

# Farmers Guide to the H-2A Visa Program

The H-2A visa program helps employers hire foreign workers for temporary agricultural jobs (Figure 1). The H-2A program was authorized by Congress under the Immigration and Nationality Act of 1952. The program has been used successfully by many agricultural employers as a way to meet their temporary and seasonal labor needs. This publication provides an overview of the H-2A program for Missouri agricultural producers.

## Background

Farms have increased their use of the H-2A program in recent years. Certified H-2A positions in the U.S. increased from 162,720 in 2015 to 398,059 in 2025. The increase in H-2A use reflects changes in the labor market and challenges of finding seasonal and temporary farm labor. There is no U.S. statutory limit on the number of H-2A visas certified each year.

## Who can participate

The H-2A program is available to an employer or association of agricultural producers that anticipates a shortage of domestic workers to do agricultural labor or services on a seasonal or temporary basis. The U.S. Department of Labor (DOL) lists these [general guidelines for determining if employers are eligible for the H-2A program](#).<sup>1</sup>

- Be a employer physically located in the United States; possess a valid Federal Employer Identification Number (FEIN); and be able to hire, pay, fire, supervise or otherwise control the work of the workers employed.
- The work performed must consist of agricultural labor or services.
- The work must be full time (at least 35 hours per workweek).
- The work must be seasonal or temporary (normally lasting 10 months or less) and tied to a certain time of the year.



**Figure 1.** The H-2A program can provide visas for workers to do many activities on agricultural operations.

## State workforce agency

The [Missouri Office of Workforce Development](#)<sup>2</sup> is the state's workforce agency. Its [Agricultural Employment Services](#)<sup>3</sup> offers free assistance such as posting a job order placed in connection to an H-2A application, recruitment of domestic U.S. workers and hiring event assistance, labor law information, foreign labor certification assistance, and additional training. Their services also include an outreach program for both domestic and H-2A visa workers. In addition, they conduct housing inspections to assure employers meet the requirements of the H-2A program. You can directly contact AES at [aes@dhewd.mo.gov](mailto:aes@dhewd.mo.gov) or 573-751-3346.

## Who else can help

Every H-2A position must be certified by the DOL. Agricultural producers can complete the certification process themselves or outsource it.

Many agricultural employers choose to outsource the certification process to a firm that specializes in H-2A visas. These firms apply for the visa on behalf of the employer. The DOL defines these authorized representatives as “agents” and “attorneys.” These third-party businesses charge fees for their services and often have experience in H-2A certification and recruitment channels.

Some agents are defined by the DOL as “H-2A labor contractors,” and these contractors must follow additional requirements when certifying H-2A positions.

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**Table 1. Agents or attorneys who helped Missouri agricultural employers with H-2A visas, 2025.**

Firm name	Website	Phone number	Certified workers
<a href="#">Agri Placements International</a>	agri-placements.com	580-227-4747	310
<a href="#">AgWorks H2 LLC</a>	maslabor.com/agworksh2	229-559-6879	245
<a href="#">másLabor LLC</a>	maslabor.com	434-263-4300	194
<a href="#">Seso Inc.</a>	sesolabor.com	619-817-8388	192
Stellar Consulting LLC	Not available	863-658-1253	173
<a href="#">USA Farm Labor Inc.</a>	usafarmlabor.com	828-246-0659	167
C.O.C Placement Service	Not available	662-385-4219	127
<a href="#">The Bernard Firm PLC</a>	bernardfirm.com	515-232-4444	126
<a href="#">Farmer Law PC</a>	farmerlawpc.com	512-894-2128	104
<a href="#">H2 Visa Consultants LLC</a>	h2visaconsultants.com	830-584-4555	97
<i>Subtotal of top 10 sources</i>			1,735 70% of Missouri
<i>Other agents or attorneys</i>			542 22% of Missouri
<i>Employers themselves</i>			189 8% of Missouri
<b>Total certified H-2A workers</b>			<b>2,466</b>

Source: [U.S. Department of Labor](https://dol.gov/agencies/eta/foreign-labor/performance) (dol.gov/agencies/eta/foreign-labor/performance) and company websites.

Listing of firm names and contact information is for informational purposes only and does not imply recommendation or endorsement.

In the 2025 federal fiscal year, Missouri had 2,466 certified H-2A positions. Agents or attorneys supported the applications of 2,277, or 92% of those positions; agricultural employers completed the other 189, or 8%.

Table 1 lists the firms used most frequently in 2025 for the process of certifying H-2A positions in Missouri. Firms are named in this publication for informational purposes only, with no endorsement intended. If you decide to use an attorney, agent or H-2A labor contractor, conduct your own research and due diligence to select a firm that best meets your farm business needs.

## H-2A process

Employers can apply for the H-2A program using the DOL's online Foreign Labor Application Gateway, or [FLAG System](#).<sup>4</sup> The **standard** filing process takes around 60 to 75 calendar days prior to the start day of work. The online system allows the application to be created electronically, tracked throughout the process, and reused in future applications.

These are the general steps to complete for H-2A visas:

1. File a job order ([Form ETA-790/790A](#)<sup>5</sup>) with the Missouri Office of Workforce Development. They will review the job order, work with you on needed corrections, and initiate recruitment of U.S. workers. [Examples of approved job orders](#)<sup>6</sup> can be searched by title and state on the DOL's Seasonal Jobs page.
2. File an H-2A application (Form ETA-9142A) with the DOL's National Processing Center (NPC). The NPC will review your application, let you know if additional information is needed, and provide any additional instructions needed to complete the certification process.
3. Conduct recruitment for U.S. domestic workers after the NPC provides a notice of acceptance. The Missouri Office of Workforce Development will actively recruit in the first two weeks following submission. Recruitment efforts continue until half of the work contract period has been completed.

4. Complete the DOL temporary labor certification process. This step may require submission of additional documents to the NPC for the final determination. You will receive an approval notice once all documentation is complete.
5. Recruit foreign workers. If you are not using an outside firm, you can ask other farmers you know if their H-2A workers have family or friends for referrals. Another option is to ask for assistance from the government in each country from which you are trying to recruit.
6. File Form I-129 through U.S. Citizenship and Immigration Services (USCIS). They will review your application and filing fee payment. Once they approve your petition, each worker applies for a visa and has an interview at a U.S. embassy or consulate. Once approved, the visa is issued and the worker travels to the U.S.

## Period of stay

An H-2A worker's period of stay is defined in the temporary labor certification. The H-2A classification can, however, be extended for qualifying employment in increments of up to one year each, with each extension requiring a new, valid temporary labor certification. The maximum period of stay for an H-2A worker is three years. To reset a new period of stay, the worker must remain outside the U.S. for 60 continuous days.

## Employer requirements

### Work contract

Employers must give each H-2A worker a written copy of the work contract or job order (ETA Form-790 and attachments). This documentation must be provided between the time the worker applies for a visa and the first workday. The work contract must be in a language understood by the worker.

Employers must provide their workers with reasonable access to Missouri Office of Workforce Development Migrant and Seasonal Outreach Program staff.

### 50% rule

H-2A employers must provide employment opportunities to qualified U.S. applicants. The job opportunity must be kept open through the first half of the H-2A contract period, and all referred qualified U.S. workers must be hired.

### Worker guarantee

The H-2A program guarantees each worker employment hours equal to at least 75% of the workdays

in the contract period. This provision is called the three-fourths guarantee.

### Pay rate and deductions

An H-2A employer must offer and pay at least the highest of the following wage rates:

- The [adverse effect wage rate \(AEWR\)](#)<sup>7</sup>
- The [prevailing hourly rate](#)<sup>8</sup> or piece rate
- The agreed-upon collective bargaining wage
- The applicable federal, state or local minimum wage

A pay stub must be provided to employees on or before each payday. Employers must pay workers at least twice a month but can pay them more frequently per local custom. Payroll deductions must be specified in the H-2A work contract. Any payroll deductions not required by law must be reasonable.

### Workers' compensation

The H-2A contract requires that employers provide workers' compensation insurance, or its equivalent, at no charge to H-2A workers. U.S. workers similarly employed must receive the same provisions.

### Housing

Employers must provide housing to all H-2A workers at no cost. If you rent housing for H-2A workers, you must pay all the housing charges — rent, deposits, utilities, etc. — directly to the rental housing management.

Any housing you provide or secure must meet applicable standards. The Missouri Office of Workforce Development provides, at no cost to employers, inspections to determine if H-2A housing meets these safety standards. Housing must include a safe structure and water supply, a bed and sufficient space for each worker, a full kitchen, and access to a laundry facility. Inspections will be conducted 30 days prior to worker arrival. Places available for general rent or public accommodation, such as hotels and motels, do not require an inspection.

### Meals

Employers must either provide H-2A workers with three meals per day or furnish free and convenient cooking and kitchen facilities where workers can prepare their own meals. Workers can be charged for provided meals, but costs may not exceed those specified by the DOL.

### Transportation

H-2A employers must provide daily transportation to the worksite at no cost. Transportation must be operated by licensed drivers, meet safety standards and be properly insured. Additionally, transportation for weekly errands

such as grocery shopping or banking must be provided to H-2A workers.

Employers are responsible for reasonable costs of H-2A workers' transportation to the farm from their previous worksite or country of origin. These costs can be paid at the time of inbound transportation or may be reimbursed to the workers once the work contract period is halfway complete. Costs include both transportation and daily subsistence costs during transportation. Employers must also provide or pay for workers' return transportation at the end of the H-2A contract period.

## Record requirements

H-2A employers must keep records about their hired workers. These records about H-2A workers should be retained for three years:

- H-2A job order, application, petition and supporting documentation
- Proof of recruitment efforts and recruitment report
- Each worker's total earnings, hours offered and worked, and locations where work was performed
- Wage deductions and reimbursement for transportation and subsistence costs
- Agent contracts, if used
- Proof of workers' compensation insurance or state law coverage

## Costs

Table 2 lists estimated costs for H-2A employers. Employers may not charge workers for any costs related to employer H-2A certification. If you intend to use an agent or attorney, ask early about their fee structure for services offered to assist with the H-2A program.

## Additional resources

[H-2A: Temporary Agricultural Employment of Foreign Workers Program](#)<sup>9</sup>

[H-2A Temporary Agricultural Workers](#)<sup>10</sup>

[Office of Foreign Labor Certification Wage Search](#)<sup>11</sup>

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**Table 2. H-2A visa program costs.**

Type of expense	Estimated cost
<b>Labor certification:</b> Processing certification (U.S. Department of Labor)	\$100 per application, plus \$10 per certified worker (maximum of \$1,000 total)
<b>Nonimmigrant worker petition:</b> Filing and asylum program fees (U.S. Citizenship and Immigration Services)	<a href="#">See the USCIS I-129 Fee Table</a> ( <a href="https://uscis.gov/g-1055?form=i-129_h-2a">uscis.gov/g-1055?form=i-129_h-2a</a> )
<b>H-2A visa application:</b> Visa processing fee (U.S. Department of State)	\$205 per worker; must be reimbursed to worker in first paycheck
<b>H-2A visa application:</b> Port of entry fee (U.S. Customs and Border Protection)	\$30 per worker; must be reimbursed to worker in first paycheck
<b>H-2A visa application:</b> Agent or attorney fees	Fees vary by services needed
<b>Transportation:</b> Transport from home country to work site	\$400 to \$650 per worker (cost depends on country of origin)
<b>Transportation:</b> Weekly travel to and from a grocery store and other incidentals	Cost varies
<b>Miscellaneous costs:</b> Association fees, if applicable	\$200
<b>Miscellaneous costs:</b> Housing and livable fittings	About \$9,000 to \$13,000 per worker

Source: Adapted from [USDA H-2A Visa Program](#) ([farmers.gov/working-with-us/h2a-visa-program](https://farmers.gov/working-with-us/h2a-visa-program)).

## Web addresses

1. [flag.dol.gov/programs/H-2A](https://flag.dol.gov/programs/H-2A)
2. [jobs.mo.gov](https://jobs.mo.gov)
3. [jobs.mo.gov/employer/aes](https://jobs.mo.gov/employer/aes)
4. [flag.dol.gov](https://flag.dol.gov)
5. [dol.gov/agencies/eta/foreign-labor/forms](https://dol.gov/agencies/eta/foreign-labor/forms)
6. [seasonaljobs.dol.gov](https://seasonaljobs.dol.gov)
7. [flag.dol.gov/wage-data/adverse-effect-wage-rates](https://flag.dol.gov/wage-data/adverse-effect-wage-rates)
8. [dol.gov/agencies/eta/foreign-labor/wages](https://dol.gov/agencies/eta/foreign-labor/wages)
9. [dol.gov/agencies/whd/agriculture/h2a](https://dol.gov/agencies/whd/agriculture/h2a)
10. [uscis.gov/working-in-the-united-states/temporary-workers/h-2a-temporary-agricultural-workers](https://uscis.gov/working-in-the-united-states/temporary-workers/h-2a-temporary-agricultural-workers)
11. [flag.dol.gov/wage-data/wage-search](https://flag.dol.gov/wage-data/wage-search)