



NCAE News Brief 2010, #43
October 28, 2010

NCAE Executive Vice President's update, week ending 10/28/10.

- **NEW NCAE OFFICES! Frank and Matt made the big move on Thursday, November 28.** We will retain the same e-mail addresses and the 202-728-0300 phone number, however we will be adding two 703 area code phone numbers (703-442-6517 Frank--- 703-790-9039 Matt) and a new street address for routine mail. We will retain a Washington, DC mailing address for dues receipts but will encourage use of the Vienna, Virginia address for other mailing needs. After less than 24 hours here it is already noticeably more productive to be in such a nice location and among friends! A HUGE thanks to Nancy Foster and the entire US Apple Association organization for making this possible!

NEW ADDRESS:

*NCAE
8233 Old Courthouse Road, Suite 200
Vienna, VA 22182
703.790.0845 fax*

- **The US Department of Labor has issued their 2009 Foreign Labor Certification Report.** See the linked report for information and statistics on foreign labor certifications for the year 2009. General information on Non Immigrant labor certification begins on page 23, with specific numbers for H-2A and H-2B workers on page 26 and beyond.
http://www.ncaeonline.org/files/Foreign_Labor_Certification_Report-2009.pdf
- **Tax Credits for Small Businesses (and associations) who provide employee health insurance in 2010!** As I understand it, the “catch” for many small organizations is that the AVERAGE salary for all exempt employees must be below \$50,000 per year--- so if you have a staff of only two and the owner/manager makes \$65,000 and the single employee makes \$40,000--- you do not qualify. However if you have the same manager and TWO employees making \$40,000, then you would qualify. This could be extremely

significant for some state and regional associations and for businesses who provide health insurance:

- **For tax years 2010 to 2013**, the maximum credit is 35 percent of premiums paid by eligible small business employers and 25 percent of premiums paid by eligible employers that are tax-exempt organizations.
 - **Beginning in 2014**, the maximum tax credit will go up to 50 percent of premiums paid by eligible small business employers and 35 percent of premiums paid by eligible, tax-exempt organizations for two years.
- **Agricultural Quote of the week:** *“Be always at war with your vices, at peace with your neighbors, and let each New Year find you a better man.”*
~Benjamin Franklin

Until Next Week,
Frank

News articles and citations of interest for week ending 10/28/10:

October 27, 2010. Keyword: Agricultural Employer.

Sustainable Foods. *This article believes “You can push supermarkets to pay more for their produce (and thus, increase wages for farm laborers) by signing our petition---.”*

Unfortunately too many of our legislators believe that getting domestic workers to embrace farm labor is as simple as growers just paying more and the consumer paying “just a little more for groceries”--- the reality is that forcing American grower’s wages up only pushes more food production to other countries.

http://food.change.org/blog/view/despite_high_unemployment_americans_wont_work_as_farmhands

October 26, 2010. Keyword: Agricultural Employer.

NPR. *Another article on agricultural employer issues. When being interviewed about labor issues, NCAE Members would be well advised to consider how your comments might be quoted in the article, and whether what you say might invite an I-9 audit by ICE, or be used by legal services advocates if they allege you overwork and/or underpay employees. All too often, honest and innocent comments may be taken out of context and/or embellished to make an honest, compassionate, and hard working employer look the “bad-guy.”*

<http://www.npr.org/templates/story/story.php?storyId=130840422>

October 26, 2010. Keyword: Immigration.

Politico. *What we may have to look forward to in 2011!*

<http://www.politico.com/news/stories/1010/44144.html>

October 25, 2010. Keyword: Immigration.

High Country News. As federal politics become even more divisive in 2011 expect to see articles like this used as wedge issues to demonize growers in support of more state legislation and federal regulatory pressure on growers and other businesses. It is all too easy to slant a story to make it appear that AL employers are unfair and/or unethical and that ALL employees are victimized. We know that the vast majority of employers are honest and ethical, and that they expect to pay fair wages for honest work. It is important that we keep the REAL facts in front of our legislators and regulators, and that we make it clear we expect them to represent our needs too.

<http://www.hcn.org/issues/42.18/fields-of-dreams>

October 23, 2010. Keyword: H-2A.

New York Daily News. VA apple growers discuss need for functional H-2A program.

http://www.nvdaily.com/news/2010/10/fruit_of_their_labor-mobile.html

Keywords searched: “Immigration”, “Border Health Care Relief”, “H2A” “E-Verify”, “Undocumented Worker”, “Agricultural labor”, “Agricultural Employer”, “illegal alien”, “farm worker”, “NCAE”, “NCAEonline”, “NCAEonline.org”

Completed 10/29: MCoffindaffer