

H-2A Adverse Effect Wage Rates

Last Updated: December 16, 2024

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Introduction

On this page, employers seeking to hire temporary nonimmigrant workers under the H-2A visa classification can find the AEWRs covering the agricultural labor or services to be performed. This information will assist employers in understanding their potential wage obligations to workers and preparing job orders (Form ETA-790/790A) for review by the State Workforce Agencies (SWAs) and OFLC. The terms State and statewide include the 50 States, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. [Read additional background information](#) on the AEWRs and how they are adjusted each year.

The [Final Rule](#), *Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States*, 88 FR 12760 (Feb. 28, 2023), established the methodology for setting hourly AEWRs:

- For field and livestock worker occupations, which represent the vast majority of agricultural jobs under the H-2A program, the OFLC Administrator continues to use the average annual hourly wage for field and livestock workers (combined) for the state or region, as reported by the U.S. Department of Agriculture's Farm Labor Survey (USDA FLS). See 20 CFR 655.120(b)(1)(i).
- For all other agricultural jobs, which are not adequately represented or reported by the current FLS data, the OFLC Administrator sets the AEWRs using the statewide or national average annual hourly wages for the occupational classification reported by the Bureau of Labor Statistics Occupational Employment and Wage Statistics Survey program (BLS OEWS). See 20 CFR 655.120(b)(1)(ii). **Important Reminder:** In the event an employer's job opportunity requires the performance of agricultural labor or services that are not encompassed in a single SOC code's description and

tasks, the applicable AEWL will be the highest AEWL for all applicable SOC. For more information on the definitions, skill requirements, and work tasks associated with an SOC, please visit the online Occupational Information Network (O*NET) at <https://www.onetonline.org>.

Effective Date: The AEWLs contained in Section II and III below apply to all job orders submitted on or after March 30, 2023, including job orders filed concurrently with an Application for Temporary Employment Certification for emergency situations. In contrast, employers who have already received a temporary agricultural labor certification, or who have submitted a Form ETA-790/790A or Form ETA- 9142A before March 30, 2023, will not be subject to wage obligations under the new AEWL methodology until the OFLC Administrator publishes the next AEWL adjustment applicable to the SOC code covering the employer's job opportunity.

Current Adverse Effect Wage Rates (AEWLs)

I. Range Occupations

- \$1,986.76/month in all States (Effective January 1, 2024)

II. Non-Range Occupations for field workers and livestock workers (combined)

- The hourly AEWLs below apply when the job opportunity requires workers to perform agricultural labor or services covering one or more of the following SOCs:
 - 45-2041 - Graders and Sorters, Agricultural Products.
 - 45-2091 - Agricultural Equipment Operators.
 - 45-2092 - Farmworkers and Laborers, Crop, Nursery, and Greenhouse.
 - 45-2093 - Farmworkers, Farm, Ranch, and Aquacultural Animals.
 - 53-7064 - Packers and Packagers, Hand.
 - 45-2099 - Agricultural Workers, All Other.

State	AEWL	Source	Effective Date
Alabama	\$16.08	FLS	December 16, 2024
Alaska	\$19.52	OEWS	July 8, 2024
Arizona	\$17.04	FLS	December 16, 2024
Arkansas	\$14.53	FLS	January 1, 2024 *

California	\$19.97	FLS	December 16, 2024
Colorado	\$17.84	FLS	December 16, 2024
Connecticut	\$18.83	FLS	December 16, 2024
Delaware	\$17.96	FLS	December 16, 2024
District of Columbia	\$22.23	OEWS	July 8, 2024
Florida	\$14.77	FLS	January 1, 2024 *
Georgia	\$14.68	FLS	January 1, 2024 *
Guam	\$10.34	OEWS	July 8, 2024
Hawaii	\$20.08	FLS	December 16, 2024
Idaho	\$16.54	FLS	January 1, 2024 *
Illinois	\$19.57	FLS	December 16, 2024
Indiana	\$18.18	FLS	January 1, 2024 *
Iowa	\$17.79	FLS	January 1, 2024 *
Kansas	\$18.32	FLS	January 1, 2024 *
Kentucky	\$15.87	FLS	December 16, 2024
Louisiana	\$14.53	FLS	January 1, 2024 *
Maine	\$18.83	FLS	December 16, 2024
Maryland	\$17.96	FLS	December 16, 2024
Massachusetts	\$18.83	FLS	December 16, 2024
Michigan	\$18.15	FLS	December 16, 2024
Minnesota	\$18.15	FLS	December 16, 2024
Mississippi	\$14.83	FLS	December 16, 2024
Missouri	\$17.79	FLS	January 1, 2024 *
Montana	\$16.54	FLS	January 1, 2024 *
Nebraska	\$18.32	FLS	January 1, 2024 *
Nevada	\$17.84	FLS	December 16, 2024
New Hampshire	\$18.83	FLS	December 16, 2024
New Jersey	\$17.96	FLS	December 16, 2024
New Mexico	\$17.04	FLS	December 16, 2024
New York	\$18.83	FLS	December 16, 2024
North Carolina	\$16.16	FLS	December 16, 2024
North Dakota	\$18.32	FLS	January 1, 2024 *
Ohio	\$19.57	FLS	December 16, 2024

Oklahoma	\$15.55	FLS	January 1, 2024 *
Oregon	\$19.82	FLS	December 16, 2024
Pennsylvania	\$17.96	FLS	December 16, 2024
Puerto Rico	\$9.94	OEWS	July 8, 2024
Rhode Island	\$18.83	FLS	December 16, 2024
South Carolina	\$14.68	FLS	January 1, 2024 *
South Dakota	\$19.21	FLS	December 16, 2024
Tennessee	\$15.14	FLS	January 1, 2024 *
Texas	\$15.55	FLS	January 1, 2024 *
Utah	\$17.84	FLS	December 16, 2024
Vermont	\$18.83	FLS	December 16, 2024
Virgin Islands	\$13.96	OEWS	July 8, 2024
Virginia	\$15.81	FLS	January 1, 2024 *
Washington	\$19.82	FLS	December 16, 2024
West Virginia	\$15.87	FLS	December 16, 2024
Wisconsin	\$18.15	FLS	December 16, 2024
Wyoming	\$16.83	FLS	December 16, 2024

* The Farmworker Protection Rule, 89 FR 33898 (Apr. 29, 2024), amended the regulation at 20 CFR 655.120(b)(2) to state that “[t]he updated AEWR will be effective as of the date of publication of the notice in the *Federal Register*.” However, due to the District Court’s issuance of a preliminary injunction in the case *Kansas, et al. v. U.S. Department of Labor*, No. 2:24-cv-00076-LGW-BWC (S.D. Ga., Aug. 26, 2024), DOL is prohibited from enforcing the Farmworker Protection Rule in certain states and with respect to certain entities. Therefore, the effective date of the updated AEWR for these states will be December 30, 2024.

III. All Other Non-Range Occupations

The hourly AEWRs below apply when the job opportunity requires workers to perform agricultural labor or services in any other SOC(s) not encompassed in Section II above (e.g. logging construction, heavy trucking, supervisor of farmworkers). Employers can determine the AEWRs for these occupations using one of the following tools:

- Go to the BLS OEWS homepage at <https://www.bls.gov/oes/> and click on "OEWS Data" and select "Data Tables" to obtain the statewide or national annual average hourly gross wages for all SOC codes based on the May 2023 data release.
- For the statewide AEWR, select your State (HTML) and navigate to your target SOC code. The ninth column, titled "Mean Hourly Wage," in the state wage table is the statewide AEWR for the SOC code in your state.

- For the nationwide AEW, select National (HTML) and navigate to your target SOC code. The eighth column, titled "Mean Hourly Wage," in the national wage table is the national AEW for the SOC code.
- [Download a MSEXcel file](#) containing the national and statewide annual average hourly gross wages for all SOC codes based on the May 2023 data release.

IV. Average AEW Applicable to Computation of Surety Bonds

- \$16.98 per hour (Effective January 1, 2024)

Important Note: Represents the simple average of the AEWs applicable to the SOC 45-2092 (Farmworkers and Laborers, Crop, Nursery, and Greenhouse workers) and used for the calculation of surety bonds for H-2A Labor Contractors at 20 CFR 655.132. More information on surety bond calculations, including requirements and amounts, can be found in the [H-2A regulations](#).