EMPLOYER INSIDER

ARKANSAS WORKFORCE CONNECTIONS

ARKANSAS FOREIGN LABOR PROGRAMS

JULY 2026

IN THIS ISSUE:

- Employer Roundtables
- H2-2A & H-2B Job Order Filing Tips
- Vehicle Tips
- OFLC Announcement
- Housing FAQ Corner
- Outreach Specialist
- Outreach Visit Tips
- Outreach Resources

ARKANSAS WORKFORCE CONNECTIONS

ARKANSAS DEPARTMENT OF COMMERCE

BEAT THE HEAT

TIPS & WARNING SIGNS

- Keep water readily available
- Keep a type of "shade" that can be created easily in the event of overheating
- Schedule frequent water and bathroom breaks
- Keep a charged cell phone near by if medical facilities are not easily accessible
- **Seek immediate medical attention if cramps last longer than 1 hour**
- **Seek immediate medical attention if the person vomits, symptoms worsen or last longer than 1 hour**

Additional information can be found by visiting: www.weather.gov/safety/heat-illness

H-2A PROGRAM EMPLOYER ROUNDTABLES

Do you want to learn more about the H-2A Program?
Do you have questions or concerns?
Join us for our Employer Roundtable!

SEPTEMBER 8 - OCTOBER 28, 2026

SCAN THE QR CODE BELOW OR VISIT
FORMS.OFFICE.COM/G/ANLG6EQRLC TO REGISTER TO ATTEND
PICK THE BEST TIME, DATE, AND LOCATION FOR YOU.

LOCATIONS:

- **September 8th**
  Arkansas Workforce Center at Fayetteville
  25153 E Joyce, Fayetteville, AR 72703
- **September 16th**
  Arkansas Workforce Center at Jonesboro
  2311 E Nettleton Ave, Jonesboro, AR 72401
- **October 13th**
  Monticello Training Center
  809 Hwy 278 East, Monticello, AR 71655
- **October 28th**
  Arkansas Workforce Center at Little Rock
  5401 S University Ave, Little Rock, AR 72209
- **September 10th**
  Arkansas Workforce Center at Hope
  205 Smith Road-Ste A, Hope, AR 71801
- **October 7th**
  Arkansas Workforce Center at Forrest City
  (Eastern Arkansas Community College)
  1700 Newcastle Road, Forrest City, AR 72335
- **October 15th**
  Southeast Arkansas College
  1900 S Hazel St, Pine Bluff, AR 71603

H2-A Employer Roundtable Registration

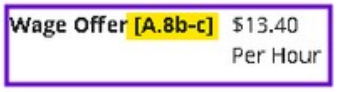
THE FOREIGN LABOR CERTIFICATION PROGRAM IN ARKANSAS IS 100% FUNDED BY THE U.S. DEPARTMENT OF LABOR THROUGH AWARDS TOTALING $392,997.

H-2A JOB ORDER FILING TIPS

Employers either complete the Application for Temporary Employment (TEC) or obtain an agent to complete it for them. The TEC or most commonly known as the "job order" is reviewed for deficiencies just like housing. Deficiencies with the job order can delay the approval of the job order at the State level which delays the filing of the 9142 Form for employers.

On November 3, 2026, the Office of Foreign Labor Certification (OFLC) of the United States Department of Labor published on their website announcement page (https://www.dol.gov/agencies/eta/foreign-labor) the new Adverse Effect Wage Rates for Non-Range Occupations in the H-2A Program; Implementation of Interim Final Rule. Please see examples in Figure 1-3 below on how to correctly enter the AEWR in Section A. Job Offer of the 790A. Pay attention to state minimum wage rules.

Figure 1

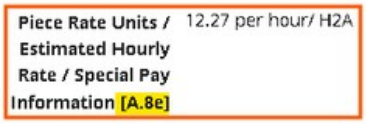


Purple outline: *Disclose the wage offer to U.S. Workers in item Wage Offer [A.8b-c] as shown above.*

Figure 2

Aqua-blue outline: *Place $0.00 in item [A.8d]* ***unless*** *the amount is an actual piece rate. This rate must match the rate listed in the Addendum A.*

Figure 3



Orange outline: *Disclose any other wage offer to H-2A workers in item [A.8e] and/or Addendum A.*

IMPORTANT

1. The adverse compensation adjustment is NOT a deduction from the workers pay.
2. This ONLY applies when considering wage offers to H-2A workers *under* the work contract.
3. Do NOT qualify the H-2A wage offer by stating the "Skill Level" or disclosing the H-2A adverse compensation adjustment factor!

H-2B JOB ORDER FILING TIPS

Employers can go visit Arkansas Workforce Connections webpage for Foreign Labor Certification for a checklist to aid in submitting the correct information in the State job order. Employers must create an Arkansas JobLink (AJL) account to create the State's job order to upload in FLAG.

Job Opportunity Description
[20 CFR 655.18(b)(3)]

The description must include:

- Duties
- Minimum *Education* Requirements
- *Experience* Requirements
- Work Hours and Days
- Anticipated Start Date and End Dates

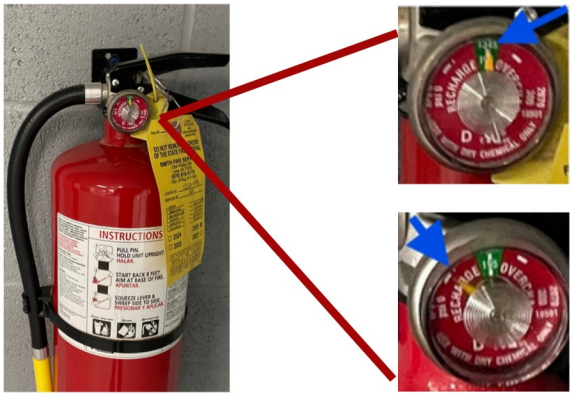
The job order must specify education and experience requirements.

(e.g. "no education required" if none, "no experience required" if none, "minimum six months experience", etc.)

VEHICLE TIPS - "*ROAD READY*"

If there was ever a thought on if there is a checklist or something easy to use to ensure a vehicle is "*road ready*", this is for you!

A common occurrence that employers run into during an audit or inspection is the lack of a fire extinguisher in the vehicle used to transport migrant and seasonal farm workers or H-2A workers according to US Department of Labor Wage and Hour. Just having the fire extinguisher in the vehicle will not pass. The fire extinguisher must be property mounted in the vehicle.



The listing of what is needed in the vehicle can be found in the regulations for motor vehicle safety by the United States Department of Transportation (USDOT) regulations as seen in 29 CFR 500.105(b)(2)(vi):

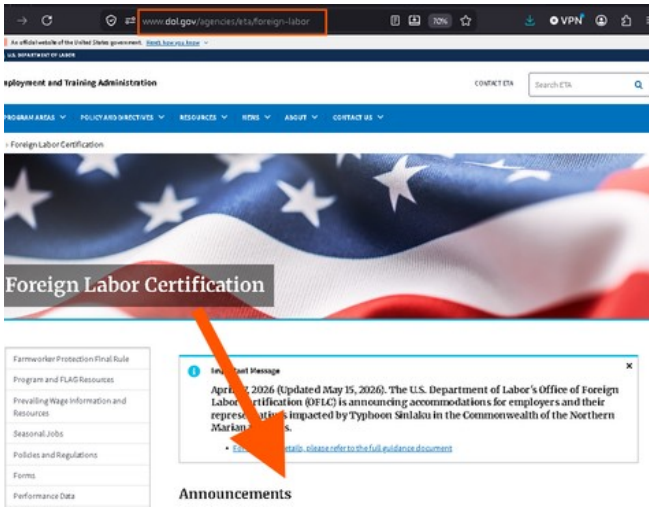
- Service brakes, including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wiper or wipers
- Rear-vision mirror or mirrors
- Coupling devices
- **Fire extinguisher, at least one properly mounted and**
- Road warning devices, at least one red burning fusee and at least three flares (oil burning pot torches), red electric lanterns, or red emergency reflectors

US DOT REGULATION ELECTRONIC LOOKUP

www.ecfr.gov

Title 29 Labor
Subtitle B Regulations Relating to Labor
Chapter V Wage and Hour Division
Subchapter A Regulations
Part 500 Migrant and Seasonal Agricultural Worker Protection
Subpart D Motor Vehicle Safety
29 CFR 500.105 DOT Standards Adopted by the Secretary

UPCOMING WEBINAR



Office of Foreign Labor Certification Recent Announcements

Announcements pertaining to foreign labor guidance, webinars, issues, etc. may be checked by going to https://www.dol.gov/agencies/eta/foreign-labor.

On July 13, 2026, the Office of Foreign Labor Certification (OFLC) announced an upcoming webinar on July 22, 2026, to provide technical assistance for Permanent and Labor Condition Application Programs. Webinar content will include:

- Process for Filing Form ETA-9141
- Application for Prevailing Wage Determination

Other recent notable webinars announced and posted to the website include:

- July 8, 2026
  Published Listing of Randomized H-2B Applications Submitted July 3-5, 2026,
  [Employers seeking start date 10/1/26.]
- June 29, 2026
  Technical Release Notes for the Occupational
  Employment and Wage Statistics Update for July 2026 through June 2027 Wage Year
- June 26, 2026
  Reminder of the three-day filing window for the H2B Program
  [Employers seeking start date 10/1/26.]

Note: The "Announcements" page contains content pertaining to foreign labor programs and not a specific program.

HOUSING INSPECTIONS FAQ

Question:
Is my housing certified once the housing has been inspected?

Answer:
No. The employer and the employer's agent (if applicable) will receive a housing preoccupancy determination from Arkansas Workforce Connections (AWC). Additionally, the preoccupancy determination must be visibly posted in the housing.

*** SCHEDULE TODAY ***

1-800-347-3732

OR

ADWS.MSFW@ARKANSAS.GOV

GREETINGS FROM OUTREACH SPECIALIST CORINA PARRA!

Thank you for the opportunity to share this introduction and for the dedication it takes to complete all aspects of our season!

My name is Corina Parra! I have been fortunate to work as the Migrant Seasonal Farmworker Outreach Specialist for Arkansas Workforce Connections. It has been a valuable journey for me that began in June 2025!

The purpose of my visit is to provide awareness for migrant and seasonal farm workers about additional resources available to them during their time in the United States no matter which state they reside and work. Services include, but are not limited to, services provided by our agency, area programs, transportation, employment-related laws, workers' rights, complaint filing system, and supportive services available to them or their family members. When time is available and with your permission, my visit may include other representatives with additional services available such as Arkansas Human Development Corporation (AHDC). AHDC has additional funding and services available for your workers. AHDC is the grantee of the National Farmworkers Jobs Program (NFJP) for state of Arkansas.

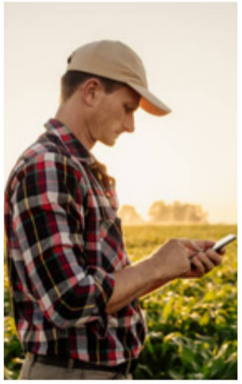
I start out by organizing worksite visits through calling and e-mailing to ask your permission first *[20 CFR 653.107(b)(2)]*.

This also provides me with the opportunity to explain the educational content that is covered during the worksite visit in addition to scheduling a tentative date and time that falls within the dates of need on your job order.

I believe the tips on the following page will aid in facilitating the process.

Remember, I am not part of any type of enforcement branch for the agency. My visit is educational in nature.

I want to thank all the farm owners who have already responded to my requests for farm visits!!



CALL ME!

Corina Parra
Migrant Seasonal Farm
Workers Outreach Specialist
Office: 501-682-1082
corina.parra@arkansas.gov

TIPS FOR OUTREACH VISITS

- Perfect time to schedule!
  What has worked for most farmers is scheduling during the first days of work in which the workers are already being processed and in a group for items such as SSN and driver licenses are scheduled.
- Outreach specialist is mobile!
  This can be anywhere needed such as, but not limited to, the fields, housing, restaurants, including traveling within fields on the same farm to not disturb your business.
- Lunch is always a good time for most farmers. The specialist can talk while everyone eats.
- When it rains, please keep the specialist in mind! Arkansas is a big state. Your side of the woods might be getting rainy, while the specialist's area is dry.
- You can determine how long you want the chat to last.
- Save the specialist e-mail address to prevent it from going to spam.

NOTE: Some materials are available in both English and Spanish.

This program is 100% supported by the U.S. Department of Labor, with a total of $392, 997 financed with federal funds.

ADDITIONAL RESOURCES

The Outreach Specialist brings resource material for the workers and employers such as, *but not limited* to:

- Arkansas Workforce Connections Brochure of Services
- Prevent Heat Illness at Work Poster
- Migrant and Seasonal Agricultural Worker Protection Act Poster
- H-2A Best Practices to Support Employer Operations
- Employee Rights Under H-2A Program Poster
- Work Hour Calendar
- Cultivating Compliance Brochure
- ETA Housing & OSHA Housing Checklists
- Farm Workers Rights
- Federal Income Tax and FICA Withholding for Foreign Agricultural Workers with an H-2A Visa
- Arkansas Human Development Corporation Brochure
- H-2A Worker Rights Card
- Arkansas Migrant Education Program Brochure
- Transportation Information
- Mexican Consulate Services Contact List

H-2A Best Practices
to Support Employer Operations

These best practices for employers using H-2A labor complement day-to-day operations, help avoid disruptions, and protect agricultural businesses through effective program management. They recognize the essential role agricultural employers play in sustaining the agricultural economy, feeding our communities, and the importance of a reliable workforce to successful operations. By adopting these practices, employers can reduce noncompliance risk, support their workers, and keep operations running smoothly throughout the season.

Protect U.S. Workers

Do not terminate U.S. workers to hire H-2A workers

Communicate Directly

Employers should communicate directly with workers to ensure transparency and avoid misinformation

Address Recruitment Illegalities

Communicate to workers that recruitment fees are illegal and that they should never pay these fees to recruiters, supervisors, foremen, or anyone for jobs

Verify Payroll

Verify payroll accuracy and completeness

Confirm Proper Licensing

Ensure all drivers transporting workers have valid licenses

Ensure Passport & Visa Retention

Communicate with workers that they must retain their own identification documents

Review Contracts

Review Employment and Training (ETA) Form ETA-9142A details including the accuracy regarding number of workers, dates of employment, work locations, and housing listed/locations

Inspect Housing Regularly

Ensure safe and compliant living conditions

Check For Debarments

Avoid hiring debarred contractors and unregistered farm labor contractors (see registered farm labor contractors)

Verify Meals Requirement

Workers need to be provided with free and convenient cooking facilities or three meals per day (cost to the worker does not exceed the allowable rate)

Ensure Workers Have Potable Water

Good hygiene practices are important including clean toilets and accessible handwashing stations

To learn more, please review our H-2A Resources page

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
866-4-USWAGE (866-487-9243)
dol.gov/agencies/whd

WHD
WAGE AND HOUR DIVISION