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Work Authorization Among Hired Agricultural Workers

Agricultural workers can be hired for a variety of positions on farms and ranches, including hand harvesting, operating specialized equipment, or management functions. Farms may hire workers directly and/or use Farm Labor Contractors to supply workers. The number of hired agricultural workers often varies seasonally based on the local climate and the crop being grown.

This In Focus describes the work authorization status of the hired (not self-employed) agricultural workforce, which is comprised of hired farm and ranch workers authorized to work in the United States (e.g., U.S. citizens, lawful permanent residents [LPRs], temporary foreign workers on H-2A visas), and those without legal work authorization.

CRS calculations based on recent estimates of employment and work authorization status for agricultural workers show approximately 27% of hired agricultural workers are citizens, 16% are in the United States on H-2A visas, 22% have other work authorization, and 35% have no legal work authorization. These estimates would mean that in 2024, of an estimated 1.93 million hired agricultural workers, about 680,000 did not have work authorization.

Size of the Hired Agricultural Workforce

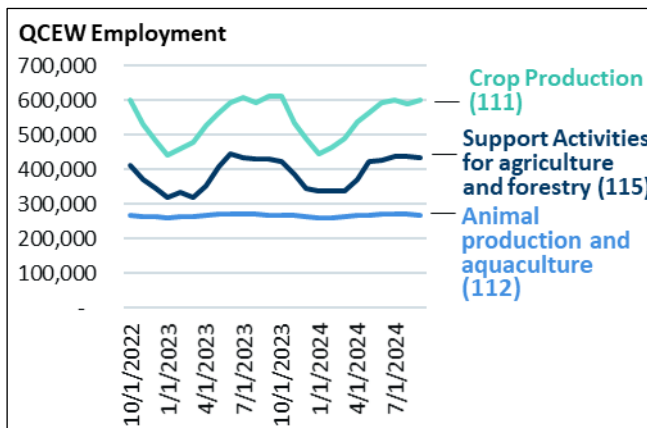
Hired agricultural workers in the United States are measured in different ways in different federal statistical sources. This In Focus uses employment figures from the Bureau of Labor Statistics' (BLS's) Quarterly Census of Employment and Wages (QCEW) because it covers employment in Crop Production and Animal Production (such as on ranches and dairy farms), as well as employment by Farm Labor Contractors. It does not include self-employed farmers, ranchers, or independent contractor workers in agriculture.

The QCEW includes employer-reported counts of employment for workers covered by Unemployment Insurance (UI). In every state, agricultural employers are required to participate in UI if they pay total wages to all employees of \$20,000 or more in any quarter of the current or preceding year or if they employ 10 or more workers on at least one day in each of 20 different weeks in the current or preceding year. This requirement means only agricultural employers with relatively low employment levels are excluded from the QCEW. In addition, several states extend UI coverage to agricultural employers at lower thresholds than required by federal law. BLS estimates 300,000 hired U.S. agricultural workers are not included in the QCEW.

As shown in **Figure 1**, employment in the Crop Production and Support Activities for agriculture and forestry subsectors (which includes Farm Labor Contractors) is highly seasonal, with higher employment levels in the summer than the winter. Employment in the Animal Production subsector tends to be relatively stable year-

round. The Animal Production subsector cannot make much use of the H-2A visa program because H-2A visas are issued only for temporary or seasonal agricultural work.

Figure 1. Agricultural Employment in the QCEW
July 2022–June 2024, by subsector



Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages (QCEW).

Notes: North American Industrial Classification System (NAICS) codes are in parentheses. Excludes H-2A and other workers who are not covered by Unemployment Insurance (UI). Does not show employment for the 5% of agricultural workers covered by UI who work in the Forestry (113) or Hunting and Fishing (114) subsectors.

H-2A Workers in the QCEW

Foreign agricultural workers temporarily working in the United States on H-2A visas are included in the QCEW in some states but not others, based on whether or not they are covered by UI. There are 16 states that include H-2A workers in the UI program (e.g., California, Virginia) and 34 states that exclude H-2A workers from the UI program (e.g., Louisiana, Michigan).

The number of H-2A visas issued each year is available from the U.S. Department of State, but State Department data do not specify the states in which these H-2A workers are employed. Data on the worksite locations for requested workers are available from employers' H-2A petitions to U.S. Citizenship and Immigration Services, but there are more workers on approved employer petitions to bring in H-2A workers than H-2A visas issued.

The geographic distribution of workers requested in approved H-2A petitions suggests approximately 35% of H-2A workers in FY2024 were in states where H-2A workers were covered by UI. Using visa issuances to approximate H-2A worker totals in FY2024, about 111,000 H-2A workers were included and 203,000 were not included in QCEW employment totals for the agricultural sector.

Taking peak QCEW agricultural employment in each state (totaling about 1.43 million), and adjusting for the estimated 203,000 “not included” H-2A workers, (as well as the estimated 300,000 not included hired U.S. agricultural workers), there were a total of about 1.93 million hired agricultural workers in FY2024; 16% were H-2A workers.

Undocumented Workers in the QCEW

Agricultural workers in the United States without work authorization are included in the QCEW employment totals if their employers include these workers in their reports to state UI programs. BLS does not measure how often this happens, but says it occurs when workers present invalid work authorization documents and employers do not verify the validity of these work authorization documents.

Work Authorization Status of the Hired Agricultural Workforce

The National Agricultural Workers Survey (NAWS) is the only federal survey that asks hired agricultural workers about their work authorization. NAWS is a survey of 1,500 to 3,600 domestic crop workers conducted under the authority of the U.S. Department of Labor (DOL). NAWS collects data over two-year periods. This survey does not include workers in animal production (e.g., ranches, dairies), workers in Alaska or the U.S. territories, or H-2A workers. In 2024, DOL requested approval to add H-2A workers to future rounds of this survey.

In the most recently available NAWS estimates (for 2021-2022, not including H-2A workers), 32% of domestic crop workers were citizens, 26% were noncitizens with work authorization, and 42% had no work authorization.

Work Authorization Status for All Hired Agricultural Workers in the United States

Table 1 shows how data from the aforementioned sources can be combined to produce an estimate of the number of hired agricultural workers in the United States who were noncitizens without work authorization.

Table 1. Calculation of the Hired Agricultural Worker Population Without Work Authorization, 2024

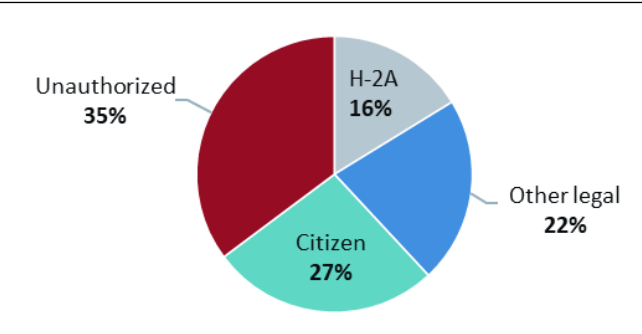
Population	Estimate
Peak QCEW employment in 2024 for the agricultural sector in each state	1,430,000
U.S.-based hired agricultural workers not included in the QCEW	300,000
Workers requested on approved H-2A petitions in 2024 from states that include H-2A workers in the QCEW, multiplied by the ratio of visas to workers on approved petitions (0.752)	- 111,000
Estimated hired agricultural worker employment in 2024, excluding H-2A workers	1,619,000
Estimated number of agricultural workers with no work authorization	1,619,000 x 0.420 = 680,000

Source: BLS, QCEW; Employment and Training Administration, NAWS; U.S. Department of State, Bureau of Consular Affairs; and a list of states that do and do not include H-2A workers in UI coverage from S. Simnitt et al., *Proposed Farm Labor Reform and Legalization of U.S. Crop Workers* (forthcoming report), USDA, ERS, 2025.

Notes: This table combines employment estimates for FY2024 (for the month with the highest level of overall hired agricultural employment in each state) with the NAWS estimate from 2021-2022 that 42% of non-H-2A workers had no work authorization.

The full distribution of hired agricultural workers by authorization status is shown in Figure 2. It uses QCEW employment estimates from each state for the month in 2024 with the greatest level of agricultural employment in that state. There were approximately 1,619,000 hired agricultural workers in FY2024 who were not H-2A workers. Figure 2 applies the distribution of work authorization statuses by crop workers surveyed in the NAWS in 2021 and 2022 to these 1,619,000 non-H-2A hired agricultural workers in the United States and also shows approximately 314,000 H-2A workers.

Figure 2. Work Authorization Distribution of Hired Agricultural Workers



Source: CRS estimation based on data from BLS, QCEW; Employment and Training Administration, NAWS; U.S. Department of State, Bureau of Consular Affairs; and a list of states that do and do not include H-2A workers in UI coverage from S. Simnitt et al., *Proposed Farm Labor Reform and Legalization of U.S. Crop Workers* (forthcoming report), USDA, ERS, 2025.

Notes: This figure combines employment estimates for FY2024 (for the month with the highest level of overall hired agricultural employment in each state) with NAWS estimates for 2021-2022. H-2A workers were not included in the NAWS during that period.

Table 1 and Figure 2 show that about 680,000 agricultural workers, representing about 35% of the hired agricultural workforce in FY2024, were unauthorized workers who may be subject to deportation. A different, recently published estimate assumes a larger agricultural workforce (based on estimates of worker turnover in the agricultural sector) of 2.5 million, of whom 850,000 (34%) are unauthorized.

For Further Reading

More information on the measurement of agricultural employment in the United States can be found in CRS Report R48368, *Measuring Employment in the Agricultural Sector in the Context of the H-2A Visa Program*.

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