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H-2B PROGRAM RULE SLATED TO GO INTO EFFECT IN ONE WEEK: CALL YOUR LEGISLATORS TODAY

Unless a federal court or Congress intervenes, the H-2B program rule is slated to go into effect on April 24, 2012. PLANET is fighting this rule and the wage rule in court and in Congress.

PLANET is providing financial support for litigation, and they are a plaintiff in the pending H-2B wage lawsuit and the H-2B program rule legal challenge that will be filed in the Northern District of Florida today. They hope the court will issue a temporary restraining order, blocking the Department of Labor (DOL) from implementing the program rule. In addition to the court action, they are encouraging Congress to pass legislation that would block the DOL from implementing both the program rule and the wage rule. Increased congressional awareness and outcry will help bolster PLANET's legal challenge and put additional pressure on the DOL to rescind the rules.

To that end, PLANET is requesting you call your senators and members of Congress immediately, and stress the importance of the H-2B program to your business:

- Let them know you are concerned about the H-2B program rule that goes into effect next week and the H-2B wage rule that will take effect in October.
- Ask them to support and work to pass either resolution H.R. RES 104 or S.J. RES 38 which would prohibit the DOL from implementing these rules.

You can reach your senators and members of Congress through the U.S. Capitol switchboard at (202) 225-3121. Once connected to the office, ask for the staff person who handles immigration issues and tell them you need their help to save the H-2B program. If you have not already sent a letter to your elected officials in support of the resolution, please [click here](#) to do so now.

As you know, the DOL issued a final rule on Jan. 19, 2011, that will artificially increase H-2B hourly wages by more than 50 percent. On Feb. 21, 2012, the DOL issued a final rule that would make the program even more expensive and complicated to use. The rule requires employers to hire any qualified U.S. worker up to 21 days before the H-2B worker is scheduled to begin. The proposed rule would also involve labor unions in the hiring process and require employers to pay transportation and subsistence costs for potential U.S. workers who work for at least 50 percent of the season. In addition, the rule includes provisions requiring employers to pay workers with "corresponding employment" duties similar wages.

PLANET is sharing its concerns about these rules with Congress, but it is also important that Congress hears from you. Thanks for your continued help and support.

If you have any questions, please contact [Tom Delaney](#), PLANET's Director of Government Affairs, at (800) 395-2522.

Questions on any of the topics addressed in this "WALP Watch"? Contact the WALP Office at info@walp.org or (425) 967-0729