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## **Court Hears Oral Argument in Georgia Fruit and Vegetable Growers Association Lawsuit**

BRUNSWICK, GA (Aug. 2, 2024): Today, a federal court in Georgia heard oral argument in Georgia Fruit and Vegetable Growers Association's (GFVGA) and Miles Berry Farm's [lawsuit](#) against the Department of Labor. The case was brought by [Southeastern Legal Foundation](#) on behalf of GFVGA and Miles Berry Farm, together with a coalition of seventeen states.

The plaintiffs are [challenging](#) the Department of Labor's new rule that will force farms to allow temporary foreign farm workers to unionize, a right Congress has not even granted to American farm workers. The Department claims that it has authority to do so under the Immigration Reform and Control Act, even though that congressional statute—which grants temporary H-2A employment visas to migrant farm workers—never so much as mentions the right to form unions. In doing so, the Department of Labor is usurping separation of powers, ignoring congressional intent, and putting the interests of American citizens last.

The plaintiffs explained to the court that the rule exceeds the Department of Labor's authority, and farmers and producers like Miles Berry Farm and the members of GFVGA will suffer significant economic harm if forced to comply with the rule. And since the rule will affect farms across America, plaintiffs have asked the court to halt enforcement of the rule nationwide.