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Immigration

United States, Mexico Sign MOU on Temporary Foreign Workers

Legal Update

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This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

The United States and Mexico have signed a memorandum of understanding (MOU) “to strengthen protections for workers participating in temporary foreign worker programs,” the Department of Labor reported.

The MOU includes a variety of measures, including promoting fair recruitment and compliance with laws, rules and regulations; prohibiting discrimination; fostering and enhancing accountability, labor rights and transparency, including through improving workers’ awareness about H-2 programs’ structures and application processes and their rights; jointly planning and executing pre-training and post-arrival training on labor and employment antidiscrimination laws and regulations for officials and consular officers; and exploring forms of collaboration for Mexico’s new platform on labor mobility.

The MOU calls for quarterly meetings of the relevant government agencies “to monitor the enforcement of employment laws, rules and regulations that apply to temporary foreign workers, including through oversight and enforcement of labor laws, to hold employers and their agents accountable for violations and through efforts to connect workers who experienced harm or exploitation to assistance and care in the United States and in Mexico.”