

Virginia Prevailing Practices

WAGE REPORTING AREA: Statewide

Crop Activity/ Occupation [1]	Is Family Housing Provided to Workers?	Is Payment of Transportation Advanced to Workers? ¹	Frequency of Pay to Workers	Survey Date
Vegetables, Farmworker	No	No	Weekly	6/15/23-8/16/23
Grapes, Farmworker	No	No	At least twice monthly	6/15/23-7/25/23
Agriculture Equipment Operator	No	No determination	Weekly	6/15/23-7/1/23
Christmas Tree Farmworker	No	No determination	Weekly	6/15/23-6/20/23
Aquaculture, Farmworker	No	No	At least twice monthly	6/16/23-7/19/23
Hay and Grain, Farmworker	No	No determination	At least twice monthly	6/26/23-6/26/23
Orchard, Harvester	No	No	Weekly	6/15/23-8/2/23
Orchard, Pruner	No	No	Weekly	6/17/23-8/2/23
Packinghouse worker (SOC 45-2041)	No	No determination	Weekly	6/19/23-6/21/23
Livestock, Farmworker	No	No	Weekly	6/19/23-8/11/23

¹ When no determination can be made, the advancement of transportation payments to workers is voluntary on the part of the employer.

Nursery, Farmworker	No	No	Weekly	6/16/23-8/2/23
Sod, Farmworker	No	No	Weekly	6/16/23-6/22/23
Tobacco, Farmworker	No	No determination	Weekly	6/15/23-7/18/23
Berries, Farmworker	No	No	At least twice monthly	6/16/23-7/4/23

Normal and Accepted Practices

Crop Activity/Occupation by SOC Code [2]	Acceptable Experience Requirement
Vegetables, Farmworker	None
Grapes, Farmworker	None
Agricultural Equipment Operator (SOC 45-2091)	No determination ²
Christmas Trees, Farmworker	None
Aquaculture, Farmworker (SOC 45-2093)	None
Hay and Grain, Farmworker	No determination ³
Orchard, Harvester	Up to 3 months
Orchard, Pruner	Up to 3 months
Packinghouse Worker (SOC 45-2041)	No determination ⁴
Livestock, Farmworker (SOC 45-2093)	Up to 1 year

² The survey for Agricultural Equipment Operator yielded no determination due to a low response rate. A review of industry non-H-2A job orders shows that experience is commonly required. An experience requirement of up to 3 months is allowable, consistent with O*Net database.

³ The survey for Hay & Grain Farmworker yielded no determination due to a low response rate. A review of industry non-H-2A job orders shows that experience is not commonly required. Employers who require experience on an H-2A job order bear the burden to prove their requirement is bona fide and consistent with the normal and accepted qualifications required by employers that do not use H-2A workers in the same or comparable occupations and crops (see 20 CFR 655.122(b)).

⁴ The survey for Packinghouse Worker/Graders and Sorters of Agricultural Products yielded no determination due to a low response rate. Employers who require experience on an H-2A job order bear the burden to prove their requirement is bona fide and consistent with the normal and accepted qualifications required by employers that do not use H-2A workers in the same or comparable occupations and crops (see 20 CFR 655.122(b)).

Nursery, Farmworker	None
Sod, Farmworker	None
Tobacco, Farmworker	None
Berries, Farmworker	None

Note 1:

For Any Occupation Not Listed, The Only Prevailing Practice In Place Is The Regulatory Requirement To Pay Workers At Least Twice Monthly.

Foot Note 2:

For occupations not listed, the CO will reach out to the applicable SWA to request that a survey of non-H-2A employers be conducted. The results of this survey will determine whether a particular experience requirement is acceptable