



The Promise of Opportunity and the Risk of Exploitation:

How Recruitment Practices Leave H-2A Workers Vulnerable to Labor Trafficking

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I. The Issue

Labor trafficking and exploitation in the U.S. agricultural industry are serious human rights concerns. Not only does this abuse harm workers, but it also poses legal and reputational risks to companies committed to ethical operations and supply chain integrity. For a situation to be considered labor trafficking, the elements of force, fraud, and coercion must be present. Although any of these elements may arise at any point during a worker's employment, they often begin during the recruitment process, especially within the H-2A temporary work visa program.

The Dramatic Expansion of H-2A Temporary Work Visas

The H-2A program addresses domestic labor shortages by filling temporary and seasonal agricultural jobs with nonimmigrant foreign workers.¹ Since 2015, the number of H-2A visas issued has nearly tripled,² reaching 315,328 in 2024.³ This trend reflects a growing reliance on the H-2A program to meet labor demands in U.S. agriculture — and the importance of addressing systemic issues in the program as it continues to expand.

*H-2A Visas Issued by Fiscal Year*⁴

Year	Issued	Refused	Total Applications
2024	315,328	12,800	328,128
2023	310,676	9,990	320,666
2022	298,336	10,694	309,030
2021	257,898	11,865	269,763
2020	213,394	15,545	228,939
2019	204,801	19,470	224,271
2018	196,409	23,262	219,671
2017	161,583	14,248	175,831
2016	134,368	12,680	147,048
2015	108,144	12,408	120,552



The Growing Risks in H-2A Recruitment

Recruitment plays a key role in temporary agricultural workers' labor experience, as situations of exploitation and trafficking in this sector often begin during the recruitment process.

Workers on H-2A visas may be employed by individual growers, agricultural companies, or H-2A labor contractors. These contractors do not have permanent job sites; instead, they bring in and manage large numbers of workers under subcontract with farms. Although the employer is ultimately responsible for H-2A program compliance, many hire local recruiters, agencies, and other intermediaries in home communities to find workers, handle paperwork, and arrange transportation. This reliance on agencies has resulted in a growing recruitment industry in both the U.S. and countries of origin, such as Mexico and Guatemala.⁵

But as both the H-2A program and the recruitment industry expand, this layered employment structure — coupled with little oversight and enforcement of existing laws — enables exploiters to abuse workers and avoid accountability. Recruiters may misrepresent employment and employment conditions for H-2A workers.⁶ And although H-2A employers are prohibited from seeking payment from workers for application fees, attorney or agent fees, and recruitment costs,⁷ many workers are charged recruitment fees and often arrive in the U.S. in significant debt that ties them to exploitative worksites.

If workers try to report violations, supervisors often use the relationship between farms, contractors, or recruitment agencies to confuse workers about who their employer is and shift blame to other entities.⁸ Furthermore, even if a contractor faces legal action or debarment by the U.S. Department of Labor's Wage and Hour Division, farms are rarely fined.⁹ In many cases, farms simply switch to a different contractor — that may be connected to the debarred entity through shared ownership, property, or vehicle transactions — allowing the cycle of abuse to continue. Sometimes, recruitment is carried out in the name of another business owned by the same individual or with no clear name at all, identified only by an address.¹⁰ These entangled contractor networks obscure responsibility and enable farms to distance themselves from violations while still benefiting from a vulnerable workforce.



What It Looks Like

Luisa from Sinaloa, Mexico, arrived in Georgia on an H-2A visa. Her employer, an H-2A contractor, recruited her directly but charged illegal fees for the job opportunity and travel. Luisa borrowed \$600 from a moneylender in Sinaloa to pay the recruiter, arriving already in debt and vulnerable to exploitation.



II. About This Brief

In light of the opacity of this process and the potential for abuse, this brief explores recruitment conditions and associated risks faced by temporary agricultural workers in the U.S. Gathering insights through Nonechka and the National Human Trafficking Hotline, it amplifies workers’ recruitment experiences for service providers, private-sector leaders, policymakers, and other stakeholders to inform their efforts to support vulnerable workers and strengthen agricultural supply chains.

Data from Nonechka

Using Nonechka — a cell phone-based communications tool for agricultural workers in the U.S. and Mexico¹¹ — Polaris deployed two short questionnaires, including one focused on recruitment and administered exclusively to H-2A workers who currently work or used to work on U.S. farms. This recruitment survey received responses from 491 workers between October 2022 and April 2025. Respondents who shared location information represented 14 states in the U.S., including Arizona, California, Florida, Georgia, Michigan, New Mexico, New York, North Carolina, Texas, and Washington, as well as Campeche, Hidalgo, San Luis Potosí, and Veracruz in Mexico.

It is crucial to note that this recruitment survey did not intend to determine whether a respondent had experienced or is currently experiencing labor trafficking. Instead, Nonechka documents workers’ experiences of recruitment conditions that heighten the risk of labor trafficking, exploitation, and other forms of abuse.

Data from the Trafficking Hotline

This brief also presents trends reported through the Trafficking Hotline between January 1, 2020, and December 31, 2022.¹² During that time, the Hotline received reports of 3,342 situations of labor trafficking in the U.S. Among the many industries¹³ and visa programs¹⁴ in which labor trafficking occurs, 323 situations involving an estimated 3,665 potential victims occurred in the agricultural industry.¹⁵ These situations came from 41 states, most commonly from California, Florida, Georgia, North Carolina, and Texas. Furthermore, 43% of these agricultural situations involved temporary workers on H-2A visas — approximately 2,662 potential victims.

Again, it is important to note the parameters of this data. The Trafficking Hotline receives reports only from individuals who are aware of its existence, have the means to contact it, and are willing or able to identify themselves as potential victims or individuals seeking assistance. Its data does not reflect the overall prevalence of human trafficking victimization. Additionally, the Hotline asks for information from people as a means of identifying needs, issuing referrals, and reporting to the appropriate authorities; its primary purpose is to assist, not to collect data.



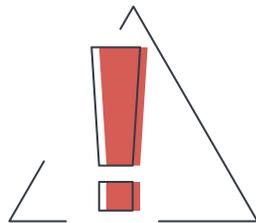


III. Key Findings

Nonechka survey responses validated the integral role of recruiters in the H-2A program — and the risks arising from a variety of recruitment practices.¹⁶



75%
of workers could NOT get a job in the U.S. without a recruiter



61%
experienced a recruitment practice¹⁶ that put them at risk for abuse

The following sections draw data from Nonechka and the Trafficking Hotline to reveal more about workers, their recruitment experiences, and the practices that left them vulnerable to abuse.

About the Workers

The demographics on the right are congruent with overall program trends. Between fiscal year 2018 and fiscal year 2023, over 97% of H-2A visas went to men, over 80% went to workers under 40, and 92% went to Mexicans.¹⁷

The confirmation of systemic gender disparity is notable. Other research has observed that women tend to face discrimination in the H-2A visa program through routine exclusion from job opportunities, fueled by unequal recruitment practices and employer and hiring biases.¹⁸

NONECHKA: *H-2A Workers*



GENDER
92% Male
7% Female



AGE
47% 31-45
40% 18-30
13% Other

TOP COUNTRIES OF ORIGIN

Mexico • Guatemala

TRAFFICKING HOTLINE: *H-2A and Non-H-2A Workers*



GENDER
76% Male
27% Female



COUNTRIES OF ORIGIN
55% Mexico
6% Guatemala
2% Nicaragua
2% Peru
2% United States
33% Other



About Their Recruitment

As alluded to above, individuals contacting the Trafficking Hotline may conflate employers, contractors, or recruiters if they are not familiar with the distinctions between them. Other reported recruiter types include family members and intimate partners.

Although rarely reported, **the most commonly mentioned recruitment location/channel was the internet, specifically Facebook and other mobile apps and sites.**

As is typical with labor trafficking and exploitation, job offers and job advertisements (56%), and false promises and fraud (10%) were often reported.

This trend aligns with broader patterns observed in labor trafficking cases, where bad actors increasingly rely on online job offers and advertisements to reach vulnerable workers. These workers may lack access to formal hiring channels due to language barriers, geographic location, or exclusion from legitimate job boards. In contrast, social media platforms like Facebook and WhatsApp are widely available, often free, and accessible even in rural areas with limited infrastructure. They also have minimal monitoring — even when fraudulent ads are reported to the media companies, the ads often remain visible long enough to reach potential victims.

Recruitment Practices That Increase Risk

These statistics indicate that most workers left home and traveled — likely incurring expenses (e.g., transportation, food, lodging, passport, visa processing) and often debt — before officially receiving and understanding the terms and conditions of their H-2A employment. This deprives them of the opportunity to make an informed decision and creates a structural imbalance of power between employers and workers. Employers hold most of the information, leaving workers vulnerable with little recourse if actual working conditions do not match what was verbally promised to them by the employer or the recruiter.

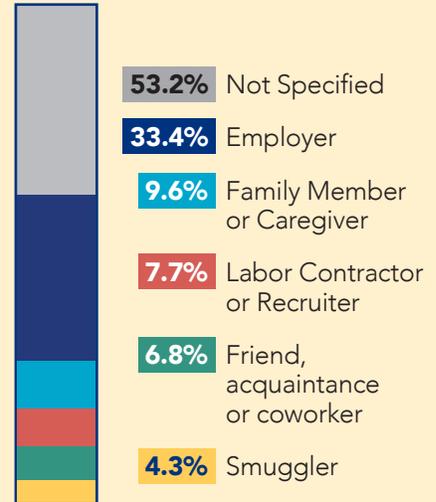


21%

were not informed of their working conditions before arriving in the U.S.

TRAFFICKING HOTLINE:

Recruiter

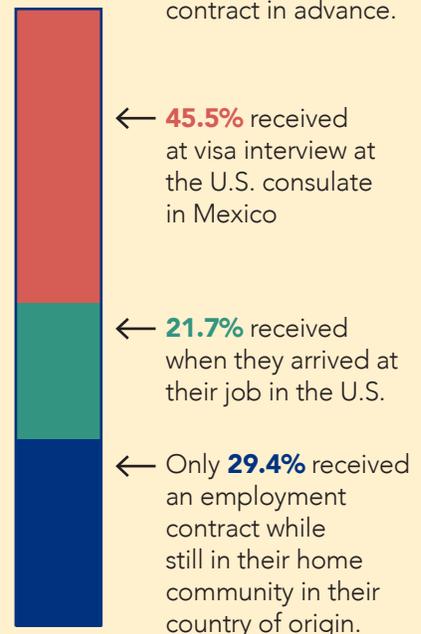


Employment Contracts



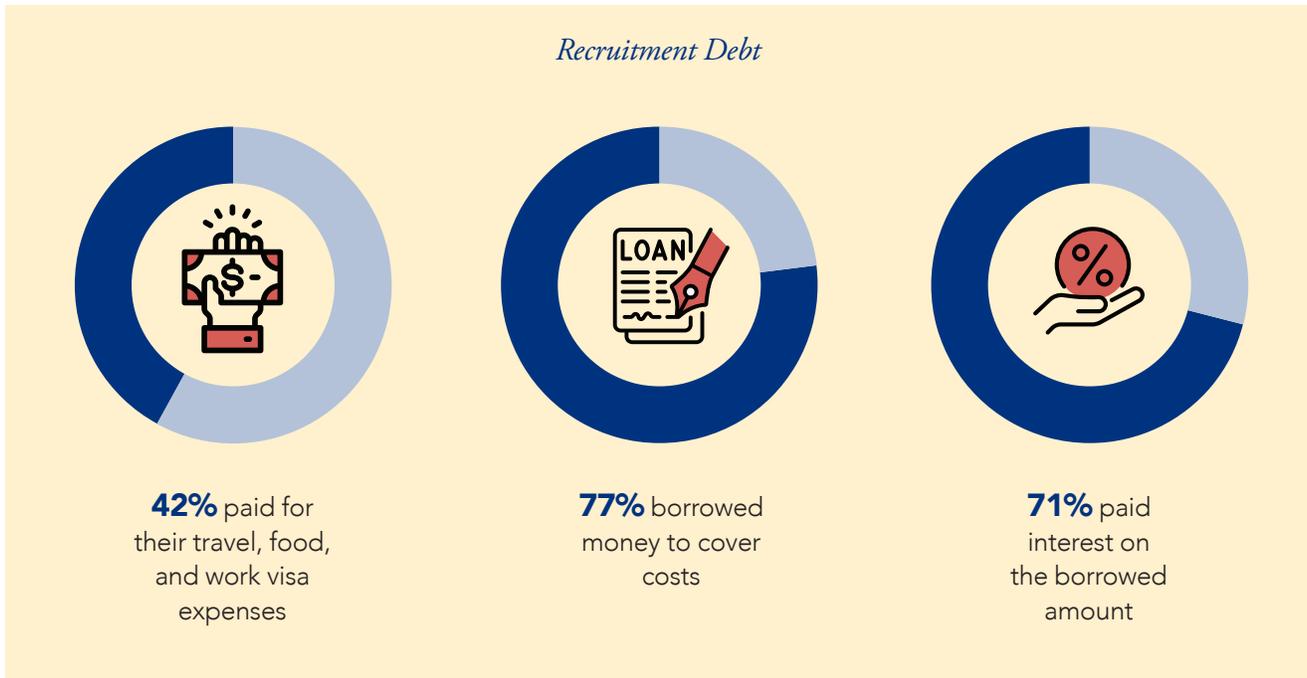
Nearly 7 out of 10 workers

accepted a job without receiving a written employment contract in advance.





Particularly in agriculture, workers may be subjected to long hours, dangerous tasks, or poor living conditions. Recruiters or employers may misrepresent these conditions, leading workers into fraudulent or exploitative situations. Without prior accurate knowledge of these conditions, workers cannot make informed decisions about whether to accept the job.



Despite recruitment costs being the H-2A employer's responsibility,¹⁹ a significant number of workers paid for their travel, food, and work visa expenses.²⁰ Most of those who did had to borrow money to cover costs. Starting employment in debt puts workers at risk for coercion if they feel unable to assert their rights or leave an unsafe situation because they rely on their job to repay what they owe. Notably, 39% of workers who paid expenses said that they felt the expenses they incurred getting to work in the U.S. forced or pressured them to stay in their current job.

This cycle of debt can become a form of debt bondage, and, in extreme situations, workers may be unable to escape debt even after completing their contract and returning home. Debt turns an employment opportunity into a risky gamble for temporary workers. Instead of forging a path to economic stability, employment under these conditions can lead to coercive dynamics, exploitation, and long-term hardship.



IV. Recommendations

These findings from Nonechka and the Trafficking Hotline highlight common recruitment practices in the H-2A program that exacerbate workers' vulnerability to force, fraud, and coercion. To mitigate the risk of trafficking and exploitation, Polaris encourages the following recommendations for various stakeholder groups:

Nonprofits, Service Providers, and Organizers



Outreach and Education: Continue increasing workers' access to reliable information in their own language about rights, resources, and recourse. Maximize reach and visibility by incorporating technological tools that workers already use, including media/social media platforms like Facebook, Instagram, TikTok, WhatsApp, and radio. Organize workers in their countries of origin so they have the phone numbers of consulates and legal services organizations in the state where they will be working. Explain to them that collective complaints could have a greater impact than individual ones.

Access to Reporting Mechanisms: Help workers willing to report abuses navigate complex reporting and complaint mechanisms, including government, legal, and other systems. Consider creating easy-to-understand guides or other resources in appropriate languages to alleviate stress and facilitate reporting for workers.

Documentation and Advocacy: Collect and elevate reliable data and worker reports on recruitment abuses to advocate for funding for programs that protect H-2A workers and for structural reforms that promote enforceable standards, greater transparency, and accountability among governments and private-sector actors. For example, advocates can support the protection of free housing and fair wages under the revised Adverse Effect Wage Rate (AEWR) methodology to prevent further exploitation; if these protections are not maintained, advocates should document the consequences on workers' well-being and economic stability.

Partnership Building and Collaborative Efforts: Deepen networks and foster collaboration among NGOs and grassroots organizations in Mexico, the United States, and across the Americas to share information, leverage resources, identify risks and vulnerabilities, and develop coordinated strategies to inform and protect workers in their communities.



Corporations and the Private Sector



Worker-Centered Recruitment: Ensure all rights, contract terms, and reporting information are clearly communicated in workers' primary languages, including indigenous ones. Contracts must be written in as many languages as necessary so that all parties understand them. Implement tools like worker committees, pre-departure surveys, and post-arrival interviews to monitor.

Best Practices: Forge partnerships with associations, organizations, and collaborative networks to enable and advance responsible, safe, and ethical recruitment, thereby strengthening fair labor practices across operations and supply chains. These groups offer training, resources, and other support to help companies fulfill their recruitment and labor rights responsibilities.

Supply Chain Accountability: For farms participating in the H-2A program, thoroughly vet recruiters and labor contractors by verifying licenses and registrations, and tracking potential violations and debarments through government databases or credible civil society sources. Require contractual compliance with H-2A regulations and ethical recruitment standards, including termination clauses for violations and commitment to report confirmed abuses to authorities to prevent repeat offenses. For corporations receiving food from farms or agricultural companies, require your suppliers to have an effective anti-human-trafficking program/Code of Conduct, conduct ongoing due diligence on suppliers, and eliminate unsatisfactory or bad actors from your supply chain. The rights of migrant workers should be explicitly referenced in the company's and/or recruitment firm's human rights statement(s) and relevant operational policies to ensure protections for that population.

Managing Third-Party Contractors: Companies who partner with external recruitment agencies should conduct frequent, thorough risk assessments in order to ensure that all of their contractors abide by the worker welfare principles, including requiring that third-party contractors do not hire workers under the legal working age and that workers do not carry a debt as a result of their employment with the company. We also encourage companies to consider working with underutilized resources like Mexico's National Employment Service (SNE) or with nonprofit trade associations such as the American Association of Agricultural Labor Suppliers.



Policymakers



In the United States:

Trust and Transparency: Strengthen trust and transparency in the H-2A program by expanding access to reliable, easy-to-use public platforms that enable workers to confirm the validity of job offers and verify recruiters and employers are properly registered and authorized.

Safe Reporting: Strengthen safeguards that ensure workers can safely report abuse, fraud, or misconduct by recruiters or employers. Support secure, independent reporting systems that operate outside of employer oversight, helping promote fairness, accountability, and trust in the H-2A program.

Investigative Capacity: Strengthen the Department of Labor's ability to protect workers and ensure program integrity by providing adequate funding, staffing, and training for inspectors and specialized teams to conduct timely and effective investigations.

Appropriate Compensation, Fair Pay, and Safe Housing: Uphold H-2A workers' right to fair, transparent wages and safe, free housing as outlined under the Adverse Effect Wage Rate (AEWR) methodology. Ensuring these standards helps protect workers who perform essential, physically demanding jobs and supports a stable, reliable agricultural workforce. Any changes to wage or housing policies should maintain fairness, prevent exploitation, and sustain the integrity of the H-2A program.

In Countries of Origin:

Worker Education: Provide pre-departure training or partner with NGOs to deliver training in workers' primary languages. This ensures workers understand their rights under the H-2A program and can recognize common signs of fraud or exploitation.

Consular Support: Strengthen U.S. consular services by increasing staffing and funding, and expand outreach through visits to housing and workplaces where H-2A workers live and work.

Data Consistency and Transparency: Systematically collect and maintain data on workers' states and communities of origin, recruitment agencies, contract terms, and associated costs. Reliable data helps stakeholders track deployments, identify patterns of violations, and address fraudulent recruitment practices effectively.



Appendix

About Polaris

Named after the North Star, an historical symbol of freedom, Polaris is a leading survivor-centered organization whose mission is to end sex and labor trafficking and support victims and survivors on their journeys toward freedom. From 2007 to 2025, Polaris operated the U.S. National Human Trafficking Hotline, providing 24/7 support and connecting victims and survivors to support and services. The organization has assisted thousands of victims and survivors across all 50 states, U.S. territories, and 179 countries.

Through that work, Polaris holds the largest dataset on human trafficking in North America, which — combined with over two decades of learning from survivors — informs effective response, accountability, and prevention strategies. For example, its Financial Intelligence Unit has produced more than 100 open-source intelligence packages flagging individuals, businesses, and networks potentially involved in trafficking for further investigation by partners. Polaris was also a founding member of the Alliance to End Slavery and Trafficking national advocacy coalition, helping lead efforts to pass nine federal and 100+ state laws across the country.

Since 2016, Polaris's Workers' Rights team has prioritized responding to labor trafficking and exploitation in agriculture between the U.S. and Mexico. In addition to coordinating a North American safety net with the Canadian and Mexican human trafficking hotlines, they engage grassroots partners, service providers, international organizations, government agencies, and the private sector in learning from workers, raising awareness of the issues, strengthening worker protections, and disrupting trafficking and exploitation.

About Nonechka

One initiative under the Workers' Rights program is Nonechka,²¹ a cell phone-based digital engagement platform to support isolated migrant agricultural workers in the U.S. and Mexico. The name "Nonechka" means "close to me" in Nahuatl, an indigenous language spoken in Mexico.

Developed by Polaris and powered by Ulula, Nonechka provides safe and anonymous channels — including interactive voice response, SMS text messaging, and WhatsApp — to share information about rights and resources with workers and to document their recruitment and employment experiences. Since its launch in Mexico in 2020, this tool has evolved through several iterations in partnership with workers and local organizations. To date, it has reached more than 11,000 agricultural workers, who primarily learn about Nonechka through direct outreach by Polaris and partner organizations, as well as through radio and social media.



Endnotes

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- 10 Polaris Project. (2024, July). Unearthing a labor trafficking network (Final report). <https://polarisproject.org/wp-content/uploads/2024/07/EXTERNAL-Unearthing-a-Labor-Trafficking-Network-Final.pdf>
- 11 For more information about Nonechka, please see the Appendix.
- 12 The National Human Trafficking Hotline is supported by the Administration for Children and Families (ACF) of the United States (U.S.) Department of Health and Human Services (HHS) as part of a financial assistance award totaling \$7 million, with 93% funded by ACF/HHS and \$0.5 million and 7% funded by non-government sources. The contents are those of the authors and do not necessarily represent the official views of, nor an endorsement, by ACF/HHS, or the U.S. Government. For more information, please visit the ACF website, Administrative and National Policy Requirements: <https://www.acf.hhs.gov/administrative-and-national-policy-requirements#chapter-8>.
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- 15 A single case or situation of human trafficking may involve more than one potential victim.
- 16 These practices include not being told of working conditions before coming to the U.S.; finding work conditions worse than promised; not having a written contract in their primary language explaining working conditions; not receiving a written contract until at the job in the U.S.; having to pay money to the recruiter for their services; having to pay for travel, food, or work visa expenses; or feeling pressured to stay in one's current job due to being in debt for recruitment, travel, visa, or other costs.
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