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Navigating Immigration Crackdowns

Learn How to Secure Your Workforce with H-2A

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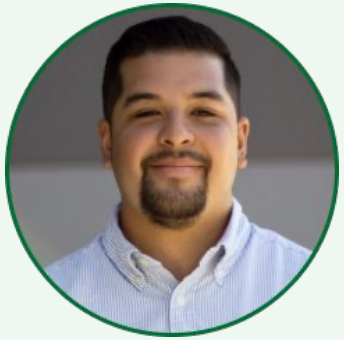
WEBINAR HOSTS

Your H-2A experts for today



Daniel Ross

Director of Visa Operations
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Customer Success
Program Manager

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Agenda

1. Introductions
2. ICE Enforcement Trends & Employer Responses
3. H-2A Program Overview & Benefits
4. Employer Responsibilities & Challenges
5. Intro to Seso H-2A Solution
6. Q&A

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ICE Enforcement Trends

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Trends on Domestic Enforcement

- **2 million, or 80% of U.S. farm workers, are Mexican-born** *(Source: Dr. Phil Martin)*
  - 50% of these workers are unauthorized
  - Average domestic farmworker is 42 years old
  - U.S.-born children are not going into farming
- **New registration requirements for undocumented individuals**
  - Form G-325R: Revival of 1952 Law - https://www.uscis.gov/alienregistration
    - Non-citizens over 14 years old must register and be fingerprinted within 30 days of entry.
    - All registered non-citizens over 18 years old must carry proof of registration at all times.
    - Failure to comply can result in fines up to $5,000 or six months in jail.
  - Does not affect H-2As
- **Checkpoints and community enforcement via 287(g)**
- **Encouragement to self-deport: CBP Home App Launch on 3/10**
- **Detention**

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WHAT'S THE DIFFERENCE?

Employers may face 2 types of visits from ICE

	Audit	Raid
		
Purpose	Inspect I-9s	Detain undocumented workers
Timeframe	3 business days	Immediate
Usual Notice	Notice of Inspection (NOI)	Search warrant

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EMPLOYER RIGHTS

Know your legal rights in case of an ICE visit

1

Identification protocol

Request identification from ICE agents upon arrival

2

Warrant scope assessment

Understand the distinction between judicial and administrative warrants

3

Public vs. private areas

Clarify which ICE can access with vs. without a warrant

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AUDIT PREPARATION

Take these steps before and after an ICE audit

BEFORE

1. **Keep employee records organized, secure, and easily accessible**
   - ☐ Store I-9 forms separately from other files
   - ☐ Regularly review all files for completeness
   - ☐ Be able to produce requested documents within 3 days of receiving a NOI
2. **Appoint a compliance officer to manage I-9s, monitor regulatory updates, and oversee audits**
3. **Train staff on rights and responsibilities**
   - ☐ Request ID from ICE agents upon arrival
   - ☐ Direct agents to the compliance officer
   - ☐ Understand judicial vs administrative warrants and areas of access with vs without a warrant
   - ☐ Keep calm and continue work unless otherwise instructed otherwise

AFTER

1. Review potential notices from ICE, such as:
   - ☐ Notice of Suspect documents
   - ☐ Technical or Procedural Failures
2. Prepare to rectify minor issues as outlined by USCIS and establish follow-up protocols
3. Create a plan to re-verify employee eligibility based on ICE findings
4. Plan regular internal audits at least once a year, adjusting frequency based on turnover rates
5. Review and adjust company procedures to comply with current immigration laws

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RAID RESPONSE

Prepare a response plan in case of a worksite raid

✔ DO

1. Verify ICE authority

- ☐ Ask for a warrant and confirm it is judicial (signed by a judge)
- ☐ Only allow entry into private areas if the warrant is judicial

2. Document everything

- ☐ Designate an employee to record interactions
- ☐ Take notes on ICE badge numbers, agent names, and actions taken
- ☐ Keep a log of any documents seized

3. Seek Legal Counsel immediately

- ☐ Ask your attorney to review the warrant before allowing access

✘ DO NOT

1. Assist employees in hiding or leaving
2. Provide additional documents unless legally required
3. Physically or verbally interfere with ICE agents

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RAID RESPONSE

Train workers on how to respond in case of off-site raids

Employers

- Provide clear guidance on which documents workers should carry
- Maintain a list of legal resources for workers
- Ensure workers have a designated contact for legal support
- Inform worker families of emergency procedures

Workers

- Stay calm; don’t run or resist
- Don’t sign anything without legal counsel
- Exercise the right to remain silent; no obligation to answer questions
- Carry valid identification and work authorization, if applicable
- Keep copies of documents in a safe place

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H-2A:
A Legal Labor Solution

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OVERVIEW

The H-2A program is a legal and reliable source of labor for farms

What is H-2A?

U.S. government program that allows agricultural employers to hire foreign workers for seasonal jobs when domestic labor is unavailable

Program Requirements

To use the program, employers must:

- Prove a labor shortage: Demonstrate that no qualified U.S. workers are willing to do the job
- Comply with Department of Labor (DOL) recruitment, housing, and wage regulations
- Not displace U.S. workers: H-2A workers supplement, not replace, domestic labor



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KEY REQUIREMENTS

H-2A employers must meet DOL requirements across 3 key areas



HR

- Maintain accurate records: Contracts, payroll, and worker documentation
- Ensure fair wages: Adverse Effect Wage Rate (AEWR), overtime, and legal pay requirements
- Provide a safe work environment and follow labor laws



Housing

- Provide free, safe, and inspected accomodations before workers arrive
- Meet DOL standards for space, sanitation, and fire safety
- Include essential amenities: Beds, kitchen, bathrooms, and heating/cooling



Transportation

- Provide free, reliable transport to and from worksites
- Offer weekly trips for groceries and personal errands

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KEY BENEFITS

H-2A increases field productivity while decreasing back-office costs

Myth

"H-2A is too expensive!"

Facts

Increased productivity: A reliable workforce ensures consistent output

Lower turnover: Returning workers reduces hiring and training costs

Legal compliance: Avoids fines and penalties of using unauthorized labor

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KEY BENEFITS

H-2A is easy to ramp up and repeat with an all-in-one service partner

Myth

"H-2A is too complicated!"

Facts

H-2A has become less complex: New rule has introduced efficiencies

All-in-one solutions: Ag workforce management providers can greatly simplify and support the process

Repeatable: Once you get started, you can easily scale your program YoY

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RESPONSIBILITIES

Most H-2A employers work with external partners to help manage their program

Professional vendors exist for every need, including:

- Housing
- Consulate services & logistics
- Contract filing
- Daily transportation
- Recruiting
- Catering
- Insurance broker
- Payroll

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CHALLENGE

However, working with many different H-2A vendors can get costly

Decreased efficiency



Wasted time going between:

- H-2A filing agent
- Insurance broker
- Worker onboarding system
- Payroll provider
- And more vendors

Reduced accountability



No single point of contact leads to:

- Information delays
- Miscommunication
- Poor worker experience
- Poor data integrity

Increased compliance risk



The more vendors, the more potential for:

- Manual errors
- Documentation gaps
- Missed deadlines

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OPPORTUNITY

Seso is building the first complete HR solution for farms



WHAT WE DO

Simplify HR so you can hire and retain more employees

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- H-2A Management
- Worker Services
- HR Paperwork
- Payroll
- Insurance

✓ *Efficient* ✓ *Easy-to-use* ✓ *Compliant*

CUSTOMER IMPACT

Three G Trucking saved 50% of back-office costs with Seso

Meet Three G Trucking, Inc

Three G Trucking INC

- Farm labor contractor
- Headquartered in Florida
- 600+ workers

Their Challenge

- Outdated, manual systems created high operating costs
- Processes were slow, duplicative, error-prone,and hard to scale
- Increasing regulation slowed their back office down further

Our Solution

- H-2A
- Paperwork
- Payroll

CUSTOMER IMPACT

Three G Trucking saved 50% of back-office costs with Seso

Their Results

4 > 1
Key back-office processes consolidated

$300K
Estimated annual cost savings

50% ↓
Reduction in prep time for workers' comp audits

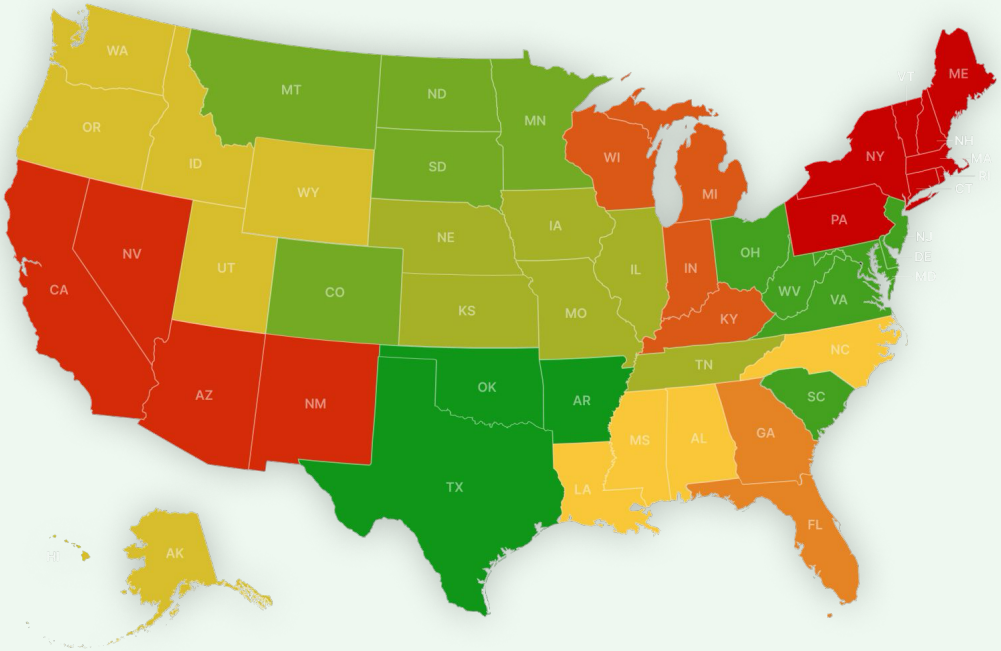
> "I'm looking forward to scaling the business with Seso's help. I'm excited to take on more contracts now that we have these systems in place."



Ty Morgan
Chief Financial Officer
THREE G TRUCKING, INC

LOCAL EVENTS

Meet us in-person at an event near you!



Next up

March 13:

- Seso Michigan Roundtable @ Brickhaus Brews *Sparta, MI*

March 29:

- Bayou Community Academic Bash *Thibodaux, LA*

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Q&A

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Thank you!

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