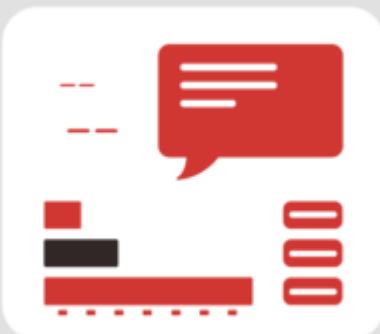


Employee Rights Under the H-2a Program Poster



The United States department of labor wage and hour division

EMPLOYEE RIGHTS UNDER THE H-2A PROGRAM

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

This document is not a regulation. It is a guide for the interpretation of regulations, and it is not intended to supersede the specific legal language of the regulations. It is not a substitute for the regulations. The purpose of this document is to explain the basic rights of H-2A workers and to help employers and workers understand their rights and responsibilities under the H-2A program. It is not a replacement for the more specific rules on the H-2A workers' basic rights found in the following regulations:

EMPLOYEE RIGHTS

- To receive accurate, understandable information about the job, wages, hours, working conditions, and location of the employment being offered
- To receive this information prior to signing a written or oral agreement for the first day of work
- To receive this information in a language understandable to the worker

WAGES

- To be paid at least twice per month on the same day of the week
- To be guaranteed at least 80% of the minimum wage or minimum wage required by any local or state minimum wage laws
- To receive an itemized written statement of wages paid for each pay period
- To be guaranteed payment for all hours worked, including overtime or time-and-a-half pay for hours worked beyond the regular workweek

WORKING CONDITIONS

- To be provided a safe, clean environment in the workplace. The workplace must be free from serious physical hazards and dangerous working conditions, including the use of unsafe tools and equipment
- Adequate accommodations for the worker's condition. If the condition of a worker requires special accommodations, the employer taking the employee to work must provide the necessary accommodations
- Fair working conditions, including pay, safety, and health protection, and a clean and safe place to live, eat, sleep, and work
- Adequate protection from the elements, including clothing, shelter, and bedding, and a reasonable amount of time for rest and recreation

HOUSING

- That any worker who becomes temporarily sick or injured or becomes unable to work due to the provision of services does not pay
- Adequate protection from the elements, including clothing, shelter, and bedding, and a reasonable amount of time for rest and recreation
- Minimum rates that are appropriate, reasonable, and fair, and that are not excessive given the local cost of living

EMPLOYMENT TERMINATION

- To be given notice before termination, unless termination is for an emergency
- To be given notice of any reason, at 10 days, 30 days, 60 days, or 90 days if required by contract, before termination
- To be given written notice of termination or non-renewal for illegal employment, including an opportunity to file a complaint with the appropriate government agency
- Dismissal, layoff, or non-renewal of employment, including the continuation of benefits, including medical, pension, or other compensation arrangements
- Dismissal with or without notice, including benefits, including the continuation of benefits, including medical, pension, or other compensation arrangements
- Dismissal with or without notice, including benefits, including the continuation of benefits, including medical, pension, or other compensation arrangements
- Dismissal with or without notice, including benefits, including the continuation of benefits, including medical, pension, or other compensation arrangements
- Dismissal with or without notice, including benefits, including the continuation of benefits, including medical, pension, or other compensation arrangements
- Dismissal with or without notice, including benefits, including the continuation of benefits, including medical, pension, or other compensation arrangements

Workers who believe their rights under the program have been violated may file a complaint with the Wage and Hour Division.

For additional information:

1-866-4-USWAGE

(1-866-4-879-4843) (1-866-4-879-4843)

WWW.DOL.GOV/WHD

U.S. GOVERNMENT PRINTING OFFICE: 2007-2008 EDITION

5010-0645-0002

Source: WHD