



NEWSPAPERS: TRUSTED THIRD-PARTIES IN REACHING U.S. WORKERS IN LOCAL MARKETS

The Alliance is a 132-year old trade association representing nearly 2,000 newspapers and their multiplatform businesses in the United States. Alliance members include daily newspapers in every local market.

Congress included a "positive recruitment" mandate in the Immigration Reform and Control Act of 1986 to ensure that job opportunities are made known to U.S. workers before they can be offered to non-immigrant foreign workers. One of the requirements to "test the market" to find qualified and available U.S. citizens is to take out 2 advertisements in Sunday newspapers of general circulation for positions "in the area of intended employment." After the advertisement is placed, the employer must interview U.S. worker applicants that may have minimum requirements for the position before getting the certification needed to offer the position to a foreign national.

The Proposal Limits the Ability of US Workers to Get Information About Job Openings

- Newspapers continue to be the best medium to reach the broadest possible pool of U.S. citizens that are qualified and available for a position in a local market. Newspapers reach more than 34 million U.S. adults with the printed newspaper each Sunday and 136 million U.S. adults per week through digital products.
- Today, when a newspaper publishes a recruitment ad in the Sunday print edition for employers under the H-2A program, it provides added reach by distributing the same ad across many platforms –its own website, social media, job boards, and on recruitment websites such as Monster.com and CareerBuilder. The newspaper, in effect, serves as a local agency to ensure the widest possible delivery of an ad in a local market.

Newspapers are trusted and verifiable third parties that can make sure employers do what is necessary to promote available positions to U.S. workers.

- If the print advertising requirement is eliminated employers could simply game the system and bury a recruitment ad on a website. This would limit the response for an available position so that temporary foreign workers could be hired at a much lower wage.

- The “newspaper of record” in any local community can provide proof that employers have fulfilled labor certification requirements.

The DOL Proposal is Extremely Flawed

- **DOL Acknowledges Print Reaches U.S. Workers but Proposes to Eliminate It:** The DOL’s Proposed Rulemaking notes that nearly one-third of American workers learn of job opportunities in print publications. This is particularly the case in rural areas of the country where there is high print circulation due to reduced access to fixed broadband Internet service. Eliminating the print requirement will hurt U.S. workers in rural areas.
- **DOL Overstates the Proposed Rule’s Cost Savings to Employers:** The justification for eliminating the Sunday print requirement in the H-2A program is to reduce employers’ costs of taking out print advertisements. The DOL estimate that employers would save \$6. 58 million is flawed as the agency came up with the estimate by using advertising rates from newspapers in major metropolitan areas. DOL should have used advertising rates from small daily newspapers in rural areas which would have lowered this “savings” estimate significantly. In addition, DOL does not provide an estimate for employers’ cost for placing Internet ads.

Print Advertising Provides Revenue to Support Broad Distribution of Recruitment Ads

Print advertising provides the revenue that ensures widest possible distribution of recruitment advertising across all platforms – print, digital and social. Moving recruitment ads out of printed newspapers will decrease the reach of an ad in a local market, while eliminating an important revenue stream that supports local and enterprise journalism.

DOL Should Support Reaching as Many US Workers as Possible: The DOL should modernize its rules to reflect current recruitment methods and require both the print and digital distribution of recruitment ads. This is the best way to ensure the widest possible distribution of an ad to give U.S. workers an opportunity to learn about and apply for employment opportunities.