

# Pork Production and Foreign Guest Workers



Agriculture is experiencing a severe labor shortage, and pig farm employment has declined since 2021, despite the industry's high wages and competitive benefits. The industry is historically dependent on a range of foreign guest worker visa programs to help meet workforce needs, including the H-2A, TN, and J1 visa programs.

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## Seasonal H-2A Visa Program

The H-2A visa program, created by the Immigration Reform and Control Act in 1986, allows a very limited number of foreign workers entry into the United States for seasonal agricultural work. **The initial period of work is intended to be less than a year (seasonal) and can be renewed for a maximum stay of up to three years.**

Prospective employers must:

- > Obtain Department of Labor certification that there are not sufficient domestic workers to fill positions and that hiring foreign workers will not negatively affect wages.
- > Petition the Department of Homeland Security for a set number of positions and establish with the agency that those positions are temporary or seasonal.

Though the annual number of visas is not capped, the seasonal nature of the visas means the number of foreign workers currently permitted does not come close to meeting pork's workforce needs.

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## TN Visas

The TN visa is a non-immigrant visa permitting skilled workers from Canada and Mexico to enter the United States for as many as **three years**. Originally created through the North American Free Trade Agreement (NAFTA), the visa was modernized during the agreement's renegotiation into the U.S.-Mexico-Canada Agreement (USMCA). Mexican nationals make up the vast majority of specialized agricultural TN labor in the United States.

Under TN regulations, there are 63 professional occupations under which an individual may qualify for a visa, including animal breeder, animal scientist, and veterinarian. To qualify, an applicant must have a bachelor's degree or licenciatura degree in agronomy, veterinary science, or engineering.

Applicants must schedule and attend an in-person interview at a Consulate in Mexico to obtain their visa. Spouses may accompany visa holders but, under the terms of USMCA, are not allowed to work using the visa of TN visa holders.

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## J1 Visas

Many producers also take advantage of the J-1 visa, which is an exchange visitor non-immigrant visa for the purpose of receiving training. There are two types for agricultural workers: trainees and interns. Neither can work in unskilled or casual labor positions.

J-1 visa holders come to the United States to learn about every part of a business and take that knowledge home. **Visas expire after one year, with the possibility of a one-time, six-month extension.**

Trainees must meet certain education and work experience requirements, while J-1 intern visas are designed for foreign college or university students and recent graduates.

We invite you to learn more about policy issues to support and strengthen America's pork producers at [NPPC.org](https://www.nppc.org).

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