



NATIONAL
COUNCIL OF
AGRICULTURAL
EMPLOYERS

NCAE News Brief 2010, #44 & 45
November 5 and 12, 2010

NCAE Executive Vice President's update, week ending 11/5/10.

- **REMEMBER OUR NEW ADDRESS AND PHONE CONTACT INFORMATION.** See www.NCAEonline.org
- **Apologies for combining two weeks of News Briefs.** Between preparation for the Executive Committee meeting and some minor technology glitches associated with the move of our computer system last week's edition was sent to the router but never mailed to you. We are combining #45 with this mailing since NCAE offices are closed on November 11, Veteran's Day (formerly known as Armistice Day) in honor of all those who have served, and those who have given their lives in the service of our country. It is important that we remember the privilege of living in this great country we call the USA has been bought with blood. Take time to thank those who have served, and to remember those who have died.
- **E-Verify updates.** With Republicans taking control of the House in January we are sure to hear more discussion of mandatory e-verify. Now is a good time to become familiar with the program and how to implement it in the event we are forced to do so. The following links are 1) USCIS' manual "E-Verify for Employers": <http://www.uscis.gov/USCIS/E-Verify/Customer%20Support/E-Verify%20User%20Manual%20for%20Employers%20R3%20-%20Final.pdf> and 2) a "how-to" if you encounter an e-verify no-match for a new employee provided by an employment law firm in Kansas City: <http://haverkamplaw.com/2010/10/happens-when-i-receive-everify-tentative-nonconfirmation-tn/>
- **ICE audits of employer I-9 compliance (so-called silent raids) continue.** The Associated Press has revealed results of its review of 430 audits conducted between July 1, 2009 and January 31, 2010. According to the AP, ICE reviewed 86,000 I-9s during that time period and found 22,000 documents that suggested a worker was illegally employed. <http://www.latimes.com/news/nationworld/nation/wire/sns-ap-us-immigration-audits.0.3327878.story>

- USCIS redesigns the Naturalization Certificate. All US Naturalization certificates dated after November 2010 should be the new design:
<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=a525d766a29eb210VgnVCM10000082ca60aRCRD&vgnnextchannel=acffaca797e63110VgnVCM1000004718190aRCRD>
- Agricultural Safety and Health Council of America (ASHCA) Annual Meeting and Workshop to be held in Atlanta, GA (dovetailed with the AgCONNECT Expo) January 7 thru 7, 2011.
www.ncaeonline.org/files/ASHCA_Registration.pdf

Agricultural Quote of the week: Salad, broccoli, spinach, tomatoes, etc., cannot be all that important to human health, King suggested, huffing--- “I’m wondering how the Eskimos got along all those centuries without fruits and vegetables!” *Rep. Steve King, R-Iowa from Congressional hearings held September 24, 2010.*

Until Next Week,
Frank

News articles and citations of interest for week ending 11/5/10:

November 4, 2010. Keyword: Immigration.

San Antonio Express. Immigration reform will be shelved for streamlined enforcement of current laws in the legislative priorities under a new Republican-controlled House, Rep. Lamar Smith said Tuesday.”

<http://www.mysanantonio.com/news/politics/elections/106643788.html?showFullArticle=y>

November 4, 2010. Keyword: Agricultural Labor.

SIFY. *An article from India complaining about child labor in the US. [information provided by]---“ United Farm Workers Union, at least 800,000 children are employed in agriculture---.” Really! Well over HALF of all the 1.4 Million US farm workers are children??? This issue will continue to fester, the 60 Minutes segment on children in the fields play-date has still not been announced.*

<http://sify.com/finance/us-labour-laws-not-child-friendly-study-news-news-klebvnhccfg.html>

November 3, 2010. Keyword: Health Care.

Washington Post. *Health Care Reform (HCR) remains an interesting and perplexing issue. Although it continues to be reported that 2/3 to ¾ of the public does not want HCR, at least as proposed, and that incoming Republicans have promised to attempt to dismantle the legislation--- “[Voters oust half of House Democrats who opposed health-care law](#) ---.” We continue to predict that while the new Republican majority may modify and/or delay HCR, it will not be repealed.*

http://www.washingtonpost.com/wp-dyn/content/article/2010/11/03/AR2010110305760.html?wpisrc=nl_pmpolitics

November 3, 2010. Keyword: Agricultural Labor.

Huffington Post. *Huffington Post reports that the Employee Free Choice Act (Card Check) is now dead--- “perhaps for a generation.” If this is correct, then expect labor to move their activity to the state level and work to get individual states to give them the same end result in various ways. Expect California to lead with Jerry Brown elected Governor. This is the normal pattern for activist driven legislation, when the federal government is favorable to their cause the work and spend in Washington, when conservatives come to Congress they move back to the state level. For industry and employers, diffusion of issues to the state and local level are often actually more difficult to address because of the speed at which state and local laws/regulations can be passed versus the federal government and because of the huge numbers of state and local entities versus a single federal bureaucracy.*

http://www.huffingtonpost.com/jonathan-tasini/the-state-of-labor--now-t_b_778490.html

November 2, 2010. Keyword: Immigration.

Daily Herald. *Utah Farm Bureau article about immigration enforcement notes that US food producers will stop growing fruits and vegetables domestically if they do not have a dependable supply of seasonal labor. “Farmers and ranchers across the nation want the border secured, they want the federal government to enforce immigration laws and they want a guest-worker program, he said.”*

<http://www.mysanantonio.com/news/politics/elections/106643788.html?showFullArticle=y>

November 1, 2010. Keyword: Immigration.

All 247 News. *An article very similar to the AP article referenced in the main body of this edition of News Briefs. This writer added an important quote: ““HR and Employment Law News said, the I-9 immigration form appears “deceptively simple to fill out correctly” and that many employers “give it only a cursory glance before filing it away.”” The term “deceptively simple” is important as employers have been sanctioned for honest (if not naive) mistakes as simple as recording three documents where only two were required (yes, it is a violation to record more documents than required) or selecting the documents you record yourself if the employee offers you a choice of several.*

<http://all247news.com/obscure-immigration-reform-i-9-document-system-%E2%80%9Cdeeply-flawed%E2%80%9D/7267/>

November 1, 2010. Keyword: Agricultural Labor.

Fortune. *The average hourly wage for a U.S. migrant farm worker is \$10.82.*

http://money.cnn.com/2010/10/25/news/economy/farming_statistics.fortune/index.htm

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 11/4: MCOffindaffer