertain growing schedules and deviations from established procedures from supervisor.
20%	2. Sow seeds and plant cuttings in containers.
15%	3. Through both sight and touch, inspect leaf texture, bloom development, and soil condition to determine nutrient and moisture needs and to detect pest infestations.
10%	4. Set fertilizer timing and metering devices that control nutrient introduction into irrigation system.
20%	5. Apply herbicides, fungicides, and pesticides to destroy undesirable growth and pests, using spray wand connected to solution tank.
10%	6. Read and interpret sensing indicators and regulate humidity, ventilation, and carbon dioxide systems.
10%	7. Graft scions to seedling stock.
10%	8. Pollinate, prune, transplant, pinch, and cull plants and perform other duties to ensure marketability of products.

the criteria for most jobs. The ability to follow written instructions, for example, may be established through completion of an application form, the knowledge and physical skill to correctly prune vines through a practical test or demonstration, the mathematical skill to calibrate chemical dilution through a written test, a willingness to work long and irregular hours through an interview, and abstinence from use of drugs through a medical exam.

Choices of what tool to use for each qualification can be neatly expressed in the form of a matrix (Figure 3.6) that has a row for each qualification and a column for each major information source. A chart like this helps organize the assessment of applicants in any systematic selection process. What knowledge, abilities, skills, and other characteristics should a Greenhouse Worker, Tractor Driver, Irrigator, Transplanter, Milker, Forklift Operator, Supervisor, or Agronomist possess? Answers can be listed in the left-most column of the worksheet. What information is available about applicants? Column headings indicate four major sources: written biographical data, references, tests, and interviews.

The matrix format is useful in sorting out what information will come from where. Going down the list of qualifications, the hiring manager asks for each,

Figure 3.6. Qualifications and information sources.

	Biodata	Reference	Test	Interview
Knowledge				
1.				
2.				
3.				
Ability/skill				
1.				
2.				
3.				
Other				
1.				
2.				
3.				

“How can I tell if a person has this specific knowledge/ ability/characteristic?” Answers would appear as entries (along the qualification row) under each applicable information source (column). Major and minor sources for a given qualification may be indicated respectively by “X’s” and “O’s,” for example, or other symbols.

A further refinement of this method is to assign weights to the qualifications according to their relative importance in job performance. Weightings are particularly useful to consider when time or resource limits make it impossible to gather all relevant data. They also help when choosing between roughly comparable applicants who have relative strengths on different qualifications.

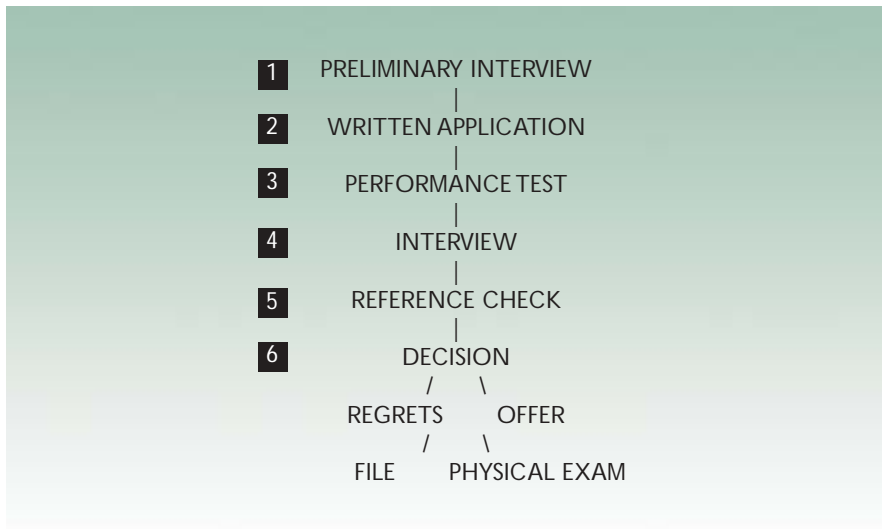
Some managers believe that hiring people to fit the organization is just as important as or more important than selecting for the requirements of a specific job:

“I don’t really care if someone has a bunch of fancy skills. Just find me someone with the right attitude and whom I can get along with.”

In a systematic selection process, they can give more weight to compatibility with values in the organization’s culture.

Having all relevant information about job applicants may be nice, but getting it is expensive. Does it really pay to check references or conduct careful tests of ability? How much information to obtain and which sources to get it from are cost-benefit issues faced in every selection process. In what order should the sources be used and how should they be structured if used are two other decisions that affect results.

It is wise to gather information about applicants in steps. The earlier the unsuitable applicants are eliminated, or drop from the running, the better. A “successive hurdles” process can be used to narrow the candidate pool after each major step. This kind of approach can contribute to economy, especially if cheaper

Figure 3.7. Sample information-gathering sequence in applicant evaluation.

information sources are used earlier, when the field of applicants is largest. Though not always cheapest, screening earlier in the process for the more important qualifications is most effective for keeping better applicants in contention longer.

Figure 3.7 presents an example of the sequence in a rather complete information gathering process. It shows a preliminary interview, followed by completion of a written application form, employment test, in-depth interview, and reference check. The post-offer physical exam may be used to ascertain pre-existing medical conditions or to verify fitness to perform certain tasks.

The steps and the responsibilities for carrying them out can be planned in advance. In large organizations, it is typical for the personnel department to conduct a preliminary interview and the written application procedures. After an initial screening by personnel staff, the immediate supervisor would conduct the in-depth interview, tests (if any), and reference check. In a smaller firm, of course, the steps tend to be fewer, and the owner or general manager might handle them all with some clerical help.

Lawful and Unlawful Discrimination

It is an employer's prerogative to choose whom to hire and in what capacity. Employers have good reason and the right to discriminate among workers on the basis of job-relevant knowledge, ability, and skill. People possess different sets of attributes, and the law recognizes the business need to assess them in efforts to identify those most likely to perform well.

Both state and federal rules, however, prohibit employment discrimination based on several personal attributes that have no bearing on performance in most jobs—race, color, sex, religion, national origin, ancestry, mental or physical