

**California Shepherders and Goat Herders: SB 143 Study**  
 Ali Hill, Ruben Lugo, and Philip Martin  
 March 4, 2026  
 Final Report

**ABSTRACT .....3**

**EXECUTIVE SUMMARY .....5**

**INTRODUCTION .....7**

**METHODOLOGY .....11**

**CONSULTATIONS.....12**

**BACKGROUND ON HERDER WAGES IN CALIFORNIA .....12**

**H-2A HERDER REGULATIONS .....14**

**HERDER HOURS .....15**

**WORKER ADVOCATES’ PROPOSALS.....16**

**RANCHERS’ PROPOSALS .....18**

**OTHER SUGGESTIONS .....22**

**LABOR LAWS .....23**

**FEDERAL VIOLATION DATA .....23**

**STATE VIOLATION DATA .....31**

*EDD Complaints Processing .....32*

*Housing and Community Development – Employee Housing .....34*

**PRIVATE LITIGATION.....35**

**CONSULTATES .....36**

**WORKERS’ COMPENSATION.....36**

**CAL/OSHA, HEALTH INSURANCE, AND SICK LEAVE.....42**

*Health Insurance .....43*

*Sick Leave.....44*

**UNLAWFUL RECRUITMENT FEES .....44**

**HERDER DEMOGRAPHICS AND H-2A PROCEDURES.....46**

**HERDERS IN 2025 .....46**

**PAST CALIFORNIA HERDER SURVEYS.....50**

**HERDERS IN OTHER STATES.....52**

**H-2A PROCEDURES.....53**

**H-2A HERDERS.....59**

**TRAINING US HERDERS.....60**

**OTHER STATES AND COUNTRIES .....63**

**OTHER STATES.....63**

**OTHER COUNTRIES AND TRADE.....64**

**CONCLUSIONS.....66**

**STAKEHOLDER-PROPOSED OPTIONS.....66**

**BIBLIOGRAPHY.....68**

**APPENDIX A: MINIMUM WAGE AND OVERTIME, CALIFORNIA HERDERS .....73**

**PRE-AB 1066 (2016) – LABOR CODE AND IWC ORDER 14 .....73**

**NEW LABOR CODE §§ 2695.1 ET SEQ. ....74**

**IMPACTS OF AB 1066 ON HERDER COMPENSATION.....75**

**APPENDIX B: FEDERAL AND STATE H-2A FORMS .....77**

<b>APPENDIX C: THE H-2A PROGRAM AND HERDERS .....</b>	<b>81</b>
<b>DOL CERTIFICATION .....</b>	<b>81</b>
<b>H-2A RANGE HERDERS .....</b>	<b>82</b>
<b>APPENDIX D: VEGETATION MANAGEMENT .....</b>	<b>86</b>
<b>APPENDIX E: EDD RANGE HOUSING CHECKLIST .....</b>	<b>90</b>

## ABSTRACT

This report informs the Department of Industrial Relations (DIR) about the alternative minimum monthly wage for California sheep and goat range herders. Pursuant to SB 143 (Budget Committee, 2023), DIR must prepare a report for the Legislature on the employment of goat and sheep herders. This report summarizes the views of stakeholders, analyzes data, and provides background on the state's sheep and goat industry.

The major findings include:

- All stakeholders agree that the alternative minimum monthly wage for range herders who are on duty 24/7 should be the same for sheep and goat herders because the workers and work involved in herding sheep and goats are similar and often overlap. However, employer stakeholders believe the current monthly minimum wage is too high while worker advocates oppose any wage reductions and want to see increased enforcement.
- Ranchers and worker advocates propose different changes to current range herder labor laws and their enforcement:
  - Ranchers want to reduce the current alternative minimum monthly wage of \$4,820 a month in 2025 and \$4,938 in 2026, which includes overtime pay, by (1) exempting herders from state overtime wage laws or imposing alternate overtime rates and/or (2) receiving credit against overtime wages due for the housing and food that ranchers provide to H-2A herders. Ranchers note that federal H-2A regulations do not require the payment of overtime wages to range herders. However, the federal H-2A program regulations do require employers to provide food and housing free of charge to range herders.<sup>1</sup>
  - Worker advocates want the state to improve protections for herders by increasing the enforcement of labor laws. Advocates oppose exempting range herders from overtime wage laws or reducing overtime wages.
- Federal and state enforcement agencies enforce labor laws in the California sheep and goat industry. Federal investigations found violations that resulted in relatively small

---

<sup>1</sup> Crediting the value of meals or lodging toward required monthly minimum wages or overtime wages would contravene both existing state and federal law. The California Labor Code states that “an employer shall not credit meals or lodging against the minimum wage owed to sheepherders [and goat herders] under this subdivision. Every employer shall provide to each sheepherder not less than the minimum monthly meal and lodging benefits required to be provided by employers of sheepherders under the provisions of the H-2A visa program of the federal Immigration and Nationality Act (8 U.S.C. Section 1101, et seq.) or any successor provisions.” (Labor Code § 2695.2(a)(3) [and 2695.4(a)(3) for goat herders]). Section 4 of Wage Order 14, states that “Wages paid to sheepherders or goat herders shall not be offset by meals or lodging provided by the employer.” (Wage Order 14, Sec. 4 (E)(3)). Federal H-2A regulations for range herders require employers to “provide [meals] to the worker, without charge or deposit charge.” (20 CFR 655.210(e)), and to “provide housing at no cost to the H-2A workers . . .” (20 CFR 655.122 (d)(1); 20 CFR 655.210 (c)). Ranchers acknowledge that H-2A regulations require them to provide housing and food to range herders at no charge; they emphasize that H-2A regulations do not require payment of overtime wages, which is a state law requirement.

amounts of back wages due and assessed lower civil money penalties in California than in other states. One report of a potential labor law violation was filed with the California Labor Commissioner's Office between 2018 and 2025, but no individual wage claims were filed by California herders. The Labor Commissioner's Office is currently in the process of completing multiple investigations.

- Data from recruitment agents and our 2025 interviews confirm that H-2A herders are mostly Peruvian and Mexican men, over 40 years old, and often related to their co-workers and supervisors. None of the herders we interviewed reported paying recruitment or visa fees, all reported that they received the appropriate wage and had their passports, and all stated that they preferred to work in California over other states due to California's higher-than-federal wage and more urban environment. Herders, who must remain on call 24/7 to respond to emergencies, reported actively working seven-to-eight-hour days or 50-to-60-hour weeks except during lambing and kidding season, when long hours are the norm.
- Ranchers told us that they need H-2A herders because US workers do not want or have the training to perform herding jobs. Ranchers require herders to have at least three months' herding experience but do not provide training for aspiring herders. Sheep and goat programs at California colleges and universities train pre-vet students rather than herders. Worker advocates say that ranchers prefer to employ H-2A herders who are dependent on employers. There are private and public programs that provide training in animal health and business management, but most students are aspiring ranchers rather than herders.

Stakeholders raised several other issues. Ranchers said that the sheep and goat industry is segmenting into (1) a shrinking meat and wool industry that struggles to compete with low-cost imported lamb and (2) an expanding vegetation management sector that pays ranchers to provide animals to consume grass and brush in orchards, vineyards, and solar farms as well as in parks and other places to reduce fuel loads (also known as "targeted grazing"). There is no definitive data on the share of the state's 500,000 sheep and 125,000 goats involved in targeted grazing, but stakeholders agree that at least 20 percent of the state's sheep and goats are used in targeted grazing and the percentage is rising.

## EXECUTIVE SUMMARY

Pursuant to SB 143 (Budget Committee, 2023), the Department of Industrial Relations (DIR) is required to make a report to the Legislature on the employment of goat and sheep herders in California. UC Davis prepared this report to inform DIR about the alternative minimum monthly wage for California sheep and goat range herders with 24/7 on-call work schedules.

Stakeholders agreed that the same alternative minimum monthly wage should apply to sheep and goat herders because the workers and work are similar and often overlap. Employer stakeholders noted that administering separate minimum monthly wages for sheep and goat herders could be difficult because many targeted grazing businesses have both sheep and goats to take advantage of these animals' complementary foraging preferences.

This report covers the four topics specified by SB 143:

1. A summary of consultations with sheep and goat industry stakeholders, including employers, herders, worker advocates, meat processors, and targeted grazing clients
2. An assessment of federal and state labor law violation data in the California sheep and goat industry, including compliance with the labor standards laid out in California Labor Code Sections 2695.2 and 2695.4
3. An analysis of the number of California sheep and goat employers and herders and the demographics of herders
4. A summary of stakeholder perspectives on why H-2A herders are used in the California sheep and goat industry and their roles in the industry

The legal landscape regarding compensation for herders has changed in the last 25 years. Prior to state regulation of sheepherder wages in 2001, minimum wages were largely determined under the federal H-2A visa program; almost all herders were guest workers with H-2A visas. Beginning in 2001, both the Industrial Welfare Commission (IWC) and Legislature established wage standards that provide range sheepherders with a monthly minimum wage, among other worker protections, following the IWC's investigation into the previous exemption from the minimum wage requirement. As an aid to understanding the history of sheepherder and goat herder wage protections, DIR's Division of Labor Standards Enforcement (DLSE, also known as the Labor Commissioner's Office) prepared a brief historical discussion of the developments that occurred since 2000 (see Appendix A). A significant development for herder minimum wages occurred in 2016 with the enactment of AB 1066 (Gonzalez, 2016) requiring overtime pay after 8 hours in a day or 40 hours in a week beginning in 2025 for all persons employed in an agricultural occupation covered under IWC Wage Order 14-2001 ("Wage Order 14"), which includes herders.

Prior to 2017, California agricultural employees, as defined in Wage Order 14, were exempt from the general overtime and related working condition requirements codified in Labor Code Part 2, Division 2, Chapter 1 (§§ 500-558.1). Instead, IWC Wage Order 14 required overtime wages for farm work in excess of 10 hours in a day or six days in a workweek. Herders working a 24/7 on call schedule were paid a monthly minimum wage that did not include overtime pay. AB 1066, effective January 1, 2017, eliminated the agricultural employee exemption from

Chapter 1 and phased in overtime wage requirements. Since January 1, 2025, all agricultural employees, including sheep and goat range herders, are required to receive overtime compensation for work in excess of eight hours in a day or 40 hours in a workweek. For herders working on a 24/7 “on call” schedule, this overtime rate was applied to the alternative minimum monthly rate. This resulted in an increase in the minimum range shepherd wage from \$1,956 a month in 2018 before overtime to \$4,820 a month in 2025 with overtime.

Ranchers said this wage increase threatens the viability of their businesses.<sup>2</sup> The herders that we interviewed knew that their \$4,820 monthly wage was more than the federal minimum herder adverse effect wage rate<sup>3</sup> (AEWR) of \$2,058 a month in 2025. Many herders said they preferred to work in California for the state’s higher wage and more urban work environment.

Worker advocates agreed that wages and conditions have improved since California established minimum wage and working conditions for shepherders in the early 2000s. However, some advocates voiced concerns that many labor law violations are not detected, such as unlawful recruitment fees that some herders may pay in their countries of origin to obtain H-2A visas. Advocates point out that, once in California, herders are isolated and vulnerable. Some advocates believe that labor law violations are common, but H-2A herders are afraid to complain and there is too little labor law enforcement to detect violations.

We are grateful to DIR, EDD, and US Department of Labor staff who provided data and assisted with the stakeholder consultations, to the sheep and goat ranchers and herders we interviewed, and to other stakeholders who provided data and opinions.

---

<sup>2</sup> <https://www.agalert.com/california-ag-news/archives/april-9-2025/rising-wages-test-targeted-grazing-sector/>.

<sup>3</sup> The adverse effect wage rate (AEWR) is the minimum wage required for workers in the federal H-2A visa program.

## INTRODUCTION

Sheep (genus *Ovis*) and goats (genus *Capra*) were among the first animals to be domesticated, perhaps as early as 8,500 BCE. Sheep and goats produce milk, meat, wool, and skins. Both sheep and goats are ruminants with four-chambered stomachs that allow them to consume poor-quality forage; goats are more likely to eat weeds, thistles and other plants shunned by sheep. Since goats will eat more plants than sheep, many ranchers have both sheep and goats to ensure that all available plant material is consumed. Goats are more individualistic than sheep, explaining why some escape their enclosures, climb trees, and may attack intruders on their territory.

Female sheep are ewes, and male sheep are rams or bucks; a castrated male raised for meat is a wether. In California, one ram is placed with about 40 ewes for breeding in the spring, and 10-to-14-pound lambs are born 150 days later in October-November. Lambs are weaned after two months and marketed seven to nine months after being born when they weigh 100 to 150 pounds.

Ranchers seek low-cost forage, so many sheep and goats spend part of each year on open range land that is not cultivated because it has poor soil, is rocky, or is otherwise unsuitable for crops. Poor quality vegetation means that many acres are often required to provide the forage necessary for a herd or flock. The federal government charges ranchers who graze animals on public range lands on the basis of animal units (AUMs): one AUM is five 200-pound sheep and their lambs or one 1,000-pound cow and calf. The 2025 charge is \$1.35 per AUM per month to graze on federal lands in 16 western states, including California.<sup>4</sup> Fees to graze on private land are significantly higher.<sup>5</sup>

The US and California have shrinking sheep<sup>6</sup> and goat<sup>7</sup> industries.<sup>8</sup> The US had five million US sheep and lambs on January 1, 2025. The leading sheep states are:

- Texas, which had 670,000 sheep at the beginning of 2025
- California, 510,000
- Colorado, 405,000
- Wyoming, 300,000

---

<sup>4</sup> The Bureau of Land Management (BLM) and the Forest Service have been charging \$1.35 per animal unit since 2019; <https://www.blm.gov/press-release/blm-usda-forest-service-announce-2025-grazing-fees-states>.

<sup>5</sup> [https://www.nass.usda.gov/Statistics\\_by\\_State/California/Publications/Livestock\\_Releases/Grazing\\_Fees/2025/202501GRAZFEE.pdf](https://www.nass.usda.gov/Statistics_by_State/California/Publications/Livestock_Releases/Grazing_Fees/2025/202501GRAZFEE.pdf).

<sup>6</sup> The United Nations Food and Agriculture Organization (FAO) reported 1.2 billion sheep worldwide, including 30 percent in four countries: China, 165 million; India, 75 million; Australia, 65 million; and Nigeria, 50 million.

<sup>7</sup> The FAO reported 1.1 billion goats worldwide, including 40 percent in four countries: India, 150 million; China, 130 million; Nigeria, 90 million; and Pakistan, 80 million.

<sup>8</sup> There are many reasons for the shrinking sheep industry. Martin cited reduced wool subsidies and declining per capita consumption of lamb and mutton, the rising cost of feed that represents half of the cost of raising sheep, and freer trade that allowed increased imports of lower cost lamb; Philip Martin, *Labor in the Western Sheep Industry* (Sept. 27, 1994).

- Utah, 280,000<sup>9</sup>

About 2.9 million US sheep, 60 percent, are breeding ewes that produce an average of 1.1 lambs a year. California's 225,000 breeding ewes are 45 percent of the state's sheep stock; Colorado's ewes are 38 percent of the state's sheep stock; and ewes are 60 percent of the sheep stock in Texas, 65 percent in Wyoming, and 69 percent in Utah.

The US had 2.5 million goats and kids (young goats) on January 1, 2025, including two million meat goats and kids (CA 74,000), 430,000 milk goats and kids (CA 38,000), and 102,000 Angora goats (CA not reported). California is the third leading meat-goat state behind Texas (720,000 meat goats and kids) and Oklahoma (79,000) and just ahead of Tennessee (73,000) and Missouri (72,000). The US added 25,000 meat goats in 2024, and CA added 2,000.

The 2022 Census of Agriculture (COA) reported:<sup>10</sup>

- 3,100 California sheep farms (NAICS 11241) with 533,000 animals, an average 172 sheep per farm. Lamb sales were \$58 million and wool sales \$2.6 million. The 29 California sheep farms with 5,000 or more animals had 332,000 or 62 percent of the state's sheep and lambs, an average of 11,500 per farm.
- 3,400 California goat farms (NAICS 11242) with 127,000 animals, an average 37 animals per farm, including 1,600 farms that sold 38,000 goats in 2022 for \$9.2 million or about \$245 per goat in 2022. The COA did not report on the distribution of goats per farm.

The COA reported that half of California's sheep and lambs were in Kern and Fresno counties in 2022, while goats were more dispersed. Merced, Kings, and Sacramento counties each had about 10,000 goats or a quarter of the state's total in 2022.

Sheep and goats are raised primarily for meat, wool, and milk. Sheep and goats are also increasingly used for targeted grazing to consume forage and brush that could fuel wildfires, to maintain the efficacy of solar panels (solar grazing), and to provide a natural way to consume grasses between rows of trees in orchards and vines in vineyards. The COA does not report data on sheep and goats used for targeted grazing or revenues from targeted grazing services.

Most California commercial sheep and goat ranchers rely on H-2A guest workers to tend their animals. Industry sources report that range herders, who have 24/7 work schedules and are paid the state's alternative minimum monthly wage, are provided with a mobile trailer for housing, an ATV or truck for transportation, one or two sheep dogs, and one or two guard dogs to protect a flock of 1,000 to 1,500 sheep and/or 400 to 800 goats.

Herders in remote areas rely on deliveries of food once or twice a week from the rancher, supervisor, or camp tender. Employers provide herders with cell phones, credit for the use of

---

<sup>9</sup> <https://usda.library.cornell.edu/concern/publications/000000018>.

<sup>10</sup> The COA is considered more definitive than NASS data, which is from a survey. A change in methodology after the 2007 COA allowed more smaller sheep and goat operations to be included in the COA: <https://www.ers.usda.gov/topics/animal-products/sheep-lamb-mutton/sector-at-a-glance/>.

personal phones, or other devices for emergency communication. Herders in urban areas may work normal work schedules for hourly wages, live in standard housing, and have their own transportation or be transported between their housing and the animals and to stores to buy food.

Ranchers say that sheep and goats are typically moved several times a year to new forage, usually with 44-foot long two- or three-deck goose-neck semi-trailers that hold about 300 animals.

California employers who pay \$100 or more in quarterly wages are required to register with the Employment Development Department (EDD) and pay unemployment insurance taxes. The number of California sheep and goat establishments (NAICS 1124) and average employment fell between 2001 and 2023 while wages rose. The number of establishments fell to a low of 81 in 2012 and average sheep and goat employment peaked at 515 in 2011, suggesting a consolidation of sheep and goat operations into fewer and larger farms.<sup>11</sup>

Note that the figures below reflect all employees of sheep and goat establishments, not only range herders subject to the alternative monthly wage. A typical sheep or goat rancher with 10 to 20 employees may have one US supervisor, often an ex-herder who obtained an immigrant visa and perhaps a paid family member. The other employees are usually H-2A herders.

**Table 1. California sheep and goat establishments and wages, 2001-23**

<b>Year</b>	<b>Establishments</b>	<b>Employees</b>	<b>Wages (\$1,000)</b>	<b>Average annual wages (\$)</b>	<b>Average monthly wages (\$)</b>
2001	95	424	7,076	16,676	1,390
2002	100	475	9,060	19,078	1,590
2003	96	427	7,555	17,696	1,475
2004	93	418	7,595	18,178	1,515
2005	92	416	9,138	21,945	1,829
2006	95	431	9,618	22,343	1,862
2007	96	465	10,841	23,340	1,945
2008	90	468	11,261	24,070	2,006
2009	90	473	11,662	24,673	2,056
2010	88	513	13,744	26,804	2,234
2011	84	515	15,186	29,515	2,460
2012	81	433	12,459	28,807	2,401
2013	82	464	13,254	28,554	2,380
2014	91	465	13,672	29,398	2,450
2015	91	479	14,527	30,338	2,528

<sup>11</sup> Sheep and goat establishments reported as part of the Quarterly Census of Employment and Wages (QCEW) must have wage employees and pay unemployment insurance taxes. By contrast, sheep and goat farms reported in the Census of Agriculture (COA) are only required to sell \$1,000 of farm commodities a year. Fewer sheep and goat establishments qualify for inclusion in the QCEW (82 in 2022) when compared to sheep and goat farms included in the COA (6,500 in 2022), which is inclusive of smaller and hobbyist farms.

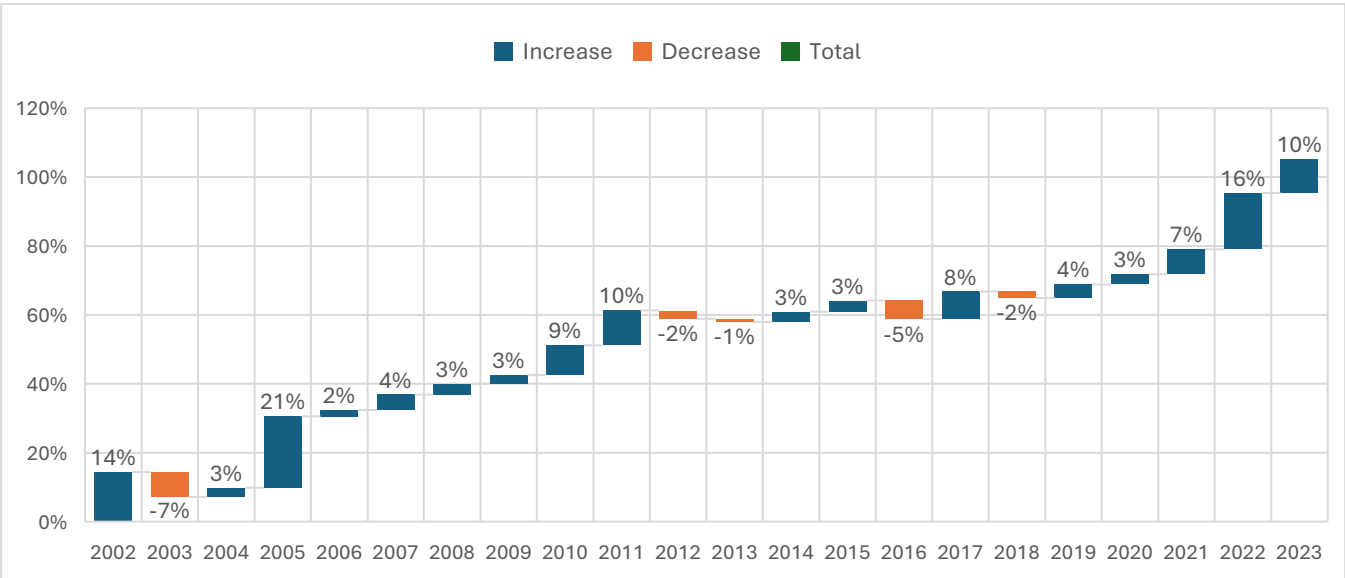
2016	87	358	10,278	28,703	2,392
2017	85	381	11,821	30,999	2,583
2018	87	404	12,295	30,432	2,536
2019	83	369	11,682	31,623	2,635
2020	84	371	12,087	32,564	2,714
2021	85	368	12,862	34,911	2,909
2022	82	365	14,829	40,609	3,384
2023	82	354	15,773	44,587	3,716
<b>Changes</b>					
2001-2012	-15%	2%	76%	73%	73%
2012-2023	1%	-18%	27%	55%	55%
2001-2023	-14%	-17%	123%	167%	167%

Wage values encompass wages for all employees on the payroll for the pay period that includes the 12th of the month. Wages are given in nominal dollars and are not adjusted for inflation.

Source: US Bureau of Labor Statistics, Quarterly Census of Employment and Wages, <https://www.bls.gov/cew/>.

Wages rose faster between 2001 and 2012, up over 70 percent, than between 2012 and 2023, when monthly wages increased by 55 percent. The largest percentage increase in average monthly wages was between 2004 and 2005, when they rose 21 percent, followed by a 16 percent increase between 2021 and 2022. Since 2001, average monthly sheep and goat wages rose 10 percent or more in five separate years, while sheep and goat monthly wages fell by up to seven percent in five separate years. Note again that these figures include sheep and goat workers who are paid hourly and may work on traditional farms as well as range herders subject to the alternate monthly wage.

**Figure 1. Annual change in California sheep and goat average monthly wages, 2002-23**



Source: US Bureau of Labor Statistics, Quarterly Census of Employment and Wages, <https://www.bls.gov/cew/>.

## METHODOLOGY

From January through December 2025, we interviewed more than 50 sheep and goat ranchers and 30 herders. We held meetings with over 50 worker advocates, government agency staff, researchers, and others involved in sheep and goat ranching and targeted grazing, explaining the purpose of the SB 143 study and seeking the perspectives of these stakeholders. We hosted an event that featured presentations from a range of sheep and goat stakeholders at UC Davis in May 2025.

We analyzed data from the US Department of Agriculture (USDA) on sheep and goat stocks and sheep and goat farming, data from federal and state enforcement agencies on labor law violations, safety, and workers compensation, and data from the US Department of Labor's (DOL) Bureau of Labor Statistics (BLS), including employment and wage data from the Quarterly Census of Earnings and Wages (QCEW). We analyzed data from DOL's Office of Foreign Labor Certification on ranchers who were certified for H-2A herders. We reviewed academic research on the economics of the sheep and goat industries, vegetation management and related issues, and incorporated insights from this research throughout the report.

Ranchers usually knew when we interviewed their herders, but we determined who was interviewed. Each herder interview took about 45 minutes and was conducted by a retired US DOL Wage and Hour Division (WHD) investigator. Ranchers and supervisors were not present during interviews. Nonetheless, we recognize that there was an imbalance of stakeholders consulted due to the difficulty in contacting and speaking with herders.

We believe that the research and analysis that undergirds this report provides the best available picture of the state's current sheep and goat industry. We have faithfully organized the perspectives of ranchers and herders, advocates, and other stakeholders on the alternative minimum monthly wage for range herders.

## CONSULTATIONS

Stakeholders agreed that wages for range herders have increased significantly and working conditions have improved since the state began to regulate herder wages and working conditions in the early 2000s. The most dramatic change over the past quarter century involves wages. In the early 2000s, California established a minimum wage for 24/7 sheepherders that was about 20 percent higher than the federal minimum monthly herder wage rate for H-2A workers (the AEW). Today, California's range herder wage is 2.3 times higher than the federal herder AEW, \$4,820 versus \$2,058 a month in 2025.<sup>12</sup>

### Background on Herder Wages in California

In April 2001, California's IWC established an alternative minimum wage for sheepherders who have on-call work schedules, defined as being on duty 24/7 or 168-hours-a-week, including 40 regular hours and 128 overtime hours. This alternative monthly minimum wage was \$1,050 a month after July 1, 2001, and \$1,200 a month after July 1, 2002,<sup>13</sup> after which the wage rose with the state's minimum wage to \$1,955.74 in 2018 (Labor Code §§ 2695.2(a)(2) and 2695.4(a)(2)).

AB 1066 phased in overtime pay for farm workers and made the alternative minimum monthly wage for range herders \$2,933.51 plus \$1,886.91 in overtime wages or a total \$4,820.42 in 2025, which is \$57,845.04 a year.<sup>14</sup> The federal minimum monthly range herder wage for H-2A workers (AEW), which increases with the Employment Cost Index, is \$2,058.31 or \$24,699.72 a year in 2025.<sup>15</sup>

California's 2025 minimum monthly herder wage of \$2,933.51 for regular or non-overtime hours derives from the \$1,200 a month wage established by the IWC for herders effective July 1, 2002,

---

<sup>12</sup> Colorado and Oregon have a higher-than-federal AEW minimum wage. The California 24/7 herder wage was less than \$2,000 a month in 2018.

<sup>13</sup> Employers testified at the Industrial Welfare Commission (IWC) hearing in 2001 that the total monthly cost of sheepherders in 2001 was \$1,623 a month when the federal minimum range herder wage was \$900 a month, meaning that travel, food, and housing accounted for \$723 a month or 45 percent of total herder costs. Employers testified that herder costs were 41 percent of their production costs.

In 2000, advocates asked the IWC to set a \$2,060 minimum monthly sheepherder wage and provide ranchers with a credit of \$411 for employer-provided housing and food. Advocates would have allowed a further reduction in the minimum wage of \$100 a day for ranchers who provided herders with up to four days off a month.

The IWC, noting that sheepherders spend time at ranch headquarters and on the open range, required inspections of both fixed-site and range housing provided to herders. The fixed-site housing must have toilets, heating, indoor lights, potable hot and cold water, cooking facilities, and refrigeration, while the mobile housing must satisfy H-2A or California standards, whichever are higher. The IWC added penalties for violations.

<sup>14</sup> [www.dir.ca.gov/dlse/Sheepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html](http://www.dir.ca.gov/dlse/Sheepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html).

<sup>15</sup> The federal herder AEW increases each year by the same percentage increase from September to September of the previous year in the ECI for private sector workers. The ECI increased by 3.8 percent between September 2023 and September 2024, so the federal herder AEW rose from \$1,982.96 in 2024 to \$2,058.31 a month in 2025; <https://www.govinfo.gov/content/pkg/FR-2024-12-16/pdf/2024-29550.pdf>.

and subsequent increases with the California minimum wage.<sup>16</sup> The \$2,933.51 regular or non-overtime monthly wage is \$35,202.12 a year or \$676.96 a week. A 168-hour workweek is used to calculate a regular or non-overtime hourly wage of \$4.03 an hour ( $\$676.96/168 = \$4.03$ ), which is used to calculate the overtime rate.

There are two components to herder overtime wages:

- 0.5x the regular rate of \$4.03 or an additional \$2.02 an hour for hours eight through 12 daily and for the first eight hours on the seventh day of work, or 40 overtime hours payable at 0.5x the regular rate or an additional  $\$2.02 \times 40 = \$80.80$  a week, which is \$350.13 a month or \$4,201.60 a year.
- An additional 1.0x the regular rate of \$4.03 for hours after 12 on any day and after eight hours on the seventh day of work, for 88 overtime hours payable at 1x the regular rate, so that  $88 \times \$4.03 = \$354.64$  a week, which is \$1,536.77 a month or \$18,441.2 a year.

Summing regular and two overtime wages yields a minimum monthly wage of \$4,820.42 for 2025, as shown in the tables below.

**Table 2. DIR calculations of the minimum monthly herder wage, 2025**

Begin with \$2,933.51 base monthly wage					
<b>Regular Wage</b>					
Monthly	Months	Annual	Weekly	168 hrs/week	
\$2,933.51	12	\$35,202.12	\$676.96	\$4.03 per hour	
<b>Overtime Wage at 0.5 regular wage or \$2.02</b>					
hours per week	Wage	Weekly	Weeks	Annual	Monthly
40	\$2.02	\$80.80	52	\$4,201.60	\$350.13
<b>Overtime Wage at 1.0 regular wage or \$4.03</b>					
hours per week	Wage	Weekly	Weeks	Annual	Monthly
88	\$4.03	\$354.64	52	\$18,441.28	\$1,536.77
<b>Total monthly minimum wage: \$4,820.42</b>					
DIR calculates the "regular" wage for non-overtime hours on the basis of a 168-hour week					

Source: Department of Industrial Relations, What amount are Shepherders owed as a result of AB 1066's Overtime Phase-In?, <https://www.dir.ca.gov/dlse/Shepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html>.

California's minimum wage rose 2.49 percent to \$16.90 on January 1, 2026, making the base minimum herder monthly wage \$3,004.50 a month and the regular rate for a 168-hour week \$4.13 per hour, for a total minimum monthly herder wage of \$4,938.21 in 2026. The current rates are published on the DIR website.<sup>17</sup>

<sup>16</sup> The IWC was defunded in 2004, but its orders remain in effect, and wage provisions are updated regularly.

<sup>17</sup> <https://www.dir.ca.gov/dlse/Shepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html>.

State law permits employers of range sheep and goat herders to pay the 2025 alternative monthly wage of \$4,820.42 [See Labor Code § 2695.2, the monthly minimum wage for sheepherders; Labor Code § 2695.4, the monthly minimum wage for goat herders which sunsets June 30, 2026; and Labor Code § 860 et. seq., providing overtime for all agricultural workers including sheep and goat herders (AB 1066)].<sup>18</sup> If the law for goat herders is not extended, CA law will require ranchers to pay goat herders for 168 hours a week at the current minimum wage of (\$16.50 in 2025), plus overtime wages of 1.5x after eight hours a day and 40 hours a week, and 2x the minimum wage for additional hours. The monthly wage would be over \$16,000.

Prior to 2022, only sheepherders were included in the state's alternative minimum monthly wage. In light of concerns from ranchers that sheep and goat herders perform substantially similar work, the Legislature responded with AB 156 (Budget Committee, 2022), which allowed employers of range goat herders to pay the alternative minimum monthly wage from September 27, 2022, through January 1, 2024. SB 143 extended the alternative minimum monthly wage for range goat herders through June 30, 2026, and mandated this study.

### **H-2A Herder Regulations**

H-2A herders are admitted under the H-2A program created under section H-2 of the Immigration and Nationality Act of 1952. The Immigration Reform and Control Act of 1986 separated H-2 into H-2A for seasonal farm jobs and H-2B for seasonal nonfarm jobs.

The H-2A program allows US employers who anticipate shortages of seasonal farm workers to be certified by DOL to recruit and employ H-2A workers if:

- the employer tried and failed to recruit enough US workers while offering the higher of the federal or state minimum wage, the prevailing wage rate, or the AEW; and
- the presence of H-2A workers will not adversely affect US farm workers in similar employment, a criterion that is usually considered satisfied if the employer pays the AEW.

Employers must offer US workers at least the same wages, benefits, and working conditions as are offered to H-2A workers. Employers may offer US workers higher wages, benefits, and better working conditions than H-2A workers; the key condition is that employers may not offer H-2A workers more than similar US workers (Appendix A).

US DOL developed the current range herder wage methodology to settle the *Mendoza et al. v. Perez*, 754 F.3d 1002 (D.C. Cir. 2014) litigation.<sup>19</sup> Regulations published October 16, 2015 established a minimum monthly wage for range herders based on the federal minimum wage of

---

<sup>18</sup> Under the Wage Order, herders who perform non-sheep and goat herding work or are not on call 24/7 are entitled to the applicable state minimum wage for all hours worked, including overtime pay; <https://www.dir.ca.gov/dlse/Sheepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html>.

<sup>19</sup> Previous herder regulations were established by Training and Employment Guidance (TEGL) Letter No. 32-10: Special Procedures: Labor Certification Process for Employers Engaged in Sheepherding and Goat herding Occupations Under the H-2A Program, 76 Fed. Reg. 47256 (Aug. 4, 2011).

\$7.25 an hour for a 48-hour week<sup>20</sup> for 4.33 weeks, making the AEW \$1,506.84 a month<sup>21</sup> with a four-year phase-in period because \$1,507 doubled the then minimum monthly herder wage from \$750 a month in many states.<sup>22</sup> The federal monthly AEW for range herders increases each year to reflect the percentage change in the ECI for private sector worker wages between September and September of the previous year.

Until 2015, the federal herder AEW was based on prevailing wage rate (PWR) surveys conducted by state workforce agencies (SWAs). Many SWAs were unable to collect sufficient data to make valid PWR determinations because there were few US herders, so the minimum range herder wage remained at \$750 a month for sheep and goats and \$875 a month for cattle in all states except California, Hawaii, and Oregon.<sup>23</sup> DOL noted that “where a State sets employment standards applicable to herders that are higher (more protective) than those set in this Final Rule, DOL intends that the State standards should apply.”

California ranchers, herders, and government staff cited modern trailers as an example of improvements for herders over the past two decades. Federal regulations (20 CFR § 655.235) establish standards for mobile housing, including herder trailers. The herders that we interviewed had trailers with hot and cold running water, toilets, stoves, and refrigerators. Employers must provide range herders with food at no cost, and the herders we interviewed received food from their employers or funds to purchase their own food during weekly or biweekly shopping trips.

### **Herder Hours**

Herders told us that they began their days with breakfast between 6am and 7am before checking on the flock. Morning work activities include feeding dogs, caring for sick animals, and building fences, especially for animals engaged in vegetation management. After a lunch break of an hour or two, herders check on the animals again in the late afternoon or early evening. Most herders stay in or near their trailers after 5pm.

Herders said they actively worked seven to eight hours a day or 49 to 56 hours a week. Daily routines could be interrupted by animals escaping, predators, or other events that required

---

<sup>20</sup> DOL noted that employers are not required to record herder hours worked. Employers suggested 40- or 44-hour workweeks as the basis of herder pay, and worker advocates suggested the 48 hours that DOL adopted. DOL rejected using the average hourly earnings of crop and livestock workers reported by USDA’s Farm Labor Survey (FLS), which is the wage used to set the non-herder hourly AEW, because most ranchers said that the USDA wage would put them out of business: “The proposed wage increase [using the FLS] is too great to be borne by the industry, and thus will result in adverse effect on U.S. workers.” DOL, Federal Register, October 16, 2015, p62990; <https://www.govinfo.gov/content/pkg/FR-2015-10-16/pdf/2015-26252.pdf>.

<sup>21</sup> Range herders are (1) on duty 24/7 and (2) spend more than 50 percent of their workdays on open range.

<sup>22</sup> DOL rejected employer suggestions to deduct some of the cost of food provided to herders from herder wages; <https://www.govinfo.gov/content/pkg/FR-2015-10-16/pdf/2015-26252.pdf>.

<sup>23</sup> The California herder wage was \$1,600.34 per month in 2015, Hawaii \$1,422.52, and Oregon \$1,603.33. DOL’s rulemaking includes Exhibit 4 that finds AZ with 30 percent of the 550 employers of H-2A sheep and goat herders, CA with 28 percent, UT with 10 percent, and CO with nine percent. A few employers had H-2A herders in several states; <https://www.govinfo.gov/content/pkg/FR-2015-10-16/pdf/2015-26252.pdf>.

immediate responses, and thus herders were on-call 24/7. During lambing and kidding season (from October to November) both ranchers and herders are often on duty and frequently working almost around the clock.

Ranchers said that none of their herders actively “worked” 168 hours a week, although the workers were “on-call” 24/7. California law defines “hours worked” as all hours an employee is under the control of their employer, including when an employee is required to be “on call.” Workers who are on duty or call 168 hours a week must be paid for 168 hours a week.<sup>24</sup>

Ranchers said that it was not possible to designate non-duty time if one herder is responsible for 1,000 animals in a remote area, since time off for one herder would require a relief worker to circulate among herders, and the off-duty herder may not be able to leave the workplace. Ranchers said they could not afford the additional cost of hiring relief herders. However, there are sometimes several flocks of animals and several herders in proximity, suggesting that a hub and spoke system could allow several herders to be based in permanent housing or a motel and provided with vehicles to travel to their flock for the workday. House- or motel-based herders could be paid hourly wages and could work split-shift schedules, giving them time off during the middle of the day when the animals rest. A hub and spoke system could allow one herder to be on duty overnight while the other herders were off duty.<sup>25</sup>

### **Worker Advocates’ Proposals**

Labor advocates, concerned about the isolated and vulnerable herder workforce and challenges to enforcement, proposed additional measures to promote compliance with required standards and ensure herder safety.

First, the advocates proposed that ranchers be required to certify their compliance with state and federal laws and regulations and document their injury and illness prevention plans and responses as a condition of submitting an H-2A job order or obtaining a public contract. Specifically, advocates suggested that ranchers, individually or through their agents, be required to certify the following:

- Whether the rancher is currently or has in the last three years been subject to a government investigation or court or administrative proceeding involving workers’ hours, wages, and working conditions, including housing.
- That herders employed for the past three years have been paid all wages due as required by California and federal law, including H-2A program regulations.<sup>26</sup>

---

<sup>24</sup> Cal. Code Regs. tit. 8, § 11140. *Mendiola v. CPS Sec. Sols., Inc.*, 60 Cal. 4th 833, 840 (2015) says that time spent under the control of the employer, including being on-call to work, is compensable time.

<sup>25</sup> Jackson argues that herders should be hired in teams of at least two so that one herder can be off duty. Kimi Jackson, *Farmworkers, Nonimmigration Policy, Involuntary Servitude, and a Look at the Shepherding Industry* (2000), available at <https://scholarship.kentlaw.iit.edu/cklawreview/vol76/iss2/19/>.

<sup>26</sup> ETA Form 790A requires employers to attest that “For workers engaged in the herding or production of livestock on the range, the employer agrees to pay the worker at least the monthly AEW, the agreed-

- That the rancher for the past three years has provided herders with housing that complies with California and federal law, including H-2A regulations.
- That ranchers who employ 50 or more workers have provided health insurance to all herders as required by California and federal law.
- That the rancher has and will provide workers' compensation insurance and medical care to any herder who suffers a workplace injury as well as reasonable accommodations for the herder as required under federal and state law. DIR points out that the Labor Commissioner usually validates the existence of workers' compensation when conducting an investigation.
- That any herder who may operate all-terrain vehicles has received training each season to safely operate each vehicle, is provided with all safety equipment, and that all vehicles are up to code. DIR points out that Cal/OSHA regulations already require training on safe operation of hazardous equipment.
- That the housing provided to herders has both smoke and carbon monoxide detectors and all herders are trained each season on how to prevent fires and carbon monoxide poisoning in their housing, including how to properly use any generators or batteries. DIR points out that Cal/OSHA regulations already require training on how workers can protect themselves from hazards at work, which include fire and carbon monoxide hazards if those hazards are present.

In addition, advocates suggested procedures regarding emergency preparedness for H-2A herders as well as welfare checks when herders work in remote or isolated locations. Specifically, they suggested:

- Ranchers perform bi-weekly welfare checks when a herder works in a remote or isolated area and maintain a record of these welfare checks, including the location of the herder and the results of the check.
- Ranchers provide herders with information and a means to get help in case of an emergency. This should include emergency contact information and instructions specific to the location where the herder will be stationed. Information should be provided before the herder arrives at a new remote location and in a language spoken by the herder.
- Ranchers provide herders with a satellite telephone when they are stationed in an area with no cellular service, and train the herder in how to use it to contact emergency services and provide their location.

---

upon collective bargaining wage, or the applicable minimum wage imposed by Federal or State law.”  
 Current H-2A regulations do not require employers to certify that they have paid all wages due to herders for the past three years.

Finally, with regards to housing, the advocates recommended that any rancher, individually or through their agent, add the following information to the job postings available to US workers:

- For range housing: the year, model, and make of the trailer and the amenities provided.<sup>27</sup>
- Disclose whether the herder will be performing work under a public contract and the respective county(ies) where the work will be performed, including the names of the government entities overseeing the public contract.<sup>28</sup>

### **Ranchers' Proposals**

Ranchers want California to make policy changes that reduce herder labor costs. They proposed several options:

1. Exempt 24/7 herders from AB 1066 (adding Labor Code §§ 857-864). SB 801 (Hurtado, 2025) would have exempted sheep and goat herders from AB 1066 overtime requirements. The bill failed to pass out of committee and is no longer eligible for consideration. The ranchers believe that herders are only actively working 7 to 8 hours a day, 7 days a week except for during lambing and kidding season between October and November when they actively work more hours. Ranchers argue that herders should not be compensated at an overtime rate for hours that they are not “actively working.”

However, DIR notes that under California law, workers must be paid for all hours worked, including on-call time when they must be available to deal with escaped animals, predators or other issues at any time. AB 1066 requires hours worked beyond 8 in a day or 40 in a week be compensated at a premium rate. Exempting herders from AB 1066 would be a departure from this long-standing law.

2. Credit costs of employer-provided food and housing towards minimum wage obligations. Ranchers propose that California could lower the cost of paying herder’s overtime wages by allowing them to credit the cost of providing food and housing toward meeting herders’ monthly minimum wage obligations.

Federal H-2A regulations and California law require the employer to provide housing and food free of charge (see footnote 1). DIR notes that, in setting the monthly herder wage in 2001, the IWC accounted for the fact that employers were providing housing and food. Therefore, giving ranchers a credit against overtime wages would either constitute a reduction of the 2001 standards (when there was no state overtime wage requirement for agricultural workers) or a repeal of AB 1066 as applied to herders.

---

<sup>27</sup> EDD housing inspectors inspect herder trailers to ensure that they comply with federal, state, and local regulations and attach a numbered tag to each trailer. Advocates suggest that inspectors could record additional information on each trailer.

<sup>28</sup> Currently the name and address of the employer and the location of H-2A housing and worksites must be disclosed in the H-2A job order, but not whether the worksite involves a vegetation management contract funded by a public agency.

3. Alternative overtime rates. Allow employers to pay herders alternative overtime rates similar to the overtime rates paid to personal attendants, who receive overtime only after 9 hours per day and after 45 hours a week.

However, because herders who are on call 24/7 must be paid for all on-call hours, increasing the overtime threshold from 8 hours to 9 hours per day and 40 hours to 45 hours per week will not significantly reduce the total monthly wage.

For more information regarding personal attendants' pay see IWC Wage Order 5 and 15, federal law and California law requirements.<sup>29</sup>

4. Tax credits. SB 628 (Grove, 2025) would have reimbursed California farm employers for overtime wages up to the amount that is withheld from employee wages for state personal income taxes (PIT). The bill failed to pass out of committee and is no longer eligible for consideration; however, SB 921 (Grove, 2026) is active legislation that may be considered by the Legislature in 2026. A California range herder who is paid the alternative minimum monthly wage earns \$58,000 a year, including 39 percent or \$22,560 in overtime wages, and owes about \$2,300 in state PIT. If \$2,300 of PIT were withheld from worker wages, this proposed tax credit would refund \$2,300 to the employer to partially compensate for employer-paid overtime wages.<sup>30</sup>
3. Treat modern trailers as permanent housing to allow payment of hourly wages. Workers in permanent housing, including herders, can be paid the higher of several hourly wages, including the higher of the minimum wage or the AEW. If modern herder trailers with the same features as fixed-site housing, including hot and cold running water, flush toilets, refrigerators, and cooking facilities were considered "permanent housing," then federal law would permit H-2A herders to be paid the hourly federal Adverse Effect Wage Rate (AEWR) for California of \$19.97 an hour in 2025, assuming they are not on duty 24/7 and not paid a monthly minimum wage in accordance with California law.<sup>31</sup>

In order to pay hourly wages to herders in modern trailers, a mechanism would have to be developed to record hours actually worked, including compensable time when a herder is on call or actively responding to emergencies.

DIR notes that classifying trailers as permanent housing is unviable if most herder housing does not satisfy permanent housing standards. Additionally, if herders remain on a 24/7 schedule and are paid the hourly rate for all overtime, the herders' pay would be substantially greater than the current alternative monthly minimum wage. Therefore, this

---

<sup>29</sup> <https://www.dol.gov/agencies/whd/fact-sheets/79d-flsa-domestic-service-hours-worked>;  
<https://www.dir.ca.gov/dlse/DomesticWorkerBillOfRights-FAQ.html>.

<sup>30</sup> H-2A herders, like other workers, are required to pay state income taxes, but income taxes are not withheld unless both the employer and employee agree. Ranchers and herders reported that they did not withhold income taxes.

<sup>31</sup> Interpreting and enforcing a "modern trailers" requirement would require developing regulations against which EDD housing inspectors would assess housing.

proposal is unlikely to reduce labor costs unless ranchers make changes to their operations so that herders have duty-free time each day.

4. Workers' compensation classification. Workers' compensation insurance provides health care for work-related illnesses and injuries and pays lost wages. Some California workers' compensation insurance carriers classify herders who care for animals engaged in vegetation management as landscapers. Ranchers would like the state to determine if herders have fewer workplace injuries and deaths than landscapers and whether there should be a new classification for herders caring for animals engaged in vegetation management that would have lower rates.<sup>32</sup>
5. Invest in herder training. Herder jobs that pay nearly \$5,000 a month (the required minimum pay for herders is \$4,938.21 in 2026) and provide free housing and food could be attractive to California workers.<sup>33</sup> Some ranchers reported that H-2A workers need training after first arriving on a ranch in the US; however, they note that most H-2A herders will be employed for years or decades, while few US workers remained herders over time.

Several California colleges and universities have flocks of sheep and goats and employ student herders, most of whom want to become veterinarians. Some of the students who work with sheep and goats in college take jobs in government and act as liaisons between targeted grazers and fire managers. Rancher stakeholders say they prefer to deal with staff at agencies that are seeking targeted grazing services who understand sheep and goats and can smooth the management of grazing contracts.

Although California has workforce development programs for farmworkers, there are no programs to train herders listed on the DIR apprenticeship web site.<sup>34</sup> Herder apprenticeship or certificate programs at a community college or California State University could incentivize US workers to join the industry and may lead to better retention. This will also require ranchers that hire students, apprentices, or graduates to further train these herders to manage commercial flocks in the diverse landscapes where they operate.

6. Encourage labor compliance through vegetation management contracts and other benefits. Targeted grazing involves using animals to reduce fuels and decrease fire hazards in open range space. It is unknown how many of the California's 500,000 sheep

---

<sup>32</sup> The Workers Compensation Insurance Rating Bureau could create a new code for vegetation management herders; <https://www.wcirb.com/about-us/committees-and-working-groups/governing-committee>.

<sup>33</sup> The average annual wage of UI-covered California workers in 2024 was \$92,145 or \$7,679 a month; <https://www.bls.gov/cew/>.

<sup>34</sup> California agricultural apprenticeships include the California Farm Academy Apprenticeship, for the occupation Beginning Farm and Ranch Managers. The San Joaquin County High School Apprenticeship Committee has the occupation Assistant Farm Manager, while the Organic Regenerative Certified Apprenticeship (ORCA) occupation is Farmworkers and Laborers, Crop, Nursery, and Greenhouse; <https://www.dir.ca.gov/databases/das/pwaddrstart.asp>.

and 125,000 goats are involved in targeted grazing.<sup>35</sup> We estimate that 20 percent of the state's sheep, and a higher share of the state's goats, are involved in targeted grazing on solar farms, in orchards, and in vineyards for public and private agencies.

State and local governments support targeted grazing directly or indirectly, such as through state grants to local agencies that issue requests for proposals to graze park and other government-owned land. Some ranchers believe agencies are often required to choose the lowest bidder, which some ranchers fear may prompt a race to the bottom if low bidders subsequently cut corners by not complying with all federal and state labor and worker safety laws as required by state and local contracts or taking other short cuts.

Some targeted grazers want California to establish a certification program that pre-qualifies bidders and requires agencies to select from the list of certified grazing businesses. These stakeholders suggested that a pre-qualification or certification program could reward good employers with multi-year contracts and transform targeted grazing from a price- to a value-based business that rewards compliant ranchers and protects herders. Agencies requesting bids for grazing services could specify a herder wage that is higher than the alternative minimum wage, such as a local prevailing wage.<sup>36</sup>

Ranchers said most targeted grazing occurs in the spring and summer months between April and August. The H-2A program requires employers to begin the application process at least 60 days before the date that they need herders. Ranchers who bid for targeted grazing contracts told us that they sometimes do not know if they will receive a targeted grazing contract when they apply for H-2A herders. Multi-year contracts would make it easier for ranchers to plan their labor needs and inform herders if they will be working in the US.

7. Low-cost loans and insurance subsidies for ranchers. Targeted grazing businesses often operate on a reimbursement basis, meaning that they incur costs upfront and wait for payment, especially from public agencies. Some suggested the creation of a revolving fund to provide low-cost loans to improve the cash flow of targeted grazing businesses. Similarly, California could make subsidized insurance available to targeted grazing

---

<sup>35</sup> The plants and brush that can fuel wildfires can be reduced with sheep and goats, prescribed burning, herbicides, or hand or machine mowing. One estimate is that livestock graze on 30 million of the state's 100 million public and private land, but most of this grazing aims to feed the livestock rather than consume the grass and brush that could fuel wildfires. The Interagency Treatment Dashboard estimates that a million acres are treated to reduce fuel loads, including almost 60 percent using mechanical and/or hand activities such as mowing, a quarter using prescribed burns, and 110,000 acres or about 10 percent using targeted grazing. At \$1,000 an acre, targeted grazing generates \$110 million a year; <https://interagencytrackingsystem.org/>.

<sup>36</sup> Public contracts often specify payment of prevailing or other wages. President Biden's Executive Order 14026, signed April 27, 2021, requires DOL to set a minimum wage for employees of federal contractors, which DOL specified to be \$17.75 an hour in 2025. The 9<sup>th</sup> Circuit Court of Appeals in November 2024 ruled that DOL did not have the authority to impose minimum wages under EO 14026; <https://www.dol.gov/agencies/whd/government-contracts/eo14026>; <https://www.jacksonlewis.com/insights/federal-contractors-flux-ninth-circuit-finds-president-biden-cant-mandate-minimum-wage-under-eo-14026>.

businesses that provide sheep and goats to reduce fuel loads in areas where the general public may cut fences, steal animals, or be hurt by guard dogs.

### **Other Suggestions**

1. Subsidize research into cost-saving technology. Some researchers recommended that ranchers adopt technologies to increase herder productivity and reduce labor costs. A California herder typically manages flocks of 500 goats and/or 1,000 sheep or more, compared with flocks in excess of 1,500 goats and 3,000 sheep in Australia. There are many differences between California and Australia, including fewer predators in Australia and lower-cost land that allows animals to be moved by drones and dogs from one parcel to another within large, fenced paddocks, with cameras monitoring flocks. California ranchers cited high costs, unfamiliarity with camera-equipped drones, and requirements in some grazing contracts in urban areas to have herders on site 24/7 as reasons why they have been slow to adopt drones, virtual fencing (collars on some animals), and other technology that would allow each herder to care for more animals.<sup>37</sup> State-funded research or subsidies could speed the adoption of labor-saving technologies.

---

<sup>37</sup> Drones and cameras can allow remote monitoring of animals, while collars can send shocks so that animals remain in a particular area without building physical fencing. Since sheep tend to flock together, only some of the sheep, perhaps 20 percent, must be outfitted with collars. However, in targeted grazing urban environments, virtual fencing does not deter predators, hikers, and domestic dogs.

## LABOR LAWS

SB 143 calls for an analysis of wage violations involving minimum wages, overtime, and other labor standards in Labor Code Sections 2695.2 and 2695.4.<sup>38</sup> All of the herders that we interviewed knew and reported receiving the correct alternative monthly wage of \$4,820.42 a month or the AEW of \$19.97 an hour for hourly wage herders in 2025. This section discusses both federal and state violation data.

### Federal Violation Data

The US DOL Wage and Hour Division (WHD) enforces 13 federal labor laws, including the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) and H-2A regulations. WHD can order employers to remedy violations of laws and regulations, pay back wages owed to workers, and assess civil money penalties for violations. Egregious violators can be debarred from the H-2A program and face criminal prosecution.

Most labor law enforcement depends on complaints, and workers must know their rights to file complaints about violations. DOL requires that a notice be given to all H-2A workers that outlines worker rights under federal law and H-2A regulations in the worker's language.<sup>39</sup> California's AB 636 (Kalra, 2023)<sup>40</sup> requires a supplemental notice to be distributed to all H-2A workers about state labor rights and protections. The Western Range Association (WRA)<sup>41</sup> and other agents who recruit and transport H-2A herders provide the herders with a bilingual flyer that explains worker rights and includes federal and home country consulate contact information.

---

<sup>38</sup> <https://www.dir.ca.gov/dlse/Sheepherders-owed-as-a-result-of-AB-1066s-Overtime-Phase-In.html>.

<sup>39</sup> <https://www.dol.gov/agencies/whd/fact-sheets/26b-disclosure-job-order-notice-H-2A>.

<sup>40</sup> [https://www.dir.ca.gov/dlse/2810.5-Supplemental-Notice-to-H-2A-Employees\\_English.pdf](https://www.dir.ca.gov/dlse/2810.5-Supplemental-Notice-to-H-2A-Employees_English.pdf) AB 636; [https://calmatters.digitaldemocracy.org/bills/ca\\_202320240ab636](https://calmatters.digitaldemocracy.org/bills/ca_202320240ab636).

<sup>41</sup> WRA is the dominant agent for California ranchers, serving 48 of the 74 California employers who were certified to employ H-2A herders in FY25, handling 102 of the 147 H-2A herder job orders filed, and dealing with 352 of the 611 H-2A herder jobs that were certified.

**Figure 2. Supplemental Notice to Employee: California Rights and Protections for H-2A Agricultural Workers**

### **Supplemental Notice to Employee California Rights and Protections for H-2A Agricultural Workers**

H-2A Employers Only: In addition to providing an H-2A worker *the above general Notice to Employee*, provide this Spanish language supplement no later than the day the H-2A worker begins work in California or on the first day that the employee begins work for another (new) H-2A employer. If your employee requests the notice in English, you must also provide the notice in English. You may also provide this supplement together with a completed general Notice to Employee to your non-H-2A workers.

In addition to federal rights and protections, agricultural workers in California, including those admitted to work under the federal H-2A agricultural visa program, are entitled to additional rights and protections under California laws. If you have questions about these rights or believe your employer is violating the law, contact the California Labor Commissioner's Office (833-526-4636) or any of the agencies and organizations at the end of this notice.

#### **Wage Rights**

- Your contract rate, contained in the approved job order must be *the highest rate* of the following: Adverse Effect Wage Rate (AEWR), the prevailing hourly rate or piece rate, the agreed-upon collective bargaining wage, or the applicable federal, state, or local minimum wage. In 2024, the AEWR in California (for all occupations except herders) is \$19.75 per hour.<sup>1</sup>
- You have the right to premium pay for all overtime hours worked. In 2024, California overtime law requires:
  - If your employer has more than 25 employees, you must be paid overtime wages (1½ times the regular rate of pay) for all hours worked over 8 hours and up to and including 12 hours in any one workday, more than 40 hours in any one workweek, or for the first 8 hours on the seventh consecutive day of work in a workweek. You must be paid overtime at double (2 times the regular rate of pay) for all hours worked over 12 in any one workday and after 8 hours on the seventh consecutive day of work in a workweek.
  - If your employer has 25 or fewer employees, you must be paid overtime wages (1½ times the regular rate of pay) for all hours worked over 8.5 hours in any one workday, more than 45 hours in any one workweek, or for the first 8 hours on the seventh consecutive day of work in a workweek. You must be paid overtime at double (2 times the regular rate of pay) after 8 hours on the seventh consecutive day of work in a workweek.
- You may be paid an hourly rate or by piece rate compensation. Piece-rate compensation is when you are paid a specific amount for completing a particular task or making a particular item. If you are paid a piece rate, it must be properly disclosed in the contract. If you are paid a piece rate, your average hourly piece rate earnings must be an amount at least equal to the required hourly wage rate (\$19.97/hour for most H-2A workers).
- If you are a piece rate employee, you must be paid for all hours worked including for all recovery periods (rest or cool down time) and other nonproductive time. This includes time under your employer's control that is not directly related to the activity being paid on a piece rate basis. Examples include time spent participating in the sexual harassment prevention training or time spent while being transported by your employer to and from the housing to the worksite, if you are required to or have no real choice but to use employer-provided transportation.
- You must be paid at least once each week if employed by a farm labor contractor, or at least twice each month if your employer is not a farm labor contractor.
- If your employer is a farm labor contractor, they are required to post their name, license number, and the name and working phone number of their field supervisor.
- You are entitled to a paid 10-minute rest period for each 4 hours worked.
- You are entitled to a 30-minute duty-free and uninterrupted meal period if you work for more than five hours per day and a second meal period if you work more than 10 hours a day.

<sup>1</sup> Sheep and goat herders working 24/7 on-call shifts may be paid a special monthly minimum wage as an alternative to this minimum wage. See [What amount are Shepherders owed as a result of AB 1066's Overtime Phase-In? \(ca.gov\)](https://www.dir.ca.gov/dlse/FAQ_OvertimePay.htm#Q1).

- You are eligible for paid sick leave. You earn at least one hour of paid sick leave for every 30 hours you work. You can take up to a minimum of 40 hours or 5 days of paid sick leave per year, whichever is greater, if earned.
- You must be provided with an itemized wage statement that states all wages paid during a pay period. If you are paid by piece rate, wage statements must also include the number of piece rate units earned daily and any applicable piece rates and must state the total hours of compensable rest and recovery periods, including the gross wages paid for those periods.
- Your employer is *prohibited* from making charges to you or deductions from your wages for:
  - Necessary expenses or losses as a result of performing your duties.
  - Necessary tools, supplies, or equipment, including safety items.
  - Deductions that are not disclosed in your job offer and work contract.
  - Meals not received. Meals must be nutritious and calorically adequate.
  - Transportation from the housing site to the worksite.

#### **Sexual Harassment Prevention**

- Your employer must ensure that you are not subjected to sexual harassment in the workplace. Your employer must provide you training on identifying, preventing, and reporting sexual harassment in the workplace.
  - If your employer is a farm labor contractor, all employees must be trained at the time of hire and at least once every two years. For further assistance regarding these requirements, please visit <https://www.dir.ca.gov/DLSE/FLC.htm>, email [FLC@dir.ca.gov](mailto:FLC@dir.ca.gov), or call 559-248-1893.
  - If your employer is not a farm labor contractor, they must provide one hour of sexual harassment and abusive conduct prevention training to nonsupervisory employees, and two hours of such training to supervisors every two years. For more information regarding this training requirement, please contact the California Civil Rights Department at 800-884-1684 or email [contact.center@calcivilrights.ca.gov](mailto:contact.center@calcivilrights.ca.gov).

#### **Retaliation Protections**

- You have the right to contact state or federal agencies, file a complaint, or seek assistance from a labor union or legal assistance organization if your employer is violating your rights. For a list of organizations, see the last page of this notice.
- It is illegal for your employer to punish you because you complain about working conditions or organize with co-workers collectively.
- It is also illegal for your employer to threaten you because of your immigration status because you have exercised your labor rights. If you are threatened or have survived a crime, including labor trafficking, you should consult with an immigration attorney to see if you qualify for a U visa, T visa, or deferred action.

#### **Workplace Safety and Health**

- You have a right to a safe workplace.
  - Your employer must have a written health and safety plan and give you a copy of the plan if you ask for it.
  - As part of their health and safety plan, your employer must have procedures for identifying and correcting hazards at worksites.
  - Your employer must provide pesticide exposure protections and safety training for employees when pesticides have been or will be applied to crops. Pesticides are chemicals used to control pests.
  - Your employer must provide prompt medical transportation if pesticide illness is reasonably suspected.
  - Your employer must keep a log of all workplace injuries and illnesses that require more than first aid treatment and post a summary of the log from February to April.

- Your employer must train you about workplace safety and health hazards and how to do your work in a safe and healthy manner.
  - Your employer must train and provide you with any necessary protective equipment in the correct type and size such as gloves, safety shoes, eye protection, and head protection.
  - Beginning July 1, 2024, your employer must prepare and train you on their workplace violence prevention plans, including how you can report a violent incident, threat, or other workplace violence concern to your employer or law enforcement without fear of reprisal.
  - With limited exceptions, it is illegal for your employer to threaten to punish you for refusing to report to, or leaving work if you have a reasonable belief that the workplace or worksite is unsafe.
  - In the event of an emergency condition, it is illegal for your employer to prevent you from accessing your mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to verify your safety.
  - You must be trained and provided with the necessary lighting, special high-visibility clothing, and other equipment to ensure safe working conditions for outdoor agricultural work when it is dark.
  - Weeding, thinning, or hot-capping with short-handled hoes is prohibited when the hoe is used in a stooped, kneeling or squatting position.
  - Hand weeding, hand thinning, and hand hot-capping is not permitted except in limited circumstances requiring additional special procedures, including increased rest periods, personal protective equipment, and training, when performing those activities.
- Your employer must provide access to toilets, handwashing facilities, and clean drinking water at all worksites.
- Your employer must provide water, shade and cool-down rests, and other protections when working outdoors.
  - Your employer must provide you with fresh, pure, suitably cool drinking water (at least one quart per hour) free of charge as close as practicable to where you are working.
  - When the outdoor temperature exceeds 80° Fahrenheit, you must have access to shade as close as practicable to where you are working. Regardless of temperature, your employer must provide and encourage you to take a preventative cool-down rest to protect yourself from overheating.
  - When the outdoor temperature exceeds 95° Fahrenheit, your employer must use additional high-heat procedures to protect workers, including requiring you to take a minimum 10-minute cool-down rest every 2 hours to prevent overheating.
- Your employer must protect you from wildfire smoke by providing you with training and a respirator when the air quality is unhealthy.
- You have the right to safe transportation. Vehicles designed or used to transport nine or more workers and a driver must be equipped with seatbelts and be inspected, certified, and insured. Seatbelts must be used when the vehicle is in operation.

#### **Housing Rights**

- As an H-2A worker, your employer must provide housing at no cost to you. Housing must be safe and sanitary, in good repair, supply hot and cold water, and be free of vermin, among other requirements.
- If you live in employer-provided housing, you also have certain rights, including the right to live there without unreasonable interference by your employer. For example, your employer cannot enter your housing space without prior notice, except in an emergency.
- You have the right to be free from discrimination and harassment based on protected characteristics such as national origin, disability, gender identity, race, or color, among other protected characteristics.

#### **Workers' Compensation and Health Insurance**

- You have the right to workers' compensation benefits, including disability pay and medical care, for work-related injuries or illness. For additional information, visit [www.dir.ca.gov/dwc/](http://www.dir.ca.gov/dwc/) or call 1-800-736-

7401.

- H-2A workers are eligible to apply for Employee-Paid Health Insurance under the Covered California program. For further information, visit [www.coveredca.com](http://www.coveredca.com) or call 1-800-300-1506.

#### **ADDITIONAL RESOURCES**

**Enforcement agencies.** For more information about your legal rights or to file a complaint, contact:

**California Labor Commissioner**  
833-526-4636  
[www.wagetheftisacrime.com](http://www.wagetheftisacrime.com)

**Cal/OSHA**  
833-579-0927  
[www.dir.ca.gov/dosh](http://www.dir.ca.gov/dosh)

**Agricultural Labor Relations Bd.**  
[800-449-3699](tel:800-449-3699)  
WhatsApp: [+1 \(647\) 496-0508](tel:+16474960508)  
[info@alrb.ca.gov](mailto:info@alrb.ca.gov)

**EDD Migrant and Seasonal  
Farmworker Outreach**  
1-877-872-5627  
[monitoradvocate@edd.ca.gov](mailto:monitoradvocate@edd.ca.gov)

**California Department of Housing  
and Community Development**  
1-800-952-8356  
[EH@hcd.ca.gov](mailto:EH@hcd.ca.gov)

**U.S. Department of Labor  
Wage & Hour Division**  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

**Non-governmental organizations.** You may also contact a community-based legal assistance organization or a labor union for assistance. For a list of organizations that partner with the Department of Industrial Relations to help workers understand their rights, scan the QR code below.



DOL provided the results of 12 completed California sheep and goat (establishments classified in NAICS 1240) investigations between 2010 and 2019. Of these, 11 involved H-2A issues and two found no back wages due and assessed no civil money penalties (CMPs).<sup>42</sup> The 10 California investigations that found amounts due:

- Detected 43 of 69 workers who were owed a total of \$42,000 in back wages, an average \$975 per worker
- Assessed CMPs of \$123,000, making CMPs about three times more than the back wages due to workers

Among the 10 cases:

- Echenique (Case 1881910) accounted for half of the California back wages due for not paying required wages. Echenique was assessed \$18,000 in CMPs, for a total of \$39,000 in back wages and CMPs
- Goats-R-Us (Case 1653572) accounted for 40 percent of the CMPs assessed. Goats-R-Us owed \$6,500 in back wages for unlawful deductions, for a total of \$55,000 in back wages and CMPs
- A&F (Case 1590754) owed \$3,100 in back wages for unlawful deductions and was assessed \$20,000 in CMPs
- Triple E (Case 1843742) paid a total of \$21,000, including \$7,000 in back wages and \$14,000 in CMPs, for violations that included failure to pay required wages and not providing meals or kitchen facilities

There were 153 completed sheep and goat cases in the WHD database for all states. California has 10 percent of US sheep and accounted for:

- 8 percent of WHD sheep and goat cases,
- 5 percent of the back wages due to sheep and goat employees,
- 3 percent of the sheep and goat employees due back-wages, and
- 12 percent of CMPs assessed on sheep and goat employers.

Nationwide, the average amount of back wages found due in sheep and goat investigations was about \$5,000 per investigation and the average amount of CMPs assessed was \$6,850. The California average of \$3,500 for back wages was lower than the nationwide average, but California average CMPs were higher than average at \$10,300 per investigation.

**Table 3. 153 Completed WHD herder investigations since 2010**

	Cases	Back wages (\$)	Employees	CMPs (\$)	Ave Back wages (\$)	Ave CMPs (\$)
California	12	41,985	43	123,145	3,499	10,262
Colorado	29	173,199	106	189,164	5,972	6,523
Idaho	19	46,014	68	184,255	2,422	9,698

<sup>42</sup> McCormack and B&B had no violations found.

Utah	37	101,702	42	123,330	2,749	3,333
Wyoming	15	46,264	52	109,109	3,084	7,274
Top 5	112	409,164	311	729,003	3,653	6,509
US	153	772,994	1,456	1,048,594	5,052	6,854
Top 5 share	73%	53%	21%	70%		

Utah violation data excludes 1,026 workers who were each owed \$30 from WRA for inbound & outbound transportation. Not all of the herders who received the \$30 WRA payments were in Utah.<sup>43</sup>

Source: US Department of Labor.

Utah had the most WHD sheep and goat cases, with 38 or a quarter of the total cases, and 3 percent of the 1,456 sheep and goat employees who were owed back wages. The largest Utah case was Scott Olsen (Case 1848050) who was found to owe \$56,500 in back wages and was assessed \$31,000 in CMPs.

Colorado was second in WHD sheep and goat cases with 29 or 19 percent, and Colorado accounted for:

- 22 percent of sheep and goat back wages due,
- 7 percent of sheep and goat employees due back wages, and
- 18 percent of sheep and goat CMPs assessed.

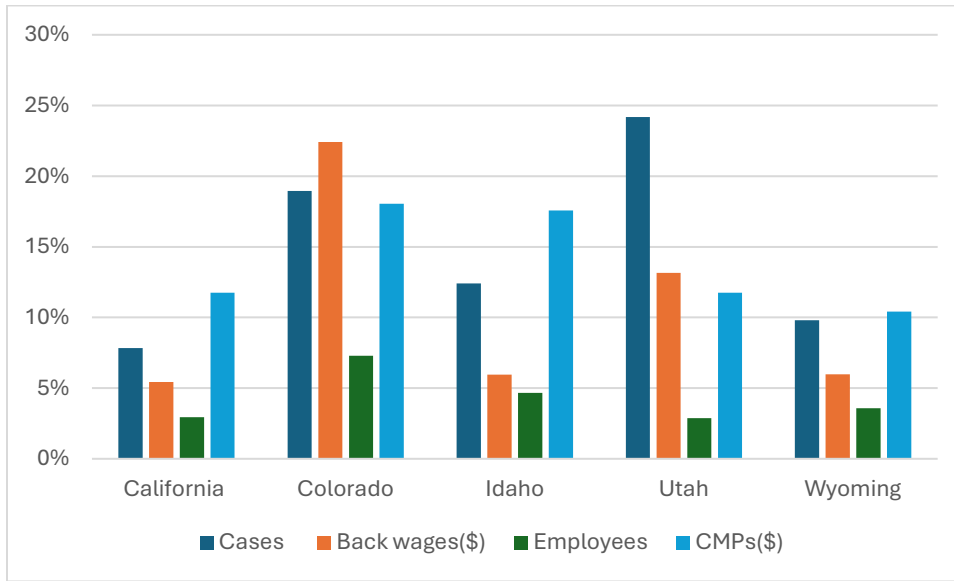
The largest Colorado back wage case was Slash EV Beef Ranch (Case 1690244), where five employees were due \$86,500 in back wages and \$8,250 in CMPs were assessed, most for failure to pay required wages. At Cross Mountain Ranch (Case 1728253), 5 workers were owed \$22,400 in back wages, and Cross Mountain was assessed \$35,400 in CMPs for failure to pay required wage rates.<sup>44</sup>

California has about 10 percent of US sheep and a similar share of WHD cases investigated by WHD and CMPs assessed. However, California has a lower share of sheep and goat employees who were owed back wages when compared to the size of the industry in the state.

<sup>43</sup> Some 1,026 H-2A Western Range Association herders in Utah were found to be owed \$29,400 in back wages in 2012, an average of about \$30 per herder, for WRA's failure to abide by inbound and outbound transportation requirements under 2008 and 2010 regulations; no CMPs were assessed in Case 1592544. WRA was headquartered in Utah at the time.

<sup>44</sup> Colorado herders may be the most studied; <https://www.rmpbs.org/blogs/news/colorado-sheepherders> and <https://combathumantrafficking.org/blog/protecting-the-rights-of-migrant-sheepherders/>.

**Figure 3. Top 5 states with wage and hour violations at sheep and goat establishments**



Source: US Department of Labor.

**Table 4. WHD violations found and share of average employment by NAICS, FY05-FY19**

CA: NAICS Code	Violations (FY05-FY19)	Share of Violations	Average QCEW Employment (2019)	Share of Employment	Ratio: Violations/ Employment
1111 Grain Crops	13	0.03%	2,954	0.70%	5%
1112 Veg and Melon Crops	3,721	9.46%	30,305	7.15%	132%
1113 Fruit and Nut Crops	10,451	26.58%	93,178	21.98%	121%
1114 Nursery Crops	646	1.64%	26,954	6.36%	26%
1119 Other Crops	2,016	5.13%	9,511	2.24%	229%
1121 Cattle/Dairy	11	0.03%	22,362	5.27%	1%
1122 Hogs and Pigs	0	0.00%	142	0.03%	0%
1123 Poultry and Eggs	13	0.03%	2,561	0.60%	5%
1124 Sheep and Goats	83	0.21%	369	0.09%	243%
1125 Aquaculture	21	0.05%	484	0.11%	47%
1129 Other Animal	413	1.05%	2,301	0.54%	194%
1131 Timber Tract	185	0.47%	26	0.01%	7671%
1132 Forest Nursery	173	0.44%	222	0.05%	840%

1133 Logging	15	0.04%	1,983	0.47%	8%
1141 Fishing	0	0.00%	411	0.10%	0%
1142 Hunting and Trapping	0	0.00%	57	0.01%	0%
1151 Crop Support	19,797	50.35%	225,097	53.10%	95%
1152 Animal Support	244	0.62%	2,987	0.70%	88%
1153 Forestry Support	1,520	3.87%	2,031	0.48%	807%
Total Violations / Employment	39,322	100.00%	423,935	100.00%	100%
115115 Farm Labor Contactors	18,691	47.53%	150,648	35.54%	134%

Source: Costa, Daniel, Philip Martin and Zach Rutledge. 2020. Federal labor standards enforcement in agriculture. Economic Policy Institute. <https://www.epi.org/publication/federal-labor-standards-enforcement-in-agriculture-data-reveal-the-biggest-violators-and-raise-new-questions-about-how-to-improve-and-target-efforts-to-protect-farmworkers/>.

### State Violation Data

California has several agencies that enforce labor laws. DLSE enforces state minimum wage, child labor, workers’ compensation, and related laws through the Bureau of Field Enforcement (BOFE) and responds to wage theft claims through the Wage Adjudication Unit. Cal/OSHA enforces occupational health and safety laws. Housing and Community Development (HCD) regulates employer-provided housing for employers with five or more employees. The Agricultural Labor Relations Board (ALRB) protects farmworkers’ rights to engage in collective action and responds to complaints of labor law violations from farmworkers. The California Civil Rights Department (CCRD) enforces civil rights laws, including in the areas of employment and housing. EDD reviews employer job orders for H-2A workers and inspects H-2A worker housing.

Workers whose rights are violated can contact DLSE, Cal/OSHA, HCD, EDD or another state agency to file a complaint. EDD oversees a complaint process that provides assistance to farmworkers to complete an intake form that details the alleged violations of state law and refers them to the appropriate agency. Since 2018, EDD filed four apparent violations on behalf of a herder.<sup>45</sup>

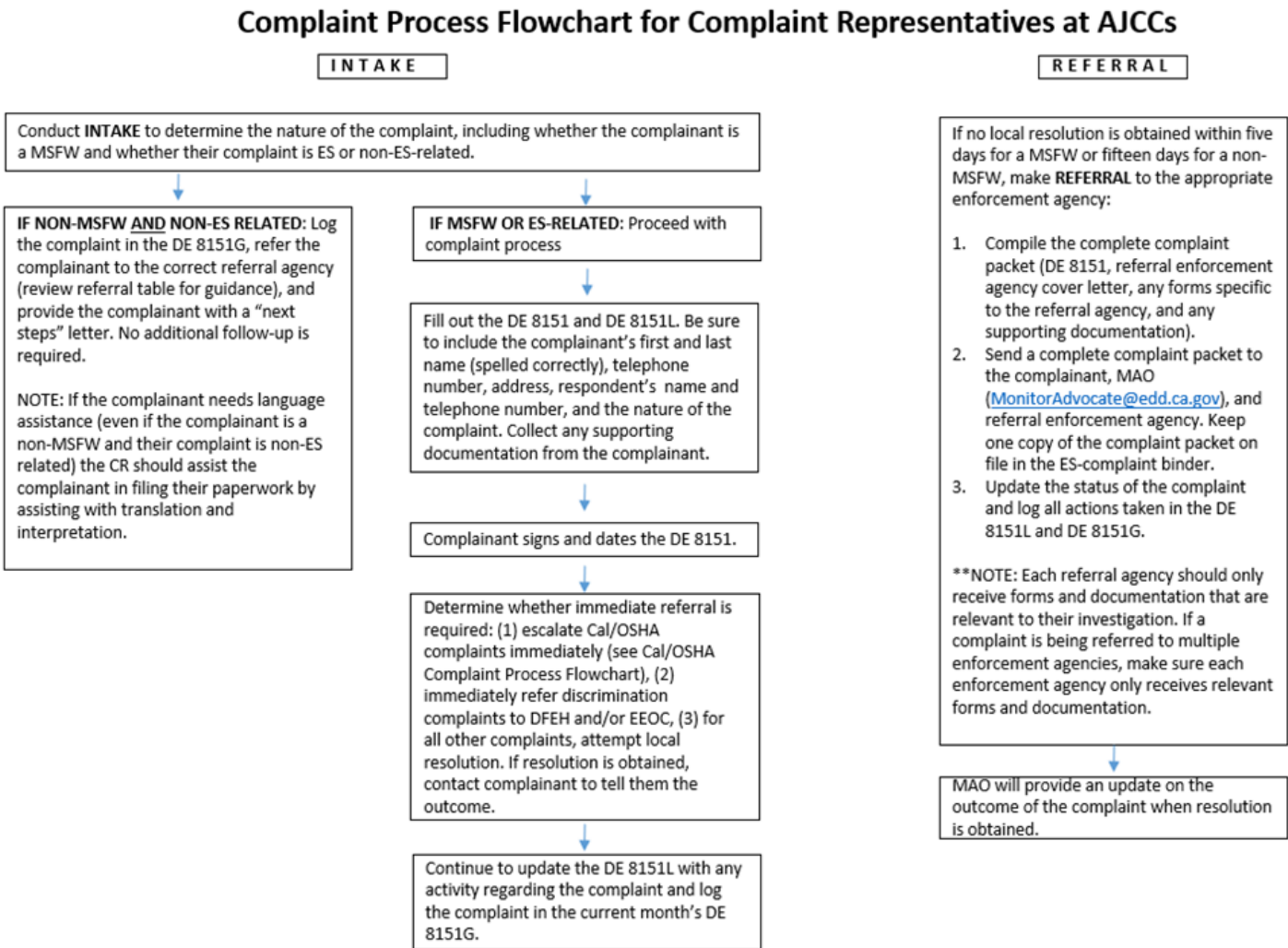
Between 2018 and 2024, there was one report of a labor law violation filed with the Labor Commissioner’s Office potentially involving herders, but no individual wage cases were filed by herders themselves. In addition, no BOFE investigations were completed that resulted in Labor Commissioner findings of violations. The Labor Commissioner’s Office had multiple herder-related investigations underway as of November 2025. Thus far, one of these investigations has closed and found that the employer was paying wages in accordance with California law.

---

<sup>45</sup> An apparent violation is an allegation against an employer that arises when an EDD representative observes, has reason to believe, or receives information indicating a suspected violation of Employment Services (ES) regulations or an employment-related law.

## EDD Complaints Processing

Figure 4. EDD complaint process for farm workers



Source: Employment Development Department, Employment Service Complaint System Guidance, [https://edd.ca.gov/en/jobs\\_and\\_training/wagner-peyser\\_act/employment-service-complaint-system-guidance/](https://edd.ca.gov/en/jobs_and_training/wagner-peyser_act/employment-service-complaint-system-guidance/).

Individuals may file a complaint with EDD using the two-page Complaint/Apparent Violation Form (DE 8151) found on EDD's website.<sup>46</sup> There are multiple ways for individuals to file a complaint with EDD related to violations of Employment Service (ES) regulations or employment-related law. A complaint may be filed:

<sup>46</sup> [https://edd.ca.gov/siteassets/files/pdf\\_pub\\_ctr/de8151.pdf](https://edd.ca.gov/siteassets/files/pdf_pub_ctr/de8151.pdf).

- **In-person:** By visiting the nearest America’s Job Center of California (AJCC) to file a complaint. EDD’s website includes an office locator to help individuals find the closest AJCC.<sup>47</sup>
- **Phone:** By calling and speaking with an EDD complaint representative who can assist with filing a complaint over the phone. Individuals are available to take complaints in multiple languages including Spanish and English.
- **E-mail:** By completing the DE 8151 form and emailing it to [ESComplaints@edd.ca.gov](mailto:ESComplaints@edd.ca.gov).
- **US mail:** By completing the DE 8151 form and mailing it to:

**Attn: Eduardo Rodriguez**  
P.O. Box 826880, MIC 50  
Sacramento, CA 94280-0001

In addition, there are 28 EDD offices designated as Significant Migrant and Seasonal Farmworker (MSFW) AJCCs that administer the MSFW Outreach Program. These offices employ dedicated outreach staff who are trained to explain the ES Complaint System process and assist individuals with the intake of complaints.

If a farmworker contacts an office that does not have a bilingual representative available, EDD provides translation and interpreter services at no cost to ensure the individual can receive assistance in their preferred language.

If EDD receives a complaint from a farmworker, EDD staff will assist with completing the intake and gather all pertinent information. Staff then attempt to resolve the complaint locally within 5 business days by contacting the employer to address the alleged violation. If a local resolution is achieved, the EDD complaint representative notifies the complainant in writing and the complaint is closed. If local resolution is not achieved, EDD refers the complaint to the appropriate State or Federal enforcement agency for investigation. EDD will continue to follow up with the enforcement agency every 30 days until the complaint is resolved.

If EDD receives a complaint from a farmworker after the work contract has begun, EDD follows the ES Complaint System process described above. This includes attempting local resolutions and, if a resolution is not achieved, referring the complaint to the appropriate enforcement agency for investigation.

Although EDD does not play a role in enforcement, it does issue deficiencies during pre-occupancy housing inspections when the housing does not meet the herder housing standards outlined in federal regulations (20 CFR 655.235). Employers have 5 business days to correct the deficiencies and bring the housing into compliance. If the employer does not correct the deficiencies within this time frame, EDD notifies the US DOL Chicago National Processing Center that the housing is not approved. This may result in a reduction in the number of workers requested or a full denial of the H-2A job order.

---

<sup>47</sup> [https://edd.ca.gov/en/Office\\_Locator/](https://edd.ca.gov/en/Office_Locator/).

## ***Housing and Community Development – Employee Housing***

The Department of Housing and Community Development (HCD) is authorized by the Employee Housing Act (EHA) to establish the Employee Housing (EH) Program. The EHA applies to private facilities that provide housing accommodation for five or more employees in California. The EHA and Department regulations are located in California Health and Safety Code (HSC), sections 17000-17062.5, and California Code of Regulations, Title 25 (CCR T25), sections 600-940.<sup>48</sup> These laws and regulations establish the minimum standards required for the operation, maintenance, and use of EH accommodations.

All privately owned/operated EH facilities in the state of California that meet the definition of “employee housing” in HSC, section 17008, must obtain a permit to operate (PTO) from HCD or the applicable local enforcement agency that has assumed enforcement responsibility. The PTO application process for HCD is outlined in T25 CCR, section 631, which requires annual HCD pre-occupancy/occupancy inspection(s) of EH facilities.<sup>49</sup>

Information on HCD’s pre-occupancy/occupancy inspections can be found in the *Employee Housing Facility Inspection Information Booklet For Owners, Operators, and Residents*.<sup>50</sup> Additional information about HCD’s EH Program and PTOs are located on HCD’s website.<sup>51</sup>

Any person or entity can file an EH complaint through HCD’s complaint system, by mail, or by phone.<sup>52</sup> Complaints can be filed anonymously, or the complainant can provide their contact information. Complaint allegations that are not within HCD’s authority are referred to the appropriate agency or jurisdiction.

Complaint allegations within HCD’s authority are investigated to verify that the allegation(s) constitute a violation of the applicable EH laws or regulations. When an investigation identifies the presence of one or more violations, a notice of violation is issued to the EH owner/operator and a reasonable amount of time is provided to correct the violations. An EH owner/operator who fails to abate violations in the time permitted may be subject to reinspection fees, penalties, or a suspension of the EH PTO. Penalties, civil penalties, and actions can be found in HSC, sections, 17061, 17061.9, and 17062.5; and T25 CCR, sections 922 and 940.

---

<sup>48</sup>[https://leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=HSC&division=13.&title=&part=1.&chapter=&article=](https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=HSC&division=13.&title=&part=1.&chapter=&article=)  
[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I3FCC12304C8611ECB533000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\).](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I3FCC12304C8611ECB533000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default).)

<sup>49</sup>[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=17008.;](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=17008.;)  
[https://govt.westlaw.com/calregs/Document/I4011A6B34C8611ECB533000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\).](https://govt.westlaw.com/calregs/Document/I4011A6B34C8611ECB533000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default).)

<sup>50</sup> <https://www.hcd.ca.gov/sites/default/files/docs/building-standards/hcd-eh-booklet-1.pdf>.

<sup>51</sup> <https://www.hcd.ca.gov/building-standards/employee-housing>.

<sup>52</sup> <https://www.hcd.ca.gov/mmh/mac/submit-complaint/submit>.

EH complaints may be submitted to HCD on their website.<sup>53</sup> HCD has no record of complaints related to sheepherders or goat herders since 2015.

### **Private Litigation**

Herders have filed suits against ranchers and the agents who recruit them, alleging violations of labor laws and H-2A regulations. For example, *Aliaga Aguero v. Esnoz* made 21 allegations against rancher Phillip Esnoz and the WRA in September 2022, including unpaid wages and trafficking. Aliaga Aguero sued Esnoz for back wages, reimbursement of expenses, and compensation for threats, poor food and housing, and emotional distress due to assault and surveillance. A settlement between Aliaga Aguero and Esnoz was reached in Fall 2025.

*Ucharima Alvarado v Western Range Association* (Case No. 3:22-cv-00249) is a class action suit that alleges the WRA conspired with eight Nevada rancher-members<sup>54</sup> to fix herder wages at the federal AEW. The WRA allegedly enforced this wage-fixing arrangement by preventing H-2A herders from moving between WRA-member ranchers without both ranchers' consent. By allegedly violating the Sherman Antitrust Act, Alvarado alleges that the WRA and its members in Nevada and other states are able to keep range herder wages at the federal monthly AEW.<sup>55</sup>

The Alvarado suit was filed in July 2022.<sup>56</sup> It called H-2A herders “indentured and vulnerable to abuse at the hands of employers who paid ... substantially less than minimum wage, and far less than... would have been paid in the absence of the anticompetitive scheme alleged herein... Many earn around \$4-\$5 per hour, for grueling work of 80-90 hours per week.” The suit seeks remedies for all herders who worked for WRA member ranchers after June 1, 2018.

WRA bylaws require that a herder who wants to move from one member ranch to another must obtain the consent of both ranchers and the WRA, so that four parties including the herder must agree to the transfer. The WRA allegedly discourages member ranchers from poaching or recruiting H-2A herders from other ranchers by offering better wages, working conditions or other inducements.

The Alvarado suit emphasizes that almost all job orders filed by WRA and its member ranches offer the federal or state minimum wage, and alleges that WRA's no-poaching bylaws keep herder wages from rising and thus discourage US workers from applying for herder jobs, including ex-H-2A herders who have settled in the US. Alvarado alleges that the WRA maintains

---

<sup>53</sup> <https://cahcd.my.site.com/s/create-complaint-type>.

<sup>54</sup> Borda Land & Sheep, Ellison Ranching, Faulkner Land and Livestock, F.I.M. Corp., Holland Ranch, John Espil Sheep, Little Paris Sheep, and Need More Sheep. If the herders prevail, the WRA and member ranchers would have to allow H-2A herders to change employers in Nevada and other states, including California; [https://www.govinfo.gov/app/details/USCOURTS-caed-1\\_22-cv-01237/context](https://www.govinfo.gov/app/details/USCOURTS-caed-1_22-cv-01237/context).

<sup>55</sup> The WRA, based in Salt Lake City, has an executive director and a board that includes member ranchers who pay WRA to recruit and transport H-2A herders to their ranches.

<sup>56</sup> <https://news.bloomberglaw.com/daily-labor-report/shepherd-sues-rancher-group-over-wage-antitrust-violations>.

the herder wage at the federal or state minimum wage<sup>57</sup> and turns a blind eye to “bonuses” that ranchers pay to experienced herders and are not disclosed on their job orders, which violates H-2A regulations.

The Alvarado suit cites a June 2014 note on the WRA web site that called attention to the “significant effort ... made jointly between Western Range and Mountain Plains last summer to locate and deport herders that had jumped their contract as well as to penalize those that assisted contract breakers in finding employment.” A federal judge in August 2025 rejected WRA and rancher efforts to dismiss the case.

The WRA acts as the dominant agent for ranchers in the western states. If the Alvarado suit requires WRA to change its policies on herder mobility in Nevada, the same changes would likely be implemented in California and other states where the WRA has member ranchers.

### **Consulates**

We contacted the consulates of Chile, Mexico, and Peru several times, requesting data on the number and the types of complaints they received from California sheep and goat H-2A herders. Neither the Chilean nor Peruvian Consulates responded to our requests. The Mexican Consulate reported no complaints from herders.

### **Workers’ Compensation**

California ranchers who employ herders must purchase workers’ compensation insurance to cover the cost of medical treatment and lost wages due to occupation-related injuries and illnesses. Workers’ compensation insurance, which is sold by private companies and the State Fund,<sup>58</sup> is no-fault in the sense that injured workers receive benefits without having to sue their employers. Range herders who are injured or fall ill are normally covered under workers’ compensation because they are on duty 24/7.

Four of the over 30 sheep and goat herders that we interviewed in 2025, including US supervisors, reported work-related injuries. Two reported sprains that did not lead to medical treatment; these two herders continued to work while recuperating and received their regular monthly wages. One herder reported a cut and another a broken finger, and both reported that their employer paid their medical expenses and their regular monthly wages as they recuperated.

The Workers’ Compensation Insurance Rating Bureau of California (WCIRB) includes goats with sheep, hog, or calf farms in workers’ compensation occupation code 0034(2),<sup>59</sup> which had an advisory pure premium rate of \$5.62 per \$100 in wages paid effective September 1, 2025,

---

<sup>57</sup> The suit alleges that it would be rational for ranchers to compete with each other by offering higher wages to the best herders, defined as those that manage flocks that lose the fewest sheep and where ewes have the most lambs.

<sup>58</sup> <https://www.statefundca.com>.

<sup>59</sup> [https://www.wcirb.com/products-and-services/classification-search?classification\\_code\\_fulltext=0034%282%29&search\\_api\\_fulltext=&sort\\_by=search\\_api\\_relevanc](https://www.wcirb.com/products-and-services/classification-search?classification_code_fulltext=0034%282%29&search_api_fulltext=&sort_by=search_api_relevanc)e.

down from \$6.34 the year before.<sup>60</sup> Pure premium rates are based on “loss and payroll data submitted to the WCIRB by all insurance companies.”

Workers’ compensation insurers typically use the WCIRB’s advisory pure premium rates as the starting point for their rates. Doing so allows them to account for administrative costs and profits (advisory pure premium rates are typically lower than the actual rates charged by insurers). The September 1, 2025 pure premium rates in farming occupations ranged from a low of \$2.51 per \$100 of wages paid in strawberries (0079) to a high of \$11.24 in tree pruning (0106); landscaping and gardening (0042) was \$5.30.<sup>61</sup>

**Table 5. Most sheep and goat herders are in workers’ compensation code 0034(2); some are in 0042**

Workers’ Compensation Insurance Rating Bureau of California (WCIRB) Class Codes		
Seq. No.	Class Code	Wording
2	0005	Nurseries – propagation and cultivation
3	0016	Orchards – citrus or deciduous fruits
4	0034	Poultry raising; sheep, hog or calf farms
5	0035	Florists – cultivating or gardening
6	0036	Dairy farms
7	0038	Stock farms; livestock feed yards
8	0040	Vineyards
9	0041	Potato crops
10	0042	Landscape gardening
11	0045	Orchards – nut crops
12	0050	Farm machinery operation
13	0079	Strawberry crops
14	0096	Nut hulling, shelling or processing
15	0106	Tree pruning, repairing or trimming
16	0171	Field crops
17	0172	Truck farms

Source: Workers’ Compensation Insurance Rating Bureau of California, <https://www.wcirb.com/>.

The California Department of Insurance reports the approved premium for each \$100 in wages by occupation code charged by the firms that sell workers’ compensation insurance.<sup>62</sup> The rates charged in 2023 and 2024 for occupation code 0034 ranged from \$5.08 to \$27.61, and varied by

<sup>60</sup> Some ranchers said that herders engaged in vegetation management were classified as landscapers. A WCIRB committee that includes employer and labor representatives can create new occupation codes, as for herders involved in vegetation management; <https://www.wcirb.com/about-us/committees-and-working-groups/governing-committee>.

<sup>61</sup> Rates are available at <https://www.wcirb.com/research-and-education/research-studies-and-reports/approved-september-1-2025-advisory-pure-premium-rates-xls-file>.

<sup>62</sup> <https://www.wcirb.com/products-and-services/classification-search/sheep-hog-or-calf-farms>.

territory.<sup>63</sup> Most insurers do not distinguish between 0034(A) poultry and 0034(B) sheep and goats.

**Table 6. DOI-approved workers' compensation insurance rates for occupation code 0034**

NAIC Number	Short Company Name	Class Code	Territory	Manual Rate	Effective Date
22985	Sequoia Ins Co	0034	Terr 3	5.08	6/1/2023
22985	Sequoia Ins Co	0034	Terr 12	5.47	6/1/2023
22667	Ace Amer Ins Co	0034		5.54	1/1/2024
19399	AIU Ins Co	0034		5.67	9/1/2024
22985	Sequoia Ins Co	0034	Terr 5	6.20	6/1/2023
22985	Sequoia Ins Co	0034	Terr 10	6.43	6/1/2023
22985	Sequoia Ins Co	0034	Terr 2	6.43	6/1/2023
22985	Sequoia Ins Co	0034	Terr 4	6.43	6/1/2023
22985	Sequoia Ins Co	0034	Terr 0	6.77	6/1/2023
22985	Sequoia Ins Co	0034	Terr 11	6.93	6/1/2023
22985	Sequoia Ins Co	0034	Terr 13	6.93	6/1/2023
22985	Sequoia Ins Co	0034	Terr 7	7.18	6/1/2023
22985	Sequoia Ins Co	0034	Terr 8	7.29	6/1/2023
22985	Sequoia Ins Co	0034	Terr 9	7.29	6/1/2023
42376	Technology Ins Co Inc	0034	Terr 0	7.95	6/1/2023
15105	Safety Natl Cas Corp	0034		8.36	3/1/2023
13269	Zenith Ins Co	0034	Terr C_D07	8.40	9/1/2024
10346	Employers Preferred Ins Co	0034		9.00	11/1/2023
40142	American Zurich Ins Co	0034		9.16	1/1/2024
24147	Old Republic Ins Co	0034		9.19	9/1/2024
25143	State Farm Fire & Cas Co	0034		9.41	12/1/2023
22985	Sequoia Ins Co	0034	Terr 1	9.47	6/1/2023
22985	Sequoia Ins Co	0034	Terr 6	9.47	6/1/2023
38776	SiriusPoint Amer Ins Co	0034		9.59	10/1/2023
34690	Property & Cas Ins Co Of Hartford	0034		9.69	2/15/2024
38733	Alaska Natl Ins Co	0034		10.20	9/1/2024
20338	Palomar Specialty Ins Co	0034		10.34	7/1/2022
22179	Republic Ind Co Of Amer	0034		10.46	9/1/2024
11555	Pacific Compensation Ins Co	0034		10.79	9/1/2024
15563	Clear Spring Prop & Cas Co	0034		10.80	11/1/2023
25402	Employers Assur Co	0034		10.87	11/1/2023
23035	Liberty Mut Fire Ins Co	0034		10.92	1/1/2024
27847	Insurance Co Of The West	0034		10.95	9/1/2024
25674	Travelers Prop Cas Co Of Amer	0034	Terr 100	10.97	9/1/2024
40517	WCF Natl Ins Co	0034		11.11	9/1/2024

<sup>63</sup> <https://www.insurance.ca.gov/01-consumers/105-type/9-compare-prem/wc-rate/>.

31470	Norguard Ins Co	0034		11.27	9/1/2024
19879	Security Natl Ins Company	0034	Terr 0	11.28	6/1/2023
19445	National Union Fire Ins Co of Pittsb	0034		11.34	9/1/2024
25496	StarStone Natl Ins Co	0034		11.51	9/1/2024
34630	Oak River Ins Co	0034		11.53	9/1/2024
16045	Everest Premier Ins Co	0034		11.54	9/1/2024
39152	Service Amer Ind Co	0034		11.54	9/1/2024
15884	Falls Lake Fire & Cas Co	0034		11.57	9/1/2023
37885	XL Specialty Ins Co	0034		11.57	11/1/2023
41394	Benchmark Ins Co	0034		11.88	9/1/2024
11150	Arch Ins Co	0034		12.18	4/1/2024
12177	Compwest Ins Co	0034		12.30	9/1/2024
20281	Federal Ins Co	0034		12.30	1/1/2024
29157	United WI Ins Co	0034		12.30	9/1/2024
11991	National Cas Co	0034		12.37	9/1/2024
20044	Berkshire Hathaway Homestate Ins Co	0034		12.88	9/1/2024
10855	Cypress Ins Co	0034		12.88	9/1/2024
38318	Starr Ind & Liab Co	0034		13.05	9/1/2024
16535	Zurich Amer Ins Co	0034		13.09	1/1/2024
38970	Markel Ins Co	0034		13.22	10/1/2024
25011	Wesco Ins Co	0034	Terr 0	13.54	6/1/2023
10120	Everest Natl Ins Co	0034		13.57	9/1/2024
11673	Redwood Fire & Cas Ins Co	0034		14.17	9/1/2024
10900	Preferred Employers Ins Co	0034	Terr 1	15.34	9/1/2024
10900	Preferred Employers Ins Co	0034	Terr 7	16.06	9/1/2024
21687	Mid Century Ins Co	0034	Terr 1	16.08	1/1/2023
35076	State Compensation Ins Fund	0034		16.11	9/1/2023
21687	Mid Century Ins Co	0034	Terr 2	16.28	1/1/2023
10900	Preferred Employers Ins Co	0034	Terr 4	16.78	9/1/2024
29424	Hartford Cas Ins Co	0034		17.63	2/15/2024
11000	Sentinel Ins Co Ltd	0034		17.63	2/15/2024
21687	Mid Century Ins Co	0034	Terr 7	17.65	1/1/2023
21687	Mid Century Ins Co	0034	Terr 3	18.24	1/1/2023
21687	Mid Century Ins Co	0034	Terr 5	18.24	1/1/2023
10900	Preferred Employers Ins Co	0034	Terr 3	18.94	9/1/2024
21687	Mid Century Ins Co	0034	Terr 4	19.02	1/1/2023
21687	Mid Century Ins Co	0034	Terr 9	20.59	1/1/2023
21687	Mid Century Ins Co	0034	Terr 6	20.79	1/1/2023
10900	Preferred Employers Ins Co	0034	Terr 2	21.47	9/1/2024
21687	Mid Century Ins Co	0034	Terr 11	22.36	1/1/2023
21687	Mid Century Ins Co	0034	Terr 8	23.93	1/1/2023
21687	Mid Century Ins Co	0034	Terr 10	25.50	1/1/2023

10900	Preferred Employers Ins Co	0034	Terr 5	25.98	9/1/2024
10900	Preferred Employers Ins Co	0034	Terr 6	27.61	9/1/2024

Source: California Department of Insurance, Workers' Compensation Rate Comparison, <https://www.insurance.ca.gov/01-consumers/105-type/9-compare-prem/wc-rate/>.

We received injury and illness data from the WCIRB that allowed us to examine injuries and illnesses by type of business establishment, such as NAICS 11241 sheep farming and NAICS 11242 goat farming, as well as related establishment types such as NAICS 11211 beef cattle ranching and farming, NAICS 11212 dairy cattle and milk production, and NAICS 1151 support activities for crop production. However, we found that the injury data could not be compared to employment data to calculate injury-to-employment ratios because workers' compensation insurers and the WCIRB focus on occupation code rather than NAICS code. For example, WCIRB reported some 232 illnesses and injuries for NAICS 11241 sheep farms in 2022, while DOL reported the average employment in NAICS 11241 for 2022 was 229 employees. We do not interpret this as all sheep farm employees being injured. Instead, this likely means that injuries on poultry and other non-sheep farms were attributed to sheep farms, a factor that should be considered in injury-to-employment analyses.

**Table 7. Injuries reported by NAICS code, 2015-24**

Year	Beef (11211)	Dairy (11212)	Sheep (11241)	Goats (11242)	Crop Support (11511)
2015	150	2,018	98	0	3,048
2016	155	2,055	98	0	3,091
2017	156	1,981	141	0	4,082
2018	170	1,864	183	0	4,329
2019	184	2,037	165	3	4,891
2020	150	1,816	197	7	5,572
2021	89	1,891	226	17	5,932
2022	90	1,688	232	29	4,827
2023	68	1,607	159	22	4,177
2024	159	1,350	94	17	3,830
Total	1,371	18,307	1,593	95	43,779
2020-23	397	7,002	814	75	20,508
Average annual	137	1,831	159	10	4,378

Source: Workers' Compensation Insurance Rating Bureau of California, <https://www.wcirb.com/>.

**Table 8. Average employment by NAICS, 2015-24**

Average QCEW Employment					
Year	Beef	Dairy	Sheep	Goats	Crop Support
2015	4,827	18,057	292	187	208,857
2016	4,820	18,014	256	102	215,512

2017	4,818	18,170	244	138	216,652
2018	4,975	17,928	252	152	221,664
2019	4,693	17,669	263	107	224,853
2020	4,713	17,596	250	121	212,031
2021	4,856	17,402	236	133	216,622
2022	5,033	17,432	229	136	224,638
2023	4,863	16,866	222	132	219,735

**Injury-to-Employment Ratios, 2015-23**

Year	Beef	Dairy	Sheep	Goats	Crop Support
2015	3%	11%	34%	0%	1%
2016	3%	11%	38%	0%	1%
2017	3%	11%	58%	0%	2%
2018	3%	10%	73%	0%	2%
2019	4%	12%	63%	3%	2%
2020	3%	10%	79%	6%	3%
2021	2%	11%	96%	13%	3%
2022	2%	10%	101%	21%	2%
2023	1%	10%	72%	17%	2%

Source: Department of Industrial Relations and US Bureau of Labor Statistics Quarterly Census of Employment and Wages, <https://www.bls.gov/cew/>.

DIR’s Division of Workers’ Compensation (DWC) provided data on employers by NAICS, class code, and occupation between 2015 and 2025. These data show that most of the illnesses and injuries attributed to farms in NAICS 11241 did not involve herders.

The DWC listed 1,645 illnesses and injuries in NAICS 11241 (sheep farms), but only 66 involved herders. All of the herder injuries were in occupation code 0034, and most were sprains or tears incurred while loading and unloading animals and materials, building fences, or driving ATVs. Over 10 years, one sheep rancher had eight injured workers, and three sheep ranchers had seven injured workers. Collectively, these four employers accounted for almost half of the 66 herder injuries.

Of the 1,645 injury claims reported by farms classified in NAICS 11241 (sheep farms) since 2015, a farm that cares for dairy calves accounted for 995 claims or 60 percent of the total reported claims and a beef cattle farm accounted for 176 claims or 11 percent of the total reported claims.

Goat industry data tell a similar story. There were 108 illnesses and injuries in NAICS 11242 (goat farms), including eight that involved goat farms and four that involved herders. The goat-related injuries occurred on three farms and involved herders as well as maintenance workers and a rancher. The employer that accounted for over half of the injuries reported in NAICS 11242 (goat farms) raised dairy calves and was classified as NAICS 424530 (livestock merchant wholesalers) in other databases.

The DWC data suggest that injury and illness data must be examined carefully when dealing with sheep and goat ranches. Perhaps some of the dairy, cattle, and livestock farms classified as sheep and goat farms once raised sheep and goats, explaining why injuries to dairy, cattle, and livestock employees continue to be reported as injuries to sheep and goat workers rather than cattle workers.

Available data do not provide a clear picture of workplace safety in sheep and goat ranching, especially for H-2A herders. NAICS industry codes can be wrong, as when cattle ranches are classified as sheep ranches. There is also a discrepancy between workers' compensation and Cal/OSHA data, since several of the deaths of H-2A herders reported in Cal/OSHA data are not reflected in workers' compensation claim data for sheep and goats.

### **Cal/OSHA, Health Insurance, and Sick Leave**

The Division of Occupational Safety and Health (DOSH or Cal/OSHA) enforces workplace safety laws by setting and enforcing workplace health and safety standards.<sup>64</sup>

In 2023-24, Cal/OSHA received 319 complaints from the agricultural industry, about the same number as in previous state fiscal years. By comparison, there were over 1,000 complaints from the retail trade, health care, hotels and restaurants, manufacturing, and construction industries. Two-thirds of Cal/OSHA inspections resulted in fines that averaged \$8,000.

California employers are required to have injury and illness prevention programs (IIPPs) that anticipate and remedy workplace hazards. In addition, employers who employ outdoor workers must have a heat illness prevention plan. Anyone can file a complaint with Cal/OSHA, and employers and first responders are required to report serious injuries and fatalities to Cal/OSHA, prompting an investigation within three days. After investigations, Cal/OSHA can issue citations and refer egregious cases to local prosecutors in the event of criminal conduct.

Federal OSHA maintains a database that includes the outcomes of Cal/OSHA investigations.<sup>65</sup> Cal/OSHA provided data for both complaints about and fatalities in the goat and sheep herding industry between 2015 and 2025. In addition, we researched sheep and goats in the OSHA database.

Four Cal/OSHA investigations responded to fatalities:

- Blue Tent Farms, Red Bluff, #1741002, NAICS 115310 Support Activities for Forestry, 2021 death of goat herder due to carbon monoxide poisoning in employer-provided trailer, \$7,065 penalty<sup>66</sup>
- Starcreek Land Stewards, Inc, #1630168, Los Banos, NAICS 11241 Sheep Farming, herder death from ATV crash 10/23/22, the herder was not wearing a helmet and crashed into a trailer, \$2,000 penalty

---

<sup>64</sup> <https://www.dir.ca.gov/dosh/>.

<sup>65</sup> <https://www.osha.gov/ords/imis/establishment.html>.

<sup>66</sup> [https://www.osha.gov/ords/imis/establishment.inspection\\_detail?id=1518140.015](https://www.osha.gov/ords/imis/establishment.inspection_detail?id=1518140.015).

- Joe Paesano, #1248867, Porterville, NAICS 11241 Sheep Farming, 54-year-old herder died 6/24/17, death from heart attack potentially related to heat illness, \$9,750 penalty
- I & M Sheep Company, #1108918, Corcoran, NAICS 11241 Sheep Farming, herder died after ATV accident 11/30/15, \$10,800 penalty

Three Cal/OSHA investigations responded to serious injuries:

- A&F Sheep Company, #1883291, Bakersfield, NAICS 424520 Livestock Merchant Wholesalers, 2022 ATV accident, \$11,810 penalty<sup>67</sup>
- M&J Farms, #1813836, Hughson NAICS 11241 Sheep Farming, cased closed after accident 9/19/25 without citation
- Capra Environmental Services Corporation, Rio Linda, NAICS 561730 Landscaping Services, a fall resulting in a head injury and vertebral fracture, 8/18/22, \$8,750 penalty

Two Cal/OSHA investigations responded to complaints:

- Indacochea Sheep Ranch, #1119858, Perris, NAICS 11241 Sheep Farming 1/22/16 inspection found no issues
- Vera Goat Dairy, #1173520, Stratford, NAICS 112420 Goat Farming, lack of a heat illness prevention program, 2016-2017, \$340 penalty (Vera Goat Dairy does not employ H-2A herders)

### ***Health Insurance***

Employers must have workers' compensation insurance for work-related injuries but are not required to provide health insurance to H-2A and US workers under the Affordable Care Act (ACA) unless they have 50 or more full-time equivalent employees.<sup>68</sup> All California residents including H-2A herders may receive emergency medical services, but H-2A herders are generally not considered "qualified immigrants" eligible for Medicaid.

Section 18B of the US Fair Labor Standards Act requires employers to inform all newly hired employees, including H-2A herders, of the availability of health insurance through Covered California, and to assist employees who apply for health insurance. H-2A herders may purchase health insurance via the ACA Marketplace within 60 days of their arrival and may qualify for subsidies if their earnings are less than 400 percent of the Federal Poverty Level, which is \$15,560 for one person and \$32,150 for a family of four in 2025.

Five of the over 30 herders we interviewed, including supervisors who had become US permanent residents or citizens, had health insurance via Kaiser or Covered California, and reported paying premiums of \$20 to \$85 a month. Three herders reported paying their own medical bills for non-work-related dental and medical issues, while four others reported that their employers paid the bills for non-work-related care.

---

<sup>67</sup> [https://www.osha.gov/ords/imis/establishment.inspection\\_detail?id=1587703.015](https://www.osha.gov/ords/imis/establishment.inspection_detail?id=1587703.015).

<sup>68</sup> We found no California sheep and goat ranch that satisfied the 50 full-time employee provision.

## ***Sick Leave***

California employers must provide all employees employed at least 90 days with five days or forty hours of paid sick leave. Under this law, employees who request sick leave must have worked at least 30 days with the employer from whom paid sick leave is requested; however, nothing prohibits an employer from providing sick leave before 30 days has expired.<sup>69</sup> Paid sick leave can be used for the diagnosis, care, or treatment of an existing health condition or preventative care for employees or family members.<sup>70</sup> Employers must post information about paid sick leave and indicate how much sick leave each employee has accrued on pay stubs or other documents that are issued with pay stubs.

SB 1105 (Padilla, 2024), passed in September 2024, allows agricultural employees (defined in Labor Code section 9110 as those covered by IWC orders 8, 13, or 14) who work outdoors to use any accrued paid sick leave “to avoid smoke, heat, or flooding conditions created by a local or state emergency, including when the employee’s worksite is closed due to the smoke, heat, or flooding conditions.”<sup>71</sup>

During interviews we asked specifically about paid sick leave. None of the H-2A herders knew about their right to paid sick leave, perhaps because of their 24/7 work schedules and guaranteed monthly wage. Herders with illnesses reported that they worked fewer hours while receiving full pay until they recovered. None of the herders we interviewed reported requesting time off due to smoke or heat.

## **Unlawful Recruitment Fees**

Worker advocates expressed concern that some herders are required to pay recruitment or visa fees in their home countries in order to obtain US herder jobs. Such violations of H-2A regulations are difficult to detect because there are no receipts for such payments and workers fear retaliation. Although H-2A regulations require employers to cover the costs of visas, recruitment, and inbound transportation, there are reports of illegal recruitment fees.<sup>72</sup>

None of the herders we interviewed reported paying recruitment or visa fees to a recruitment agency. The two major associations of ranchers, the Western Range Association (WRA) and Mountain Plains Agricultural Services (MPAS), maintain offices in Lima that recruit and transport Peruvian herders to the US. Most herders are from mountainous areas outside Lima, and most paid for transport from their homes to Lima and the cost of physical exams in Lima. Advocates say that some H-2A herders pay relatives or others to introduce them to Lima-based WRA and MPAS recruiters,<sup>73</sup> but none of the herders we interviewed reported paying fees

---

<sup>69</sup> [https://www.dir.ca.gov/dlse/paid\\_sick\\_leave.htm](https://www.dir.ca.gov/dlse/paid_sick_leave.htm).

<sup>70</sup> The Healthy Workplaces, Healthy Families Act of 2014.

<sup>71</sup> <https://www.rosascolawgroup.com/2024/10/14/14948/legislative-update-expanded-sick-leave-for-agricultural-workers/>.

<sup>72</sup> Press accounts of H-2A herders who left ranchers who abused them and reported paying fees for their jobs deal with Colorado and Wyoming, not California; <https://thefern.org/2023/10/alone-on-the-range/>.

directly to the recruiters or performing non-paid work in their home country to obtain their H-2A visas.

## HERDER DEMOGRAPHICS AND H-2A PROCEDURES

Based on our interviews, we found that sheep and goat herders in California are mostly married Peruvian and Mexican men employed by one rancher for three years, typically under six contracts that average six months each. After three years, H-2A herders return to their home countries for at least three months, after which they can return to the US for another three-year H-2A herder job. Compared to other H-2A workers, a higher share of H-2A herders are over 40 and a far higher share are from Peru.

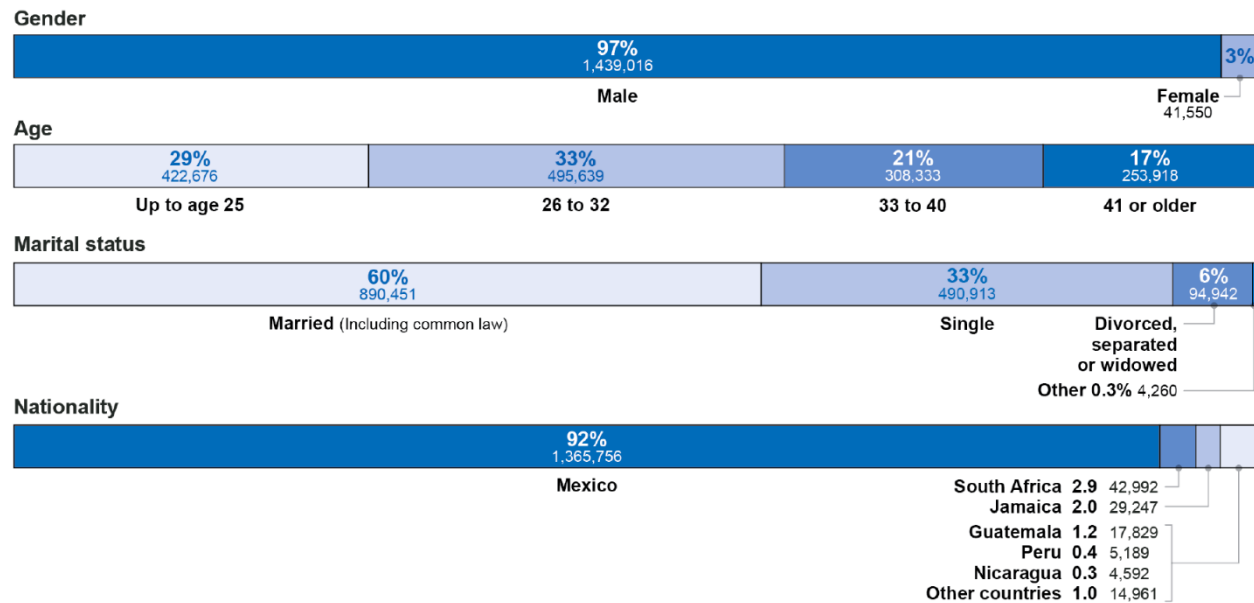
### Herders in 2025

We interviewed over 30 California herders employed by 20 ranchers in spring 2025, and learned:

- Two thirds of herders interviewed were from Peru, while the remaining third were from Mexico.
- Two thirds of herders interviewed had less than six years of schooling. Older herders typically had five years of schooling, while herders under 30 often completed secondary school.
- Two-thirds of herders interviewed had previous experience herding sheep at home, where they care for smaller flocks of 50 to 250 animals rather than the over 1,000 animal flocks typical in California.
- One-third of the herders interviewed were single, one third were married, and the remaining third had a co-habitant partner at home. Two-thirds of herders interviewed had at least one child at home.
- Many H-2A herders worked for no or low wages at home. Among those with earnings at home, most earned \$2,400 to \$3,800 a year (8,000 to 14,000 Sols or 44,000 to 70,000 pesos) or \$200 to \$300 a month.
- Most H-2A herders had worked in the US for 10 to 20 years, were 40 and older, and spoke no or very little English.
- All H-2A herders had their passports and visas, most had CA driver's licenses, and most have access to an employer-provided vehicle or ATV.
- Almost all H-2A herders knew that they are covered by workers' compensation, health, and SDI, but few knew about paid sick leave, and none used sick leave.
- The H-2A herders said they preferred to work in California, would like to return to California to herd again, and would recommend herding in California to relatives and friends.
- When asked about the worst aspect of herding, most H-2A herders cited being away from family; two reported lambing as the worst aspect of herding.

**Figure 5. Demographics of H-2A workers issued visas, fiscal years 2018-2023**

**Figure 4: Demographics of H-2A Workers Issued Visas, Fiscal Years 2018–2023**



Source: GAO analysis of Department of State nonimmigrant visa issuance data. | GAO-25-106389

Source: Reprinted from US Government Accountability Office, H-2A Visa Program: Agencies Should Take Additional Steps to Improve Oversight and Enforcement, page 19, <https://www.gao.gov/assets/gao-25-106389.pdf>.

Almost all California ranchers who hire H-2A herders rely on agents for recruitment, visa processing, and transportation of herders to US worksites. The major agents that recruit herders, transport them to US ranchers, and are points of contact for herders with problems and issues are:

- Western Range Association (WRA) based in Twin Falls, Idaho<sup>74</sup>
- Mountain Plains Agricultural Service (MPAS) based in Casper, Wyoming
- Peak Season Labor (PSL) based in Pablo, Montana

Several other agents and attorneys also recruit H-2A herders for California sheep and goat farms, including Idaho-based Snake River Farmers’ Association (SRFA), and some ranchers file on their own. No California H-2A herder applications were filed by Farm Labor Contractors.

Most California sheep and goat ranchers rely on the WRA or MPAS to recruit and transport H-2A herders to the ranches. Industry sources report that WRA has about 200 member employers and accounts for 2/3 of H-2A cattle, sheep, and goat herders, while MPAS has about 100

<sup>74</sup> Martin reported almost 1,100 H-2A herders on 235 WRA member ranches in 1994, including 320 H-2A herders in California who were paid about \$700 a month and the equivalent of \$200 a month for cost of transportation, workers compensation, and WRA costs. In the early 1990s, Martin reported that most sheepshearers were US citizens; Philip Martin, *Labor in the Western Sheep Industry* (Sept. 27, 1994).

members and accounts for a third of H-2A herders.<sup>75</sup> Most H-2A herders have two contracts a year, so 710 California “workers” in the table below means about 355 unique H-2A herders.

**Table 9. WRA, MPAS, and PSL are the major agents for California ranchers who employ H-2A herders, FY24**

<b>Agent/Association</b>	<b># of ER Members</b>	<b># of Job Orders Filed</b>	<b># of Workers</b>
Western Range Association	44	104	426
Mountain Plains Agricultural Service	15	28	165
Peak Season Labor	11	22	117
Employer Filed (No Agent)	1	1	2
<b>Total</b>	<b>71</b>	<b>155</b>	<b>710</b>

Source: Employment Development Department analysis of H-2A certification data.

Once H-2A herders are in the US, ranchers are responsible for compliance with H-2A regulations and state labor laws. The associations operate hotlines for herders to report issues with their employer.

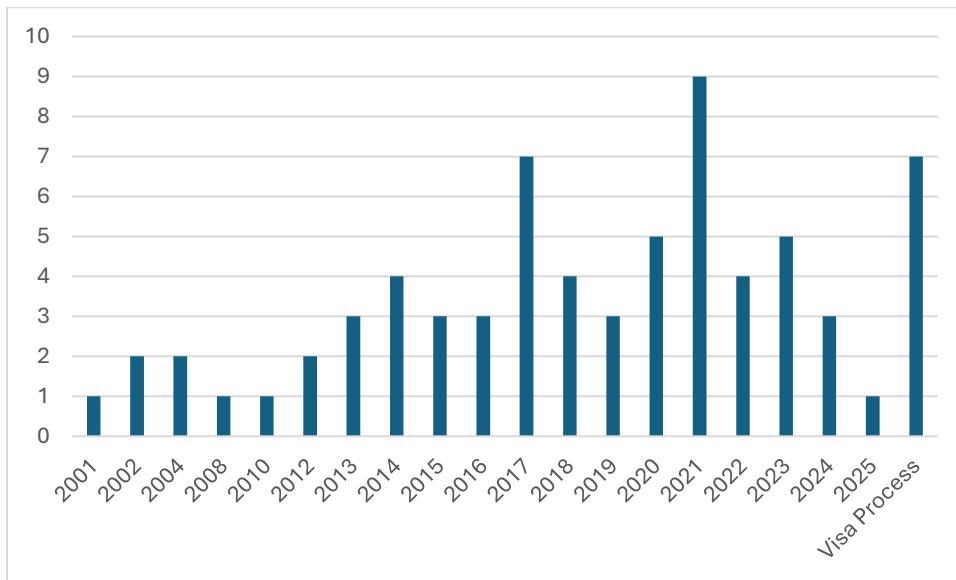
In February 2018, MPAS had 18 California employer clients, including 13 with at least one range herder and five with herders who were paid hourly wages.<sup>76</sup> MPAS’s California employers had 94 male H-2A herders whose average age was 39, including 70 who work as range herders at least part of the year (60 from Peru and 10 from Mexico). MPAS had 25 hourly H-2A herders, 18 from Peru and seven from Mexico.

Of the 70 MPAS California H-2A herders, 10 percent were in the process of obtaining their first MPAS-arranged visa while nine obtained their first MPAS-arranged visa in 2021 and seven in 2017. Most of the 100 H-2A herders recruited by MPAS for California ranchers since 2001 had at least five years’ experience by 2025, including 10 percent with at least 15 years’ experience.

<sup>75</sup> WRA in the past was a joint employer of H-2A herders, which facilitated the movement of herders from one member employer to another.

<sup>76</sup> One of the hourly herders is a woman; all of the range herders are men.

**Figure 6. Some MPAS California herders received their first H-2A visas in the early 2000s**



Note: “Visa process” means that the herder is waiting for an H-2A visa to be issued. Source: Mountain Plains Agricultural Service.

MPAS recruited over 1,000 H-2A herders in 2025 for clients in the western states, including half for ranches in Colorado and Utah. Over 85 percent of MPAS H-2A herders were paid monthly wages and 15 percent were paid hourly wages. Over 62 percent were from Peru and 37 percent were from Mexico. The average age of MPAS H-2A herders was 40, the median age was 39, and MPAS herders ranged in age from 19 to 73.

Of the 18 California MPAS ranchers with H-2A herders, 13 had at least one range herder and five had hourly herders.<sup>77</sup> The rancher with the most H-2A herders, 33, paid hourly wages. One MPAS rancher had 29 H-2A herders with 24/7 work schedules.

<sup>77</sup> One of the hourly MPAS herders is a woman; all of the range herders are men.

**Table 10. MPAS rancher clients by wage system and number of herders, 2025**

<b>Rancher #</b>	<b>Wage System</b>	<b>Herders employed, n</b>
1	Hourly	1
2	Hourly	2
3	Hourly	7
4	Hourly	9
5	Hourly	14
6	Hourly	17
7	Hourly	33
8	Monthly	2
9	Monthly	5
10	Monthly	9
11	Monthly	10
12	Monthly	10
13	Monthly	12
14	Monthly	12
15	Monthly	16
16	Monthly	16
17	Monthly	17
18	Monthly	29

Source: Mountain Plains Agricultural Service.

MPAS told DOL that 18 US workers applied for 400 California sheep and goat herder jobs between 2011 and 2015. Of these 18 US workers, 10 were found not qualified and eight withdrew their applications, so none of the US workers were hired.<sup>78</sup>

### **Past California Herder Surveys**

In 2000, Schneider et al. interviewed 41 sheepherders in the San Joaquin Valley and found that many lacked potable water, refrigeration for perishable food, and access to health care or transportation. The Schneider report concluded that employers “exercised almost complete control over the sheepherders’ lives during three-year DOL-approved employment contracts.”<sup>79</sup>

The Schneider report found that most herders did not have radios, TVs, or reading materials, were sometimes prohibited from having visitors, and depended on employers to deliver food and mail and to transport them to places so that they could call home and communicate with friends. Some herders told Schneider that they had “no good experiences” while herding in California.

The Schneider report prompted the IWC<sup>80</sup> to revisit the exemption of sheepherders from the California minimum wage. The IWC held hearings in Fall 2000 that asked whether the then \$900

<sup>78</sup> DOL reported MPAS data in the Federal Register, October 16, 2015, p62989.

<sup>79</sup> Chris Schneider et al., *Suffering in the Pastures of Plenty: Experiences of H-2A Sheepherders in California’s Central Valley* (2000).

<sup>80</sup> As previously noted, the IWC is no longer active or currently funded by the legislature. The IWC was created in 1913 to regulate the wages, hours, and working conditions of women and children. After the

monthly minimum herder wage should be increased.<sup>81</sup> Victor Flores, then head of the Shepherders' Union, said that poor quality food and water left herders sick and asserted that herders who complained were blacklisted and unable to obtain H-2A herding jobs.

Employers told the IWC that H-2A herders were satisfied with their jobs because they were earning high US wages and most returned for subsequent contracts. Some employers told the IWC that, except during lambing season, range herders typically worked 7 or 8 hours per day.

The IWC convened a shepherd wage board in January 2001 that included employers and worker advocates. This board failed to agree on a minimum range herder wage, so the IWC held public hearings in March-April 2001 that featured testimony from advocates who argued that range herders should be paid for all on-duty hours and employers who countered that federal H-2A regulations, including the federal monthly AEW, protected H-2A herders.

In April 2001, the IWC increased the minimum wage for California range herders from \$900 to \$1,050 a month after July 1, 2001, and to \$1,200 a month after July 1, 2002. After 2002, the range herder monthly minimum wage increased with the state's minimum wage to \$1,956 a month in 2018. IWC Order 14-2001 (Section 2, at subsection (N)) defined herder duties to include protecting and moving animals, ensuring that they have feed and water, assisting with births and sick animals, and feeding the dogs that help to move and guard sheep.

AB 1675 (Koretz, 2001), signed in October 2001,<sup>82</sup> enacted the IWC minimum range herder wage into law and required employers to ensure that herders have a minimum 30-minute meal period after five hours of work and, where "practicable," to provide herders with housing that has toilets and showers, heating, inside lighting, a refrigerator, cooking facilities and utensils, and potable hot and cold water. AB 1675 required employers to ensure that herders have a means of communication for emergencies and regular mail service and granted herders the right to have visitors in their employer-provided housing. Ranchers, "upon request and to the extent practicable," must provide range herders with vehicles or transport to local shopping, medical, and cultural facilities "on a weekly basis."

---

enactment of civil rights laws in the 1960s, the IWC in the 1970s amended its wage orders to include men and women. The IWC consisted of five members who serve four-year terms: two representatives of organized labor, two representatives of employers, and one member representing the general public. There are 17 IWC wage orders in 2025, including Wage Order 14 for agricultural occupations and Wage Order 15 for household occupations.

<sup>81</sup> The IWC rejected a request made by CRLA to the IWC in 1989 to end the exemption of range herders from the state's minimum wage. The IWC in 1989 concluded that range herders were governed by federal rather than state law. (Patrick McManaman, *From Bracero to H-2a San Joaquin Valley Shepherders: Lessons Learned from the Failure of our Nation's Guest Worker Programs* (2006-7), available at <https://www.sjcl.edu/images/stories/sjalr/volumes/V16N1C5.pdf>). Schneider conducted the herder survey in the early 2000s in part to pressure the IWC to implement Proposition 210 (1996), the Living Wage Act that required the IWC to set a minimum wage "for all industries."

<sup>82</sup> California Labor Code § 2695.

During summer 2002, Silva-Santisteban interviewed 35 California H-2A herders and found that many had no toilets and complained of inadequate food and insufficient potable water.<sup>83</sup> Some herders reported earning the federal \$750 a month wage rather than the state's \$1,200 a month minimum wage. A second, 58-question survey of 22 SJV sheepherders in 2004, including 21 H-2A visa holders who were employed by 12 farmers, found that all were paid the IWC-mandated minimum wage of \$1,200 a month. However, many herders still lacked adequate toilets, hot and cold water, and refrigerators and cooking facilities in their housing units.<sup>84</sup> McManaman summarized California's efforts to increase wages and improve conditions for herders in the early 2000s and concluded they had "mixed results."<sup>85</sup>

### **Herders in Other States**

Colorado range herders may be the most surveyed. Neiss et al. interviewed 24 herders and highlighted the adaptability of range herders to very uneven housing and working conditions.<sup>86</sup> An ex-herder helped the interviewers to find range herders on the Colorado's Western Slope in April-May 2024.

The herders who were interviewed reported that their major concerns were the weather and predators. Herders wanted their employers to provide them with more fresh food and warm clothing and wanted more opportunities for human interaction. All of the herders sent money home to their families, and some said they were proud of their ability to adapt to ever changing circumstances and protect their flock on the range.

Several church groups and NGOs visit range herders and provide them with food and clothing.<sup>87</sup> The 2021 Colorado Farmworker Bill of Rights (Senate Bill 2021-087) added protections for herders, such as requiring ranchers to transport range herders to town at least every three weeks, pay herders at least \$590 per week in 2024, and allow herders to have visitors (including health care workers). The 2021 law also protects herders from retaliation if they report labor law violations.

Previous Colorado herder surveys found poor conditions for the 93 herders that were interviewed over two years. Only 30 percent had access to refrigeration, half had access to electricity, 60 percent said their employers held their passports, 70 percent reported no access to functioning toilets, and 85 percent reported that non-ranch visitors were prohibited. One herder said the

---

<sup>83</sup> Alvaro Martín Bedoya Silva-Santisteban, *Welcome to the First World: The Exploitation of Peruvian Sheepherders in the American West* (2002).

<sup>84</sup> Christ Schneider et al., *Watching Sheep and Waiting for Justice: An Update on the Experiences of H-2A Sheepherders in California's Central Valley* (2005), available at <https://www.ilw.com/articles/2005,0615-schneider.pdf>.

<sup>85</sup> Patrick McManaman, *From Bracero to H-2a San Joaquin Valley Sheepherders: Lessons Learned from the Failure of our Nation's Guest Worker Programs* (2006-7), available at <https://www.sjcl.edu/images/stories/sjalr/volumes/V16N1C5.pdf>.

<sup>86</sup> Kasey Neiss et al., "Me Adapto a Cualquier Situacion / I Adapt to any Situation": Sheepherders' Concerns & Resilience at Work, *J. Agric. Safety Health* (2025), available at <https://elibrary.asabe.org/abstract.asp?aid=55284>.

<sup>87</sup> Project Protect Food Systems Workers collaborates with Colorado Legal Services and the Colorado Department of Labor and Employment to protect workers and help them exercise their rights.

conditions were difficult with “solitude, the cold, bad food, no bathrooms, [and] drinking dirty water,” while another said he had “no good [work] experiences.” Bad weather and solitude or isolation were the most mentioned negative experiences.<sup>88</sup>

At a time when the Colorado AEW for H-2A hourly workers was \$9.88, Colorado herders were paid \$750 a month. Lee and Endres reported that two-thirds of herders worked 80 or more hours a week and a third worked 90 or more hours a week. They found 17 herders who were injured on the job, and 11 of the 17 herders reported that they did not receive adequate medical care. The most common herder requests were for higher wages, more respect from bosses, and better housing.

Savage spent several summers with four range herders, brothers from Peru who earned about \$9,000 a year, near Henefer, Utah. The brothers told Savage that they learned through the grapevine to tell WRA recruiters in Peru that they preferred being alone to being around people and they cannot drive (even if they had driver’s licenses) because they were told that US ranchers prefer workers who prefer to be alone and isolated.<sup>89</sup>

A Utah coyote trapper who responds to herder reports of predator lamb kills told Savage that range herders who are injured while in remote mountains are often unable to contact anyone to obtain medical care. Savage reported that many multi-generational sheep ranching families were only marginally profitable despite paying relatively low herder wages.

## **H-2A Procedures**

Most H-2A workers in the US are paid hourly wages and work in crop agriculture. Fewer than five percent of H-2A workers are employed in animal agriculture, including half as range herders.<sup>90</sup> Employers seeking certification to employ H-2A workers must begin the process at least 60 days before their need date by filing a job order with EDD and DOL via the Foreign Labor Application Gateway (FLAG). If the job order satisfies requirements, it is placed into the CalJOBS system and EDD arranges to inspect the housing the employer provides at no cost to H-2A workers; this initial process is the same for all farm employers.<sup>91</sup>

EDD helps employers to recruit US workers from 45 days before H-2A workers arrive through half of the contract period, making the recruitment period about 4.5 months for a six-month contract.

---

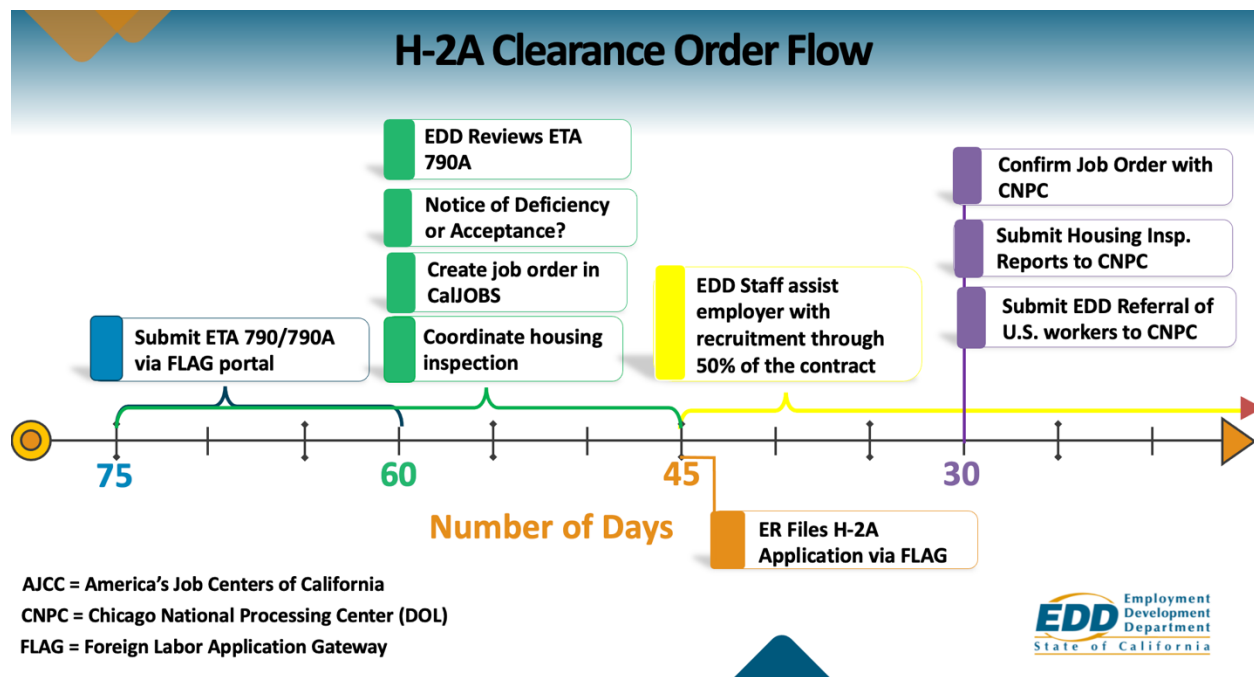
<sup>88</sup> Jennifer Lee & Kyle Endres, *Overworked and Underpaid: H-2A Herders in Colorado* (2010), available at <http://dx.doi.org/10.34944/dspace/6743>.

<sup>89</sup> Katy Savage, *Sheep-Work: Food Empires and Pastoral Resistance in the Intermountain West* (2010) (MS Thesis, University of Utah), available at <https://collections.lib.utah.edu/details?id=194551>.

<sup>90</sup> Marcelo Castillo et al., *Examining the Growth in Seasonal Agricultural H-2A Labor* (2021), available at <https://ageconsearch.umn.edu/record/313476/?v=pdf>.

<sup>91</sup> EDD inspects herder housing before occupancy and, in many cases, follows up with outreach visits when herders are present halfway through the contract.

**Figure 7. Ranchers begin the certification process 60 days before their need date**



Source: Reprinted from Employment Development Department.

DOL certified 1,160 H-2A applications submitted by California farmers in FY24, allowing them to fill 43,000 seasonal jobs with H-2A workers or 99 percent of the 43,600 jobs for which employers requested certification. The average California certification was for 38 H-2A workers, and the median was for 11 workers, suggesting that most certifications were for relatively few workers.

Some 227 California livestock employers (NAICS 112) were certified to fill 1,100 jobs with H-2A workers in FY24. California livestock employers were 20 percent of all California H-2A employers, but they accounted for only 2.5 percent of California's H-2A jobs. The average California livestock certification was for five H-2A workers, and the median was three, far fewer than the average 17 and median 11 jobs of all California H-2A certifications.

EDD data on job orders and range herder trailer inspections show that California ranchers file about 150 job orders a year for 325 to 350 herders. Many ranchers file two job orders each year to fill one job: the 155 job orders in FY24 were filed by 71 California ranchers and requested 710 workers, meaning that about 355 H-2A herders were covered by 700 job orders.

**Table 11. EDD processes about 150 job orders for 350 H-2A herders each year**

	FY 2022- 23	FY 2023- 24	FY 2024- 25
H-2A clearance orders received:	152	155	143
Housing units inspected:	324	351	525

Source: Employment Development Department analysis of H-2A certification data.

EDD reviews employer job orders, almost all of which are filed by agents, to determine whether they satisfy H-2A regulations. The job orders generally comply with H-2A regulations. Two

thirds of the California range herder job orders were filed by WRA in FY24, followed by 18 percent filed by MPAS and 15 percent filed by Peak Season Labor.

Approved job orders are listed on California’s CalJOBS and the federal Seasonal Workers web sites.<sup>92</sup> Job orders include employer contact information so that US workers can apply. US employers must hire qualified US workers or explain why the applicant is not qualified. In practice, very few US workers apply for “H-2A jobs” and even fewer are hired.

**Table 12. 2/3 of H-2A herder job orders were filed by WRA in FY25**

Agent/Association	# of ER Members	# of Job Orders Filed	# of Workers
Western Range Association	48	102	352
Mountain Plains Agricultural Service	17	29	142
Peak Season Labor	7	13	100
Seso Labor	1	1	11
Employer Filed (No Agent)	1	2	6
Total	74	147	611

Source: Employment Development Department analysis of H-2A certification data.

EDD inspects the housing that employers offer to H-2A herders and often finds deficiencies.<sup>93</sup> The EDD Housing Inspection Checklist can be viewed in Appendix E. In FY24, EDD inspectors found 85 deficiencies before herders moved into housing and sent letters to ranchers detailing the deficiencies, all of which were remedied before herders arrived.<sup>94</sup> EDD received no complaints from sheep and goat herders from FY22 to FY25 and filed two apparent violations.

**Table 13. EDD receives few complaints from herders; employers remedy housing deficiencies before herders arrive**

	FY 2021-22	FY 2022- 23	FY 2023- 24	FY 2024- 25
# of complaints	0	0	0	0
# of apparent violations filed	1	0	2	1
# of deficiencies identified during housing inspections	N/A	19	85	54
# of deficiencies resolved by employers	N/A	19	85	54

Note: Deficiencies identified occurred during pre-occupancy housing inspections and were resolved prior to certification by DOL. Apparent violations are noted by EDD housing inspectors and outreach workers and referred to federal and state enforcement agencies.

Source: Employment Development Department analysis of H-2A certification data.

US DOL data show that California accounted for about 20 percent of US herder applications that offered monthly wages and a similar share of H-2A herder jobs and herder worksites. California

<sup>92</sup> <https://www.caljobs.ca.gov/vosnet/Default.aspx>; <https://seasonaljobs.dol.gov/>.

<sup>93</sup> The mobile housing for herders can deteriorate rapidly, but some ranchers are reluctant to follow best practices and replace units that can cost \$25,000 to \$30,000 or more every five years. EDD inspectors note that many mobile housing units need deep cleaning.

<sup>94</sup> EDD also conducts outreach visits to herder housing halfway through the contract, so that trained EDD personnel can observe, interact with, and receive complaints (if any) from herders.

H-2A herder applications requested an average of 4.4 worksites and listed an average of 4.1 worksites.<sup>95</sup>

**Table 14. CA had 20% of US herder employers & jobs in FY24**

<b>Applications &amp; Employers</b>	<b>US</b>	<b>CA</b>	<b>Other States</b>	<b>CA share</b>
Applications Certified	753	162	591	22%
Total Jobs Certified	3,398	720	2,678	21%
Average Jobs per App	4.5	4.4	4.5	
H-2A Employers (EIN-Based)	360	69	291	19%
Worksites	1,347	285	1,062	21%
Average Worksites per employer	3.7	4.1	3.6	
<b>Herder Contracts</b>				
Weeks (avg.)	27	26	27	
Monthly Wage (avg \$)	2,363	3,362	2,094	
Contract Value (avg \$)	14,680	20,035	13,240	
H-2A Wage Bill (million \$)	49.9	14.4	35.5	29%

Source: OFLC Disclosure data, FY24

California minimum wage for 24/7 herders: \$3,445 in 2023; \$4,024 in 2024 (25 or fewer)

Most herders have two contracts a year, each about six months, so annual herder wages are usually twice the average contract value. Source: UC Davis analysis of US Department of Labor disclosure data, <https://www.dol.gov/agencies/eta/foreign-labor/performance>.

Herder contracts averaged 26 weeks in California and 27 weeks in other states. The average value of H-2A herder contracts, the monthly wage multiplied by the length of the contract, was \$20,000 in California and \$13,000 in other states in FY24,<sup>96</sup> generating a total herder wage bill of \$14 million in California and \$36 million in other states. California has 10 percent of US sheep but accounts for almost 30 percent of H-2A herder wages.

In FY 24, the 10 US employers with the most monthly-wage H-2A herders accounted for a seventh of all certified H-2A herder jobs.<sup>97</sup> Among these top 10 employers, only Gregory Livestock is located in California, which employed 20 FTE herders in 2024 (which likely equates to 20 H-2A herders who each had two H-2A contracts), and accounted for six percent of California H-2A herding jobs. Three of these top 10 employers with the most monthly-wage H-2A herders are located in Idaho, where they accounted for 38 percent of H-2A herder jobs in the state, and three are located in Wyoming, where they accounted for 35 percent of H-2A herder jobs in the state.

<sup>95</sup> California employers listed an average 4.1 worksites on herder applications filed in FY24, more than the 3.6 average worksites of non-California ranchers.

<sup>96</sup> In 2024 California employers with fewer than 25 employees were required to pay herders a minimum monthly wage of \$4,024 or \$48,288 a year.

<sup>97</sup> Additional H-2A herders are employed for hourly wages.

**Table 15. Gregory Livestock was the largest California employer of H-2A herders in FY24**

Employer Name	Jobs Certified	FTEs	Contract Value (avg \$)	Wage Bill (mil. \$)	Primary State	% of State H-2A Jobs	Weeks (avg.)	Weekly \$	Monthly \$ (4.33)
Faulkner Land & Livestock	75	40	14,534	1.1	ID	15%	29	\$483	2,091
Siddoway Sheep	72	37	11,603	0.8	ID	15%	26	\$447	1,936
Ellison Ranching	58	32	13,112	0.8	NV	16%	29	\$455	1,970
2 Bar Sheep	47	25	15,389	0.7	CO	13%	27	\$579	2,507
Henry C Vogler	44	25	12,760	0.6	NV	12%	29	\$437	1,892
Gregory Livestock	43	20	23,291	1.0	CA	6%	25	\$925	4,005
G David Dalling	41	18	9,649	0.4	ID	8%	22	\$444	1,923
Julian Land & Livestock	40	20	11,436	0.5	WY	12%	26	\$447	1,936
Sims Sheep	40	19	11,194	0.4	WY	12%	25	\$447	1,936
JRB	37	22	13,897	0.5	WY	11%	32	\$442	1,914
Total	497	258		7					
Top 10 share	15%			14%					

Source: UC Davis analysis of US Department of Labor FY 24 disclosure data, <https://www.dol.gov/agencies/eta/foreign-labor/performance>.

California herder jobs offered an average 172 days of work in FY24, with a range of 32 days for a Triple E range sheepherder to 304 days<sup>98</sup> for a Bruno Farms sheepherder; Bruno’s contract offered \$18.65 an hour for a 36-hour week.<sup>99</sup> There were 20 certifications that offered the hourly AEW of \$19.75 in 2024, and they had about the same average contract length, 176 days, as all California sheep and goat certifications. There were 14 sheep and goat applications from eight unique employers for 10 or more herders in 2024, and these eight ranchers were certified for a total of 183 herders, which was an average 23 each and a quarter of the total.

Gregory Livestock of Lincoln, California, a business that provides grazing services to Placer County, was certified for 20 herders in each of two applications, with one contract offering 136 days and the other 227 days of work. Star Creek Land Stewards had the most applications, eight, for a total of 27 herders in FY24. Indart Group had two applications, each for 15 herders.

All of the California applications noted a lifting requirement for herders, typically 50 or 100 pounds, and most allowed the employer to conduct drug tests. All required exposure to extreme temperatures, but few required extensive pushing and pulling, walking or stooping, or repetitive motions. One application (Big Bagga Walnuts) involved the H-2A worker supervising five other workers.

Applications filed by MPAS note that herders must be able to:

operate equipment and machinery required to perform job duties indicated in a safe and responsible manner, perform tasks capably and efficiently without close supervision, work outdoors in all types of weather, and may experience occasional exposure to hazards such as poisonous snakes, biting insects and extreme temperature, to maintain equipment and machinery to a standard established by the employer, work with and around farm machinery such as tractors, UTVs and ATVs for supplemental feeding

<sup>98</sup> Triple E Livestock & Land Co based in Earlimart had two applications certified in FY24, one for one worker for 32 days and one for three workers for 150 days; both offered the \$2,844.48 monthly wage plus overtime.

<sup>99</sup> Bruno farms south of Riverside had three applications certified in FY24, all for hourly wages of \$18.65 (2023) and \$19.75 (2024) and 36-hour weeks.

purposes and movement of livestock, work with and around farm machinery such as tractors for haying and supplemental feeding purposes and ATVs for irrigating and the movement of livestock, handle animals using low stress handling methods.<sup>100</sup>

All applications offered employer-owned or controlled housing. Most of the range herder applications had one housing unit per worker, but Eureka Livestock listed 10 housing units for 17 workers. The jobs offering hourly wages had fewer housing units than workers: Alexandre Dairy had one housing unit for 20 workers and D&R Livestock two housing units for nine workers. Only Alexandre Dairy provided meals and deducted \$15.88 a day for meal costs.

Of the 183 California H-2A applications with herder job titles in FY24:

- 141 were certified for 632 range herders with 24/7 work schedules
- 42 were certified for 175 hourly herders paid the \$19.75 AEW

The hourly herder applications offered an average 44 hours of work a week for six-to-nine-hour workdays Monday through Saturday. A quarter of the hourly herder applications had Sunday hours, typically five hours. Most hourly herder workdays began at 7am.

Range herder job titles with 24/7 work schedules and monthly wages included:

- (winter, summer, and open) range lamber and sheepherder
- open range livestock herder
- open range production parturition (moving animals to new pastures)

Job titles with hourly wages included some of the same sheep herder and lamber job titles as well as farm irrigation worker, livestock worker, and ag equipment operator.

All jobs offered overtime pay, and none offered piece rate wages. Most job orders paid wages twice a month, none had an education or certificate requirement, and all had minimum experience requirements, typically at least three months of herding or farm work experience. None required criminal background checks, but almost half required driver's licenses.

Two-thirds of ranchers were certified for fewer than 10 H-2A range herders, and these smaller ranchers collectively accounted for 30 percent of all H-2A range herders. Most DOL and EDD processing time is spent on small employers who account for less than a third of H-2A herders.

---

<sup>100</sup> Utility Terrain Vehicle and All-Terrain Vehicle.

## H-2A HERDERS

California sheep and goat farmers have long had trouble recruiting US herders. In 1950, when California had 1.6 million sheep and lambs or 3 times more than today, a UC report noted that, despite a 50 percent drop in the number of California sheep between 1942 and 1950, “there has been a persistent shortage of skilled sheep labor in some areas.”<sup>101</sup>

Despite higher-than-average California herder wages, recruitment agents such as WRA and MPAS say there are few US applicants for herder jobs, and fewer US applicants in California than in the mountain states of Colorado, Utah, and Wyoming. DOL noted in 2015 that herders are expected to “manage guard dogs and sheep dogs, horses, and, often, pack mules, basic veterinary medicine, and have the skills and maturity to live and protect themselves in remote landscapes.”<sup>102</sup>

Why are H-2A herders employed to care for California’s 500,000 sheep and 125,000 goats? We believe the short answer is path dependence and network recruitment. The western US sheep industry became reliant on guest workers in the 1950s, and network recruitment (using current herders to recruit new herders) has maintained dependence on foreign herders. Ranchers told us that this system works, making it difficult for US workers with little herding experience to enter the workforce. US workers can be made aware of the herder job orders that ranchers want to fill with H-2A herders because these jobs are posted on federal and state websites. EDD offices are staffed with Agricultural Business Representatives (ABR) and outreach workers who help employers to find workers and help farm workers to find jobs. Nonetheless, the majority of herders employed in California are H-2A workers.

California’s EDD in 2012 reported that 10 of 31 herders in one survey were US workers (including ex-H-2A herders), 13 of 38 were US workers in 2013, three of 25 were US workers in 2014, and 10 of 52 were US workers in 2015.<sup>103</sup> Fewer than one in six California ranchers contacted by EDD had US herders, including ex-H-2A herders:

- Six of 45 California employers contacted in 2012 had at least one US herder
- Five of 32 had had at least one US herder in 2013
- Two of 29 had had at least one US herder in 2014
- Four of 30 had at least one US herder in 2015

---

<sup>101</sup> There were about 350 H-2A herders in California in the early 1990s when the state’s minimum wage was \$4.25 an hour and the prevailing herder wage was \$700 a month, versus 900 H-2A herders in 2024 when the state’s minimum wage is \$16 an hour and the prevailing herder wage is \$4,000 a month. Edwin Voorhies & Robert Rudd. *Sheep and Wool Situation in CA, 1950* (1950), available at [https://ucanr.edu/sites/UCCE\\_LR/files/202125.pdf](https://ucanr.edu/sites/UCCE_LR/files/202125.pdf).

<sup>102</sup> DOL allows ranchers to require up to six months of herding experience; <https://www.govinfo.gov/content/pkg/FR-2015-10-16/pdf/2015-26252.pdf>.

<sup>103</sup> Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States, 80 Fed Reg. 62992 (Oct. 15, 2015)(amending 20 C.F.R. 655) <https://www.federalregister.gov/documents/2015/10/16/2015-26252/temporary-agricultural-employment-of-h-2a-foreign-workers-in-the-herding-or-production-of-livestock>.

## Training US Herders

Stakeholders noted several reasons why ranchers employ few US herders, including:

1. Few training programs for California workers who want to become sheep and goat herders and/or operate grazing businesses. The programs that do exist train workers to operate grazing businesses, not to work as herders.

The Grazing School of the West offers “bootcamps” for those looking to launch or expand prescribed grazing businesses;<sup>104</sup> some of those who complete the Grazing School become paid employees of the affiliated Shepherdess Land and Livestock business,<sup>105</sup> which has 600 sheep and goats to provide grazing services to public and private agencies in Los Angeles and Ventura counties.<sup>106</sup>

Camp Kaos, organized by Kaos Sheep Outfit, teaches animal husbandry and provides hands-on experience with lambing and other aspects of sheep farming in two- and three-day sessions.<sup>107</sup> Most participants aspire to be ranchers or grazers rather than herders.<sup>108</sup>

County-based UC Cooperative Extension livestock and natural resource advisors offer workshops and webinars that teach participants about sheep and goat health and welfare, nutrition and lambing management, and targeted grazing business management. Over 1,000 people, including new and established producers as well as ranch employees, participated in low-cost UCCE workshops and webinars over the past decade.

Many ranchers learn the ranching business from parents or relatives, while some targeted grazers worked for an established grazing business before launching their own business. Most ranchers are reluctant to train US herders because they believe that most will soon quit, so that training costs will be lost after a few weeks or months. Ranchers expect most H-2A herders to remain with them for three years and return for another three years after three months at home.

2. California colleges and universities with sheep and goats offer classes in small ruminant production and disease management issues and their graduates do not become herders. Most programs are affiliated with animal science programs, and most students want to become veterinarians or veterinary technicians. Students in pre-vet programs may care

---

<sup>104</sup> <https://grazingschoolofthewest.com/>.

<sup>105</sup> <https://shepherdesslandl.co/>.

<sup>106</sup> The Grazing School has a pilot program in 2025 with the LA Sheriff’s department to teach the skills needed to herd to inmates so that some of trainees may become herders upon release.

Inmates already train guide dogs under several programs, including <https://caninesupportteams.org/prison-pup-program/> and <https://ourdogssavelives.org/programs/prison-program/>. Some stakeholders believe that these programs could be expanded to train sheep dogs, and that prisons with land could obtain sheep so that inmates receive herding experience while incarcerated.

<sup>107</sup> <https://www.instagram.com/p/C-qJq6-POG7/?hl=en>.

<sup>108</sup> There are also private training programs in other states, including WY-based Goat Green LLC offers paid apprenticeships for aspiring herders who complete a 30-day, \$2,500 basic training course; <https://goatseatweeds.com/classes/>.

for the more than 100 sheep managed by the program, but they are not trained to be herders for commercial flocks of over 1,000 sheep.

UC and CSU programs that teach students about sheep and goats include:

- UC-Davis<sup>109</sup>,
- Cal-Poly, SLO<sup>110</sup>
- Cal-Poly, Pomona<sup>111</sup>
- Chico State<sup>112</sup>
- Fresno State<sup>113</sup>

The Cal-Poly SLO program may be the largest, enrolling 250 students a year in classes about sheep and goats and involving students in grazing projects on and near campus. Some of the students plan to become targeted grazers but more become government employees who help to manage fuel reduction programs. Because graduates understand how animals affect landscapes, they can act as liaisons between fire managers and grazing businesses and help to set realistic options for both parties.

3. At least five California community colleges have sheep and goat classes that teach students how to recognize and treat sick animals, but again these programs are not training future herders. Instructors say that some of their best students transfer to UC or CSU to pursue pre-vet studies. Others may be interested in herding jobs, perhaps as a prelude to launching a targeted grazing business, but community colleges do not offer classes that lead to trained-herder certificates that are recognized by ranchers. Community college instructors believe that developing a trained-herder certificate program would require sheep and goat industry leaders to specify desired skills and interact with community colleges to create a curriculum that could open a pipeline into the herding industry.
4. Most H-2A herding job orders have no education requirements but require at least three months of herding experience. This means that many H-2A herders from Peru and Mexico who have less than eight years of schooling but do have experience herding sheep and goats, although rarely on the commercial scale of California, are eligible for these positions. As noted above, few US workers have the requisite herding experience due to a lack of tailored training programs. Ranchers appreciate the commitment of H-2A herders to remain with them for three years, and many herders say they are eager to return to the same rancher for decades.

Creating an infrastructure to train US herders would require rancher stakeholders to work with community colleges to develop programs that produce herders with desired skills. Ranchers would have to monitor and assist newly hired US herders as they learn the farm's system for

---

<sup>109</sup> <https://animalscience.ucdavis.edu/facilities/sheep>.

<sup>110</sup> [https://animalscience.calpoly.edu/FacilitiesCenters/sheep\\_operation](https://animalscience.calpoly.edu/FacilitiesCenters/sheep_operation).

<sup>111</sup> <https://www.cpp.edu/agri/animal-science/faculty-staff/index.shtml>.

<sup>112</sup> <https://sites.google.com/mail.csuchico.edu/chicosheep/home>.

<sup>113</sup> <https://jcast.fresnostate.edu/asae/facilities/sheepunit.html>.

managing animals. Benefits from more US herders could include easier communication with clients in the targeted grazing subsector of the industry.

Other countries train herders. France and Spain have schools that train herders in animal husbandry, land management, and pastoralism. These government-funded schools offer training of various lengths that lead to certificates or diplomas. One emphasis is on transhumance, moving sheep, goats, and cattle from winter quarters in lower-elevation valleys to mountain pastures in summer. Some European schools help aspiring sheep and goat farmers to launch viable businesses, while others teach traditional cheese making from sheep and goat milk. The schools receive support from governments and others who want to preserve pastoral traditions. Typical €100,000 a year administrative budgets support one or two full-time employees and guest instructors.

## OTHER STATES AND COUNTRIES

California has about 10 percent of US sheep and goats and a unique sheep and goat industry.<sup>114</sup> Texas relies on H-2A herders to graze animals mostly on private land, while the Rocky Mountain states rely on H-2A herders to graze animals on public lands in the mountains during the summer months.

California sheep and goats are found on both private and public land. California lambs and kids are often born in October through November when sheep graze alfalfa stubble, which provides relatively high-quality forage, and may remain on land used for crop agriculture until spring. Most targeted grazers move their animals to grazing sites in March-April, where the animals remain until August-September. Some sheep ranchers have leases that allow them to graze animals on public lands in the mountains in spring and summer.

### Other States

Oregon had 150,000 sheep and lambs and 14,500 milk goats and kids in January 2025. Oregon has three minimum wages: Portland Metro, \$16.30 per hour as of July 2025, Standard, \$15.05, and Non-Urban, \$14.05.<sup>115</sup> The Standard wage applies to counties in metropolitan statistical areas and larger non-metro areas that do not meet Non-Urban criteria, which are counties with less than 15,000 residents and more than 10 miles from a population center of 40,000 or more. There are no herders in Portland Metro, and the 2025 minimum herder wage is:

- \$2,608.67 per month in Standard counties
- \$2,435.33 per month in Non-Urban counties

Oregon State University has a forage information system that includes a Targeted Grazing handbook.

Washington had 470,000 sheep and lambs and 8,200 milk goats and kids in January 2025. Washington's minimum wage was \$16.66 per hour in 2025, but range herders are paid the federal minimum monthly wage of \$2,058.31. Washington has targeted grazing businesses, but most are relatively small and operate without H-2A herders.<sup>116</sup> Several WSU extension offices, especially west of the Cascade mountains, offer classes that help ranchers to become targeted grazers.<sup>117</sup>

Martin reviewed the US sheep industry in the early 1990s and reported that Texas had 19 percent of US sheep and California and Wyoming each had nine percent of the US flock. Most US sheep were in the western states, where flocks tend to be larger and ranchers rely on public and private lands for forage. By contrast, most sheep in the eastern states are in farm-flock operations that

---

<sup>114</sup> USDA reports cash rent for pastureland by state and county; <https://quickstats.nass.usda.gov/results/58B27A06-F574-315B-A854-9BF568F17652#7878272B-A9F3-3BC2-960D-5F03B7DF4826>.

<sup>115</sup> <https://www.oregon.gov/boli/workers/pages/minimum-wage.aspx>.

<sup>116</sup> These include: <https://rainegrazingservices.com/>; <https://evergreengoatrentalsbrushclearing.com/>.

<sup>117</sup> <https://extension.wsu.edu/thurston/grazing-school/>.

have less than 100 sheep on farms whose primary commodities are not lamb and wool. On these farms, sheep and goats often consume crop residues.<sup>118</sup>

The reason that most sheep and goats are in the western states is because they are “residual claimants” to scarce forage:

Sheep consume forage on western state ranges that would otherwise have no economic value. Much of the area is more suitable for sheep grazing than cattle grazing because the sheep consume forbs and shrubs more readily than cattle, require less frequent access to water, and can traverse rough or steep terrain more readily.<sup>119</sup>

In the rangeland hierarchy, cattle are grazed if there is enough high-quality grass to support them, followed by sheep, goats, and finally nature.

The American Sheep Industry Association commissioned a study of the priorities of sheep ranchers. The largest 10 percent of ranches, as measured by breeding ewes, had three-fourths of the sheep owned by the ranchers and their top priority was labor.<sup>120</sup>

### **Other Countries and Trade**

The US produced 134 million pounds of lamb and mutton in 2024, imported 309 million pounds, and exported less than a million pounds, mostly to Canada and Mexico. The average farm price of US lamb was \$6 to \$8 a pound in 2024, while the average price of ANZ lamb is less than \$3 a pound.

Australia and New Zealand account for 80 percent of global lamb, wool and goat meat exports.<sup>121</sup> Australia has an expanding sheep industry, while NZ’s sheep industry is shrinking as some grazing lands are converted to pine forests to obtain carbon credits. More profitable beef and dairy cows graze NZ’s best quality pasture.

Most of Australia’s 9,000 sheep farms manage animals by keeping them in fenced paddocks that average 6,300 hectares or 15,700 acres. Australian sheep are moved by the ranchers and their families within paddocks with the help of dogs, drones, and ATVs, allowing one or two people to manage 15,000 to 20,000 sheep.<sup>122</sup> Ranchers rely on contracted labor for shearing or other specialized tasks, but generally do not help ewes with births, resulting in lower labor costs as well as fewer surviving lambs per animal.

---

<sup>118</sup> Philip Martin, *Labor in the Western Sheep Industry* (Sept. 27, 1994).

<sup>119</sup> US Senate. *Committee on Agriculture, Nutrition, and Forestry. Costs of Producing Sheep in the United States* (1980), available at <https://www.govinfo.gov/content/pkg/CPRT-96SPRT63669O/pdf/CPRT-96SPRT63669O.pdf>.

<sup>120</sup> The ASI says that a third of US sheep sold each year are from ranches with H-2A shepherders. American Sheep Industry Association. *U.S. Sheep Industry Research, Development, and Education Priorities* (2016), available at <https://www.sheepusa.org/wp-content/uploads/2022/06/ASI-Priorities-Report-Final-July-11-2016-Low.pdf>.

<sup>121</sup> Australia exported 700,000 metric tons of lamb, mutton and goat meat worth \$3.6 billion in 2024. China is the world’s leading importer of lamb and mutton.

<sup>122</sup> <https://www.agriculture.gov.au/abares/research-topics/surveys/livestock>.

Almost all US lamb and mutton imports are from Australia and New Zealand. In 2024, the US imported 309 million pounds of lamb, including  $\frac{3}{4}$  from Australia and  $\frac{1}{4}$  from New Zealand. Both Australia and New Zealand have high labor costs, with national minimum wages of A\$24.10 (\$15.60) and NZ\$23.50 (\$14) in 2025.

Argentina, New Zealand, South Africa and Spain also place sheep and goats in large, fenced areas and rely on few people to move animals in rotational grazing systems. Unlike the US, many countries rely on rotational grazing in large, fenced areas or feed animals in confined animal feeding operations (CAFOs). Ranching systems that involve herders who accompany sheep and goats from winter quarters in lower altitude valleys to high seasonal mountain pastures (vertical transhumance) are most common in developing countries.<sup>123</sup>

There are about 1.2 billion domesticated sheep worldwide, including 175 million in China, 75 million each in India and Australia, and 40 million to 60 million each in Iran, Nigeria, Chad, and Ethiopia; these seven countries have almost half of the world's sheep.<sup>124</sup> There are about 1.1 billion domesticated goats worldwide, including 150 million in India, 130 million in China, 90 million each in Nigeria and Pakistan, and 50 million in Ethiopia. A quarter of the world's sheep are in developed countries, but only one percent of the world's goats are in developed countries.

---

<sup>123</sup> Vertical transhumance is the movement of sheep, goats, and cows between lower valleys in winter and higher pastures in summer. Animals walk or are driven between winter and summer areas.

<sup>124</sup> Countries that once had more sheep and goats, such as Turkey, have replaced many sheep and goats with dairy and beef cattle as incomes rise and consumer preferences change.

## CONCLUSIONS

Stakeholders told us that the alternative minimum monthly wage should be the same for range sheep and goat herders because the work of herding sheep and goats is similar, targeted grazing often involves both sheep and goats, and separate minimum wages for sheep and goat herders could be difficult to implement and enforce.

Most rancher stakeholders want lower herder wages, and worker advocates disagree. Most ranchers supported SB 801, which would have exempted range herders from AB 1066, and supported SB 628, which would have reimbursed farm employers for some of the overtime wages paid to farm workers via state tax credits.<sup>125</sup> Ranchers said that they work alongside their herder employees and understand their concerns, and contrasted close herder-rancher ties to other H-2A employers who may have hundreds or thousands of H-2A workers on farms that produce fruits and vegetables.

Worker advocates highlighted the power imbalance between ranchers and H-2A workers, arguing that H-2A herders are unable to assert their rights. Advocates say that H-2A workers who earn far more in California than they would earn in their home countries are afraid to complain because they fear being fired and blacklisted, which could mean that neither they nor their relatives will be selected to return to the US as an H-2A herder. They also suggested new procedures regarding certification of compliance with state & federal laws, safety and emergency training and emergency response, and housing compliance.

Stakeholders told us that there is no easy way to resolve power imbalances in guest worker programs. There are usually more workers abroad who want to be H-2A herders than available US jobs. Employers select the workers to hire, who are often relatives of their current employees.

Once in the US, H-2A herders must weigh the potential benefit of complaining about violations of their rights against the potential cost of being fired and blacklisted. Ranchers say the fact that there are few herder complaints indicates widespread compliance and satisfaction, while worker advocates say that few herder complaints reflect fear of job loss and retaliation.

### **Stakeholder-proposed Options**

Ranchers want to lower labor costs, while worker advocates want to empower herders and improve their living and working conditions.

Increased wages for herders due to the increase of the monthly minimum wage and phase-in of overtime wage requirements may necessitate changes in herding practices for the sheep and goat herding industry to be financially viable. Stakeholder examples of changing herding practices include co-locating several herders so that herders can be off duty while a nearby herder is working or moving away from the use of a 24/7 work schedule. If herders are employed beyond

---

<sup>125</sup> Several ranchers noted that higher monthly minimum wages mean they expect more from range herders, and at least one said that lowering the monthly minimum wage of current herders might reduce morale and the work ethic.

eight hours a day or 40 a week, they are due overtime wages of 1.5x their hourly wage under California law.

Reduction in herder pay, whether a reduction in the monthly minimum wage or a reduction in overtime wages, could be balanced with new requirements to enhance enforcement of wage and hour law, herder safety, and compliance with worker housing requirements. For example, enforcement staff sometimes find it hard to locate herders in remote areas, so requiring employers to install air tags in herder trailers would make it easier to locate herders. Additionally, requiring employers to submit certified payroll data would help ensure the lawful payment of wages to herders.

There are other options to ensure a viable sheep and goat industry. One option is labor-saving technologies, including drones that permit flocks to be monitored remotely. Drones are used in other countries to monitor livestock from a central location with ranchers or other staff deciding if and how to respond to issues.

We heard several explanations for the lack of drones and other technology in the California sheep and goat industry, including low profits, an industry comfortable with current herding practices, and questions about the use of drones in the urban areas with the most targeted grazing sites. In more remote areas, virtual fencing may save labor costs. Collars are placed on some or all animals that send signals to keep animals in a designated area. Virtual fencing can be cheaper than building physical fencing in some areas while providing information on animal health. Since sheep flock together, some research suggests that only about 20 percent of sheep would have to be outfitted with collars to keep the sheep in a designated area.

California's era of sheep was the 1880s, when lamb and wool was the leading commodity. The number of US and California sheep peaked in the early 1940s. Since the 1950s, most California herders have been foreign guest workers, first from the Basque region of northern Spain and today mostly from Peru and Mexico. The question for state policy makers is how to guide one of California's oldest industries in the 21<sup>st</sup> century.

## BIBLIOGRAPHY

Abadam, Vidalina and Adeline Yeh. 2025. Sugar and Sweeteners Outlook: June 2025. USDA-ERS. [https://ers.usda.gov/sites/default/files/\\_laserfiche/outlooks/112831/SSS-M-442.pdf?v=35096](https://ers.usda.gov/sites/default/files/_laserfiche/outlooks/112831/SSS-M-442.pdf?v=35096)

ASI. American Sheep Industry Association. 2016. U.S. Sheep Industry Research, Development, and Education Priorities. <https://www.sheepusa.org/wp-content/uploads/2022/06/ASI-Priorities-Report-Final-July-11-2016-Low.pdf>

Bedoba, Alvaro. 2003. Captive Labor. <https://www.dollarsandsense.org/captive-labor/>

Bush, Brittany Cole and Fibershed. 2017. Training the Next Generation of Grazers in Europe. <https://fibershed.org/wp-content/uploads/2018/01/shepherding-school-report-Sept-2017-compressed.pdf>

California Agricultural Statistics Review. [https://www.cdfa.ca.gov/Statistics/PDFs/2022-2023\\_california\\_agricultural\\_statistics\\_review.pdf](https://www.cdfa.ca.gov/Statistics/PDFs/2022-2023_california_agricultural_statistics_review.pdf)

Campbell-Craven, Erin Aurelia. 2020. Barriers to success: Sheep and goat producers in the service-grazing industry. MS Thesis. Cal Poly. <https://digitalcommons.calpoly.edu/cgi/viewcontent.cgi?article=3674&context=theses>

Castillio, Marcelo et al. 2021. Examining the Growth in Seasonal Agricultural H-2A Labor. USDA ERS. <https://ageconsearch.umn.edu/record/313476/?v=pdf>

Colorado Wool Growers. 2013. Shepherds of the Western Range. <https://www.coloradosheep.org/h-2a-shepherds>

Costa, Daniel and Philip Martin. 2023. Record-low number of federal wage and hour investigations of farms in 2022. EPI. <https://www.epi.org/publication/record-low-farm-investigations/>

Costa, Daniel, Philip Martin and Zach Rutledge. 2020. Federal labor standards enforcement in agriculture. EPI. <https://www.epi.org/publication/federal-labor-standards-enforcement-in-agriculture-data-reveal-the-biggest-violators-and-raise-new-questions-about-how-to-improve-and-target-efforts-to-protect-farmworkers/>

Davy, Josh et al. 2010. Sample Costs for a Goat for Meat Operation in Northern California. UCCE. <https://ucanr.edu/sites/nichemarketing/files/341626.pdf>

Etchepare, John. 1981. Statement before the Senate Immigration Subcommittee. November 30. <https://babel.hathitrust.org/cgi/pt?id=pur1.32754075297154&seq=1>

FAO. Goats and Sheep. <https://www.fao.org/livestock-systems/global-distributions/goats/en/>

Goodrich, Brittney. 2019. Contracting for Pollination Services: Overview and Emerging Issues. Choices. [https://www.choicesmagazine.org/UserFiles/file/cmsarticle\\_711.pdf](https://www.choicesmagazine.org/UserFiles/file/cmsarticle_711.pdf)

Hoag, Dana et al. 2025. The economic fundamentals of virtual fencing compared to traditional fencing. Rangelands. <https://doi.org/10.1016/j.rala.2024.05.006>

Hooker, Brandon, Philip Martin, Zachariah Rutledge, and Marc Stockton. 2024. California has 882,000 farmworkers to fill 413,000 jobs. California Agriculture. <https://escholarship.org/uc/item/9p8710qt>

Huntsinger, Lynn and Sheila Barry. 2021. Grazing in California's Mediterranean Multi-Firescapes. Frontiers in Sustainable Food Systems <https://www.frontiersin.org/journals/sustainable-food-systems/articles/10.3389/fsufs.2021.715366/full#T2>

Industrial Welfare Commission. 2002. Household Occupations. <https://www.dir.ca.gov/iwc/IWCArticle15.pdf>

Ingram, Roger. 2021. Targeted Grazing Survey Report to RMAC [https://bof.fire.ca.gov/media/cu4f2cof/5-cwga-2021-targeted-grazing-survey-report-to-rmac\\_ada.pdf](https://bof.fire.ca.gov/media/cu4f2cof/5-cwga-2021-targeted-grazing-survey-report-to-rmac_ada.pdf)

Jackson, Kimi. 2000. Farmworkers, Nonimmigration Policy, Involuntary Servitude, and a Look at the Shepherding Industry. Chicago-Kent College of Law. <https://scholarship.kentlaw.iit.edu/cklawreview/vol76/iss2/19/>

Kerwin, Donald. 2011. Labor Standards Enforcement and Low-Wage Immigrants: Creating an Effective System. MPI. <https://www.migrationpolicy.org/sites/default/files/publications/laborstandards-2011.pdf>

Lee, Jennifer and Kyle Endres, 2010. Overworked and Underpaid: H-2A Herders in Colorado. <http://dx.doi.org/10.34944/dspace/6743>

McManaman, Patrick. 2006-07. From Bracero to H-2a San Joaquin Valley Shepherders: Lessons Learned from the Failure of our Nation's Guest Worker Programs. San Joaquin Agricultural Law Review. <https://www.sjcl.edu/images/stories/sjalr/volumes/V16N1C5.pdf>

Marshall, Susan. Ed. 2024. Roots and Resilience: California Ranchers in Their Own Words. U Nevada. [https://muse.jhu.edu/pub/198/edited\\_volume/book/126565/pdf](https://muse.jhu.edu/pub/198/edited_volume/book/126565/pdf)

Martin, Philip. 1994. Labor in the Western Sheep Industry. September 27.

Miller, Robert. 1930. Sheep Production in California. UCB. [https://ucanr.edu/sites/UCCE\\_LR/files/202126.pdf](https://ucanr.edu/sites/UCCE_LR/files/202126.pdf)

Moskowitz, Laura. 2019. Application of AB 1066's Overtime Phase-In to Shepherders. July 26.

National Academies. 2008. Changes in the Sheep Industry in the United States: Making the Transition from Tradition. <https://nap.nationalacademies.org/catalog/12245/changes-in-the-sheep-industry-in-the-united-states-making>

National Sheep Industry Improvement Center (NSIIC). 2006. Targeted Grazing. <https://www.sheepusa.org/wp-content/uploads/2022/01/Targeted-Grazing-Book-compressed.pdf>

Neiss, Kasey et al. 2025. “Me Adapto a Cualquier Situacion / I Adapt to any Situation”: Shepherders’ Concerns & Resilience at Work. Journal of Agricultural Safety and Health. <https://elibrary.asabe.org/abstract.asp?aid=55284>

Olmstead Alan and Paul Rhode. 2017. A History of California Agriculture. Giannini. [https://s.giannini.ucop.edu/uploads/giannini\\_public/19/41/194166a6-cfde-4013-ae55-3e8df86d44d0/a\\_history\\_of\\_california\\_agriculture.pdf](https://s.giannini.ucop.edu/uploads/giannini_public/19/41/194166a6-cfde-4013-ae55-3e8df86d44d0/a_history_of_california_agriculture.pdf)

Penn, Ivan. 2025. The Bees Are Disappearing Again. New York Times. <https://www.nytimes.com/2025/04/12/business/honeybees-colony-collapse.html>

R-Calf USA Sheep Committee. 2023. Protect American Lamb. <https://www.r-calfusa.com/sheep/>

Roche, Leslie and Dan Macon. 2025. Expanding prescribed grazing for wildfire resilience in California: A Brief on opportunities and strategies for strengthening wildfire preparedness and resilience efforts. [10.13140/RG.2.2.27987.69927/2](https://doi.org/10.13140/RG.2.2.27987.69927/2)

Saitone, Tina. 2020. Chapter 9 in California Agriculture: Dimensions and Issues. Giannini. <https://giannini.ucop.edu/publications/cal-ag-book/>

Savage, Katy. 2010. Sheep-Work: Food Empires and Pastoral Resistance in the Intermountain West. MS Thesis. <https://collections.lib.utah.edu/details?id=194551>

Schneider, Chris et al. 2000. Suffering in the Pastures of Plenty: Experiences of H-2A Shepherders in California’s Central Valley. CCLS.

Schneider, Chris et al, E Chilton, F González, and H Vásquez. 2005. Watching Sheep and Waiting for Justice: An Update on the Experiences of H-2A Shepherders in California’s Central Valley. CCLS. <https://www.ilw.com/articles/2005,0615-schneider.pdf>

Silva-Santisteban, Alvaro Martín Bedoya. 2002. Welcome to the First World: The Exploitation of Peruvian Shepherders in the American West. Harvard.

Stewart, WC et al. 2025. Vegetation management utilizing sheep grazing within utility-scale solar: Agro-ecological insights and existing knowledge gaps in the United States. Small Ruminant Research. <https://www.sciencedirect.com/science/article/pii/S0921448825000100>

Taylor, Charles. Targeted Grazing to Manage Fire Risk. Texas A&M. [https://bof.fire.ca.gov/media/8861/2-d-i-targeted-grazing-handbook\\_chpt12.pdf](https://bof.fire.ca.gov/media/8861/2-d-i-targeted-grazing-handbook_chpt12.pdf)

Tracey, Caroline. 2022. California's Shepherders at the Center of an Overtime Battle. Civil Eats. <https://civileats.com/2022/06/08/californias-shepherders-center-overtime-battle/>

UCCE. 2022. Sample Costs for Sheep Production. <https://coststudyfiles.ucdavis.edu/uploads/pub/2022/07/07/2022sheepproductionsjvsouth.pdf>

UCCE. Matchgraze. <https://matchgraze.com/>

USCIS. 2019. Temporary or Seasonal Need for H-2A Petitions Seeking Workers for Range Sheep and/or Goat Herding or Production. PM-602-0176. November 14. [https://www.uscis.gov/sites/default/files/document/memos/1-PMH2ASeasonalSheepGoatHerder\\_PolicyMemo.pdf](https://www.uscis.gov/sites/default/files/document/memos/1-PMH2ASeasonalSheepGoatHerder_PolicyMemo.pdf)

USDA. ERS. Sheep, Lamb, and Mutton. <https://www.ers.usda.gov/topics/animal-products/sheep-lamb-mutton/market-outlook>

USDA. Census of Agriculture. 2022. California. [https://www.nass.usda.gov/Publications/AgCensus/2022/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_State\\_Level/California/](https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_1_State_Level/California/)

US Department of Labor. 2015. Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States. Federal Register. October 15. <https://www.federalregister.gov/documents/2015/10/16/2015-26252/temporary-agricultural-employment-of-h-2a-foreign-workers-in-the-herding-or-production-of-livestock>

US Department of Labor. 2021. Adjudication of Temporary and Seasonal Need for Herding and Production of Livestock on the Range Applications Under the H-2A Program <https://www.federalregister.gov/documents/2021/12/16/2021-26211/adjudication-of-temporary-and-seasonal-need-for-herding-and-production-of-livestock-on-the-range>

US Senate. 1980. Committee on Agriculture, Nutrition, and Forestry. Costs of Producing Sheep in the United States. July. <https://www.govinfo.gov/content/pkg/CPRT-96SPRT63669O/pdf/CPRT-96SPRT63669O.pdf>

US Senate. 1981. Senate Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary. Temporary Workers. October 22. <https://babel.hathitrust.org/cgi/pt?id=pur1.32754075434955&seq=1>

Voorhies, Edwin and Robert Rudd. 1950. Sheep and Wool Situation in CA, 1950. Berkeley: Agriculture Experiment Station Circular 399. [https://ucanr.edu/sites/UCCE\\_LR/files/202125.pdf](https://ucanr.edu/sites/UCCE_LR/files/202125.pdf)

Waheed, Saba, Lucero Herrera, Reyna Orellana, Blake Valenta and Tia Koonse. 2016. Profile, Practices and Needs of California's Domestic Work Employers. UCLA Labor Center.  
<https://labor.ucla.edu/publications/domestic-employers-report/>

Watson, John. 2025. Farmers encouraged to use targeted grazing as tool. Ag Alert.  
<https://www.agalert.com/california-ag-news/archives/march-26-2025/farmers-encouraged-to-use-targeted-grazing-as-tool>

Weir, William and Reuben Albaugh. 1954. California Sheep Production. UCANR.  
<https://ucanr.edu/sites/default/files/2014-11/202119.pdf>

Wilmer, Hailey et al. 2024. Loss of seasonal ranges reshapes transhumant adaptive capacity: Thirty-five years at the US Sheep Experiment Station. Agriculture and Human Values.  
<https://link.springer.com/article/10.1007/s10460-024-10591-2>

## APPENDIX A: MINIMUM WAGE AND OVERTIME, CALIFORNIA HERDERS

### Pre-AB 1066 (2016) – Labor Code and IWC Order 14

#### Labor Code § 554

Chapter 1 of Part 2 (Working Hours), of Division 2 (Employment Regulation and Supervision) of the Labor Code (Lab. Code §§ 500 et seq.) provided general overtime protections for workers in California but *expressly excluded* coverage of overtime protections to persons employed in an agricultural occupation: “... This chapter, with the exception of Section 558, shall not apply to any person employed in an agricultural occupation, as defined in Order No. 14-80 (operative January 1, 1998) of the Industrial Welfare Commission.” (Lab. Code § 554(a), prior to 2016.)

#### IWC Wage Order 14-80 (operative January 1, 1998)

Order 14 covering workers employed in an agricultural occupation, including management of livestock, expressly excluded *shepherders*, including from the minimum wage. (Order 14, Sec. 1(E)).<sup>126</sup> For other agricultural workers covered under the order, overtime pay as provided in Sec. 3 of the orders was due for hours worked more than 10 hours per day or for more than 6 days per week.<sup>127</sup>

#### IWC Wage Order 14-2001, as adopted on April 24, 2001 and effective on July 1, 2001

During review in 2000 for the General Minimum Wage Order, MW-2001, the IWC conducted an investigation as to whether it should retain or eliminate all of the non-statutory full and partial exemptions from the minimum wage, including the exemption for shepherders. After several public hearings, the IWC decided to investigate the hours of work and conditions of shepherders in addition to the investigation of their wages. After completing the investigation on December 5, 2000, the IWC voted to convene a wage board to determine whether the exemption of shepherders from Order 14 should be eliminated. Following the report of the wage board, the IWC considered recommendations from both employer and employee representative of the wage board, but none received either a majority or a two-thirds vote of the wage board.

Order 14 was finally amended to make only certain sections of the order applicable to shepherders but maintained the express exclusion of overtime protections for shepherders. (Sec. 1(F)). The IWC adopted a provision establishing a minimum monthly wage for shepherders that was set at \$1,050.00 effective July 1, 2001 (and \$1,200.00 effective July 1, 2002).<sup>128</sup>

In the Statement of Basis regarding the monthly minimum wage rate, the IWC stated as to the amounts (\$1,050.00 effective July 1, 2001 and \$1,200.00 effective July 1, 2002), “[t]hese figures represent a compromise between the two proposed regulations submitted for public comment.” The IWC indicated that employers and their representatives supported a rate equal to the wages required under the federal H-2A program (then \$900.00 per month in wages), “which is less than

---

<sup>126</sup> Order 14 otherwise ostensibly covers occupations involving “raising, feeding, and management of livestock, ..., including but not limited to herding, ...” IWC Order 14-2001, sec. 2(D)(6).

<sup>127</sup> <https://www.dir.ca.gov/iwc/Wageorders1998/IWCArticle14.pdf>.

<sup>128</sup> [https://www.dir.ca.gov/iwc/iwcarticle14\\_Amended.pdf](https://www.dir.ca.gov/iwc/iwcarticle14_Amended.pdf).

the monthly minimum wage in California” and referred to other benefits the H-2A employer is required to provide (food, housing, and travel), which were estimated to cost employers a total of \$1,623.00. And “employee representatives supported a minimum wage for sheepherders that was initially \$2,060.00 per month then reduced to \$1,600.00 per month with a total of \$411.00 in credits of meals, lodging, [*sic.*] a reduction of \$100.00 for one day off per week for four weeks in a month.” Worker advocates presented testimony and documentation that sheepherders worked 13 to 14 hours per day and earned less than \$900.00 per month (required under H-2A program).<sup>129</sup>

### **New Labor Code §§ 2695.1 et seq.**

#### AB 1675 (Ch. 948, Statutes of 2001)

Established LC 2695.1-2695.2. Simultaneous to IWC action in April 2001, AB 1675 included statutory standards for wages and working conditions for sheepherders. In addition to establishing working condition standards for sheepherders, the Legislature also provided a wage standard consistent with the IWC’s adoption of a monthly minimum wage for sheepherders *who are employed on a regularly scheduled 24-hour shift on a 7-day a week “on call” basis*.<sup>130</sup> For such herders, the Legislature deferred to the determination of the IWC to allow an employer, as an alternative to paying the (hourly) minimum wage for all hours worked, to pay the monthly minimum wage adopted by the IWC on 4/24/2001. After July 1, 2002, the minimum monthly minimum wage (the last rate set by the IWC of \$1,200.00, effective July 1, 2002) would be adjusted annually based on the same percentage increase for the general (hourly) minimum wage rate (Lab. Code § 2695.2(a)(2)). Throughout 2001, neither the Labor Code nor Order 14 provided for overtime pay to sheepherders.

#### AB 156 (Ch. 569, Statutes of 2022, Secs. 42-44)

Added Labor Code sections 2695.3 to 2695.4, which extended the same alternative minimum wage and associated requirements applicable to sheepherders to goat herders until July 1, 2024. The bill also amended Labor Code section 2695.2 to match the existing Wage Order 14 by adding prohibition against credit for meals or lodging against the minimum wage and the requirement that employers shall provide herders not less than the minimum monthly meal and lodging benefits required to be provided by employers of herders under the provisions of the federal H-2A program.

#### SB 143 (Ch. 196, Statutes 2023, sec. 19)

Amended Labor Code section 2695.3 to add a requirement that DIR issue a report on the employment of sheepherders and goat herders in California on or before January 1, 2026. The bill further replaced the previous scheduled repeal date for Labor Code sections 2695.3 and 2695.4 (pertaining to protections for goat herders) set under AB 156 at January 1, 2024 to July 1, 2026 for these two sections.

---

<sup>129</sup> <https://www.dir.ca.gov/iwc/StatementBasisWageorder14.pdf>.

<sup>130</sup> Under AB 1675, LC 2695.2 stated that an employer of a sheepherder employed on a regularly scheduled 24-hour shift on a seven-day-a-week “on call” basis may, as an alternative to paying the minimum wage for all hours worked, instead pay no less than the monthly minimum wage adopted by the IWC. Accordingly, since the monthly minimum wage is an alternative, an employer may still choose to pay on an hourly basis for all hours worked, including “on call” time.

From 2000 (and earlier) through 2016, neither the Labor Code nor Order 14 provided for overtime protection to sheep and goat herders.

### **Impacts of AB 1066 on Herder Compensation**

AB 1066 (Ch. 313, Statutes of 2016) added new Labor Code sections 857–864 that phased-in overtime pay for *any person* employed in an “agricultural occupation” under IWC Order 14. AB 1066 removed the previous express exclusion in Labor Code section 554(a) of agricultural occupations from the general working hours chapter of the Labor Code which codifies the general overtime protections for California workers.

The bill expressed “the intent of the Legislature to enact the Phase-In Overtime for Agricultural Workers Act of 2016 to provide any person employed in an agricultural occupation in California, as defined in Order No. 14-2001 of the Industrial Welfare Commission (revised 07-2014) with an opportunity to earn overtime compensation under the same standards as millions of other Californians.” (Lab. Code § 858(d).)

The phase-in schedule of daily hours and weekly hours of overtime standards (1.5x the regular rate applied to large employers (more than 25 employees) beginning January 1, 2019 and to small employers (25 or fewer employees) beginning January 1, 2022 and was completed for large employers on January 1, 2022 and completed for small employers on January 1, 2025. (Lab. Code § 860.)

The double time standard for work performed in excess of 12 hours per day applied to large employers beginning January 1, 2022 and to small employers on January 1, 2025 (Lab. Code § 862). The double-time standard for work performed beyond 8 hours on the seventh day of work in a workweek was implemented on January 1, 2019 applicable to all employers, regardless of size upon commencement of the phase-in schedule (Lab. Code § 861).

In addition to the annual alternative monthly minimum wage increases based on the same percentage increase in the general minimum wage established in Labor Code sections 2695.2 in 2001 (for sheepherders) and 2695.4 in 2022 (for goat herders), overtime standards under AB 1066’s phase-in require additional overtime compensation for herders (1) working on a 24/7 “on call” schedule and (2) paid the alternative minimum monthly rate. The additional impacts on a herder’s required monthly compensation were:


- Commencing on January 1, 2019, incremental application of higher daily and weekly overtime to compensate for hours worked requiring payment of 1.5x the regular rate of pay for hours worked beyond the applicable overtime standard for specified years, initially based on employer size, that completed transition to the current general overtime standards on January 1, 2025 (Lab. Code § 860).
- Direct application of the double-time standard (2x the regular rate of pay) for hours worked in excess of 8 hours on the seventh day of the workweek, which was effective for all employers, regardless of size, on January 1, 2019.

- Direct application of the double-time standard (2x the regular rate of pay) for hours worked in excess of 12 hours worked in a day which applied to large employers on January 1, 2022 and small employers on January 1, 2025.

After January 1, 2025, increases in herder compensation will continue to be subject to increases in the alternative monthly minimum rate based on the percentage of the increase in the general minimum wage (determined under Labor Code section 1182.12). Since overtime pay is based on a calculated hourly regular rate of pay based on a herder's regular compensation, increases in the minimum monthly wage will raise the regular rate of pay for calculating overtime pay. However, increases based on the phase-in standards that generated more immediate annual increases in compensation between 2019 up to 2025 will not be as drastic from year to year because, after 2025, the annual increases in overtime pay will be tied only the increase in the alternative monthly minimum rate applicable to herders (based on increases of the general minimum wage rate). Accordingly, rate increases for both the minimum monthly wage tied directly to the annual increases in the minimum wage and overtime obligations tied to a herder's regular rate of pay will become more stable and consistent with increases in wage obligations of non-agricultural employers in California.

## APPENDIX B: FEDERAL AND STATE H-2A FORMS

**Figure A1. ETA Form 790A**

OMB Approval: 1205-0466 Expiration Date: XX/XX/XXXX		H-2A Agricultural Clearance Order Form ETA-790A U.S. Department of Labor		
<b>A. Job Offer Information</b>				
1. Job Title * <input style="width: 80%;" type="text"/>				
2. Workers Needed *		3. Begin Date *		4. End Date *
a. Total	b. H-2A			
<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>		<input style="width: 40%;" type="text"/>
5. Will this job generally require the worker to be on-call 24 hours a day and 7 days a week? * If "Yes", proceed to question 8. If "No", complete questions 6 and 7 below.				<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Anticipated days and hours of work per week *				7. Hourly work schedule
a. Total Hours	c. Monday	e. Wednesday	g. Friday	a. <input style="width: 20%;" type="text"/> : <input style="width: 20%;" type="text"/> <input type="checkbox"/> AM <input type="checkbox"/> PM
<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	b. <input style="width: 20%;" type="text"/> : <input style="width: 20%;" type="text"/> <input type="checkbox"/> AM <input type="checkbox"/> PM
b. Sunday	d. Tuesday	f. Thursday	h. Saturday	
<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	
8a. Job Duties - Description of the specific services or labor to be performed. * <i>(Please begin response on this form and use Addendum C if additional space is needed.)</i>				
8b. Wage Offer *	8c. Per *	8d. Piece Rate Offer \$	8e. Piece Rate Units/Special Pay Information \$	
\$ <input style="width: 40%;" type="text"/>	<input type="checkbox"/> HOUR <input type="checkbox"/> MONTH	\$ <input style="width: 40%;" type="text"/>		
9. Is a completed <b>Addendum A</b> providing additional information on the crops or agricultural activities and wage offers attached to this job offer? *				<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Frequency of Pay. * <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other (specify): <input style="width: 40%;" type="text"/>				
11. State all deduction(s) from pay and, if known, the amount(s). * <i>(Please begin response on this form and use Addendum C if additional space is needed.)</i>				
Form ETA-790A		FOR DEPARTMENT OF LABOR USE ONLY		Page 1 of 8
H-2A Case Number: _____		Case Status: _____		Determination Date: _____
Validity Period: _____		to _____		

Source: US Department of Labor, [https://www.dol.gov/sites/dolgov/files/eta/oflc/pdfs/eta-790a\\_10-31-2025.pdf](https://www.dol.gov/sites/dolgov/files/eta/oflc/pdfs/eta-790a_10-31-2025.pdf).

Figure A2. WHD Rights of H-2A Workers

## Key Protections for H-2A Workers

Your employer must:

 <p>Pay for all <b>recruitment and visa costs</b>.</p>	 <p>Give you a <b>written contract</b>.</p>	 <p>Reimburse you for the <b>trip to the job site</b> by the halfway point of the contract.</p>
 <p>Give you <b>free and safe housing</b>.</p>	 <p>Give you <b>meals or a kitchen</b> to prepare your own food.</p>	 <p>Give you <b>free and safe daily transportation</b>.</p>
 <p>Pay you the <b>promised wage</b>, give you a <b>pay stub</b>, and offer you <b>three fourths of the hours</b> in your contract.</p>	 <p>Pay for your <b>return trip</b> when the work is done.</p>	 <p>Respect your right to file a complaint or participate in an investigation <b>without any threats</b>.</p>

 **WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

If you have questions or believe that your employer has violated any of these rights, call **1-866-487-9243**.  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



Source: US Department of Labor, <https://www.dol.gov/sites/dolgov/files/WHD/h2a/key-protections-h2a.pdf>.

**Figure A3. EDD Housing Inspection Checklist For Range Housing**

STANDARDS FOR RANGE HOUSING INSPECTION CHECKLIST	
Employer:	
Location:	
City:	
State:	
Phone #:	
Housing Inspection Program #:	

**Note:** Use this checklist for employer housing in which workers are to perform herding or production of livestock on the range more than 50 percent of the workdays in the work contract period. These activities generally require the workers to be on call 24 hours per day, 7 days a week. *Do not use for permanent housing structures.*

**20 CFR 655.235(a) Housing site** **IN COMPLIANCE?**

1. Is the mobile housing site well drained and free from depressions in which water may stagnate?  YES  NO  N/A

**20 CFR 655.235(b) Water supply**

2. Is an adequate and convenient supply of water that meets the standards of the State or local health authority provided? (At least 4.5 gallons of potable water per day).  YES  NO  N/A

3. Is there an additional amount of water sufficient to meet laundry and bathing needs for each worker?  YES  NO  N/A

4. Are Individual drinking cups provided?  YES  NO  N/A

5. If mobile unit is located in an area subject to freezing temperatures, are there potable water storage containers small enough to allow storage in the housing unit to prevent freezing?  YES  NO  N/A

**20 CFR 655.235(d) Housing structure**

6. Is the mobile unit structurally sound, in good repair, in a sanitary condition, and able to provide shelter against the elements? (Broken windows and torn screens cannot provide adequate protection.)  YES  NO  N/A

7. Does the mobile unit have flooring constructed of rigid materials? Is the flooring easy to clean and so located to prevent ground and surface water from entering?  YES  NO  N/A

8. Does the mobile unit have at least one window or skylight that can be opened directly to the outdoors?  YES  NO  N/A

9. Are tents being used only where the terrain and/or land use regulations do not permit the use of other more substantial housing?  YES  NO  N/A

Rev. (8/23/2023)

Source: US Department of Labor.

Figure A4. WRA Notice to H-2A Herders

**• Notice of H-2A Workers' Rights under Federal Law •**

This Notice gives you some examples of the protections federal law provides H-2A workers. Western Range Association or the member rancher that employs you cannot retaliate against you for raising concerns about your working or living conditions.

---

**Did you pay for \_\_\_\_\_?**

- Visa, fingerprinting
- Hotel & transportation to go to the interview with the consulate
- Consulate interview
- Background check
- Border crossing fees
- Medical Exam
- Costs to get to the U.S.

If you paid for any of these items, either Western Range or the employer ranch you are working for must reimburse you for these expenses once you arrive to the U.S.

There is no charge to work as an H-2A worker. You should not pay anyone to apply for the job or participate in the H-2A Program.

---

**Is there transportation at work?**

You have the right to free and safe transportation in a properly maintained vehicle. You have the right to travel with a driver that has a driver's license.

- This includes when the employer ranch is taking you to work or you are using any vehicle to do your job.
- If you use any vehicle to do your job, make sure it is safe to operate. If it isn't, tell your employer.
- If you are given motorcycles to do your job, you should also get all safety equipment needed to operate the motorcycle. You should also be trained on how to use the motorcycle.
- Permission should be obtained from the employer ranch before using their vehicle.

**Did you get information about the job?**

You should get accurate written information Before getting your visa:

- **Compensation**
- **Work locations**
- **Job descriptions and requirements**
- **A list of potential deductions not required by law**

On your first day of work

- **The timing of paydays**

Other information you should know:

- **Housing** – you cannot be charged for housing.

You should keep a copy of any written disclosures while you work in the U.S. to make sure you are receiving the terms initially disclosed to you.

---

**Do you do agricultural work?**

You were chosen to come to the U.S. because of your knowledge and experience as a sheepherder. You are being paid for doing sheepherding.

You shouldn't be planting, thinning, irrigating, or harvesting crops. Nor should you be working as a mechanic, cutting trees, or delivering produce.

---

Western Range Association  
208-595-2226 or 208-731-3485

**Who to contact for help?**

The Department of Labor:  
1-866-487-9243

Peruvian Consulate

Emergencies: (415) 215-6668  
*Only use this # for an emergency*  
Other: 415-362-5185

Chilean Consulate

(415) 982-7665  
*Call between 2pm – 4pm PT*  
Please leave a voicemail

Mexican Consulate

1-855-463-9395  
*Ask for the emergency # of your nearest consulate*

If the vehicles, housing, or job is **unsafe** or you believe you are not being paid what you are owed, **don't stay quiet**. Contact any of the numbers above for help.

Revised 06.29.2020

Page 19 of 22

Source: US Department of Labor.

## **APPENDIX C: THE H-2A PROGRAM AND HERDERS**

The H-2A program allows farm employers who anticipate shortages of labor to recruit and employ guest workers to fill temporary or seasonal jobs, usually lasting less than 10 months. The H-2 program was created in Section 214(c) and 101(a)(15)(H)(2) of the Immigration and Nationality Act (INA) of 1952 and separated into H-2A for seasonal agricultural jobs and H-2B for seasonal nonfarm jobs on June 1, 1987 by the Immigration Reform and Control Act (IRCA) of 1986 (Public Law 99-603, 100 Stat. 3359).

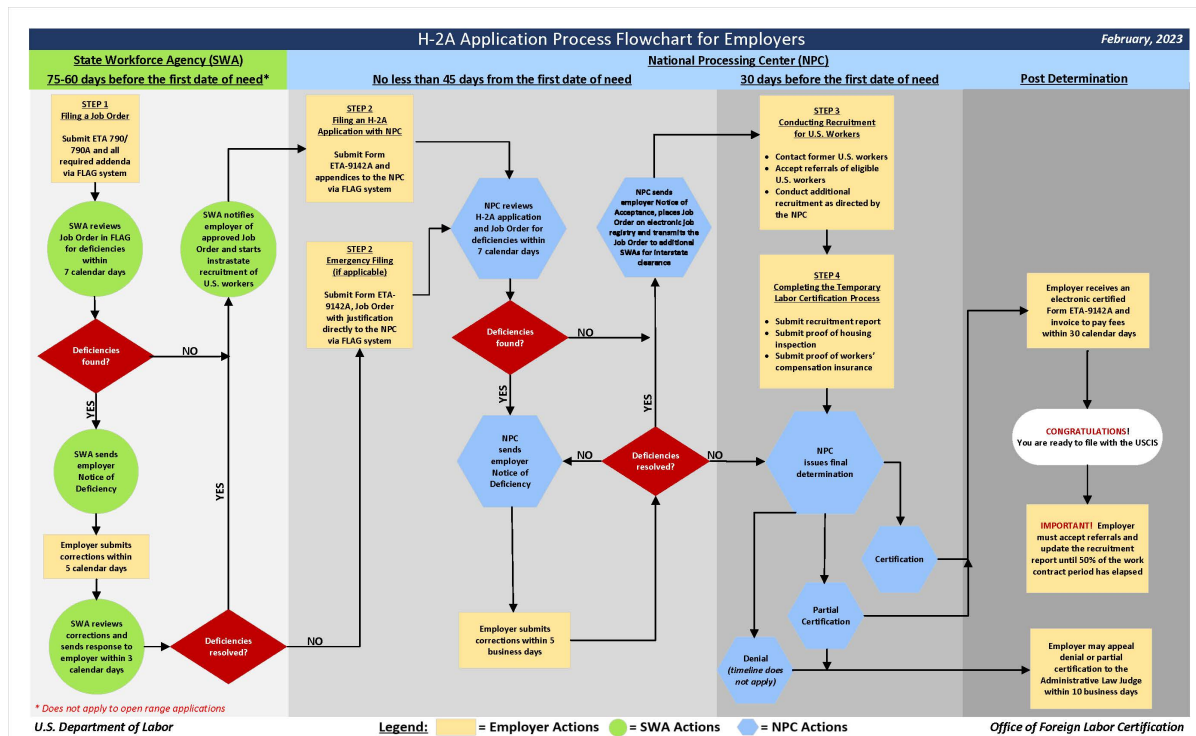
### **DOL Certification**

Farm employers must seek certification from the US Department of Labor (DOL) that (1) US workers who are “able, willing and qualified” are not and will not be available to fill the job vacancy for which the employer is requesting H-2A workers, and (2) that the employment of the H-2A workers will not adversely affect similar US workers.

Farm employers begin the certification process by creating job orders that detail the work to be done, wages and hours, and housing, transportation and other arrangements for H-2A workers. Employers submit job orders to the local state workforce agency (SWA), EDD in California, and DOL’s Office of Foreign Labor Certification (OFLC) at least 60 days before the date they need workers. SWAs review employer job orders and notify employers of any deficiencies, which must be corrected before the process can continue. After job orders are accepted and posted in federal and state databases, employers and SWAs try to recruit US workers to fill them. Very few “H-2A jobs,” less than two percent, are filled by US workers.

At least 45 days before the need date, the employer files the H-2A job order and ETA Form 9142 with the OFLC, which makes a determination to certify or deny the employer’s need for H-2A workers at least 30 days before the need date. OFLC certifies 98 percent of employer applications.

Figure A5. H-2A labor certification flow chart



Source: US Department of Labor, <https://www.dol.gov/sites/dolgov/files/ETA/oflc/pdfs/H-2A%20Flowchart%2013.23.pdf>.

## H-2A Range Herders

The cattle, goat, and sheep industries in the western states that graze animals on public and private rangeland have long relied on foreign herders. Congress in the early 1950s enacted legislation that allowed for the admission of “aliens skilled in shepherding.” Farmers selected the herders they wanted to employ, most from the Basque region of northern Spain, and Basque herders were admitted as permanent residents without a test of the US labor market. That is, DOL did *not* determine that US workers were unavailable and that the presence of foreign shepherds had no adverse effects on US workers. The Basque herders arrived as immigrants with the right to work in almost all US jobs rather than restricted to herding.

The Western Range Association (WRA) was formed by sheep ranchers in the 1950s to handle the recruitment of herders. WRA members complained that some Basque shepherds switched to other jobs soon after arrival, which they could do as immigrants admitted as permanent residents.<sup>131</sup> A January 14, 1957, report of the House Judiciary Committee concluded that admitting foreign shepherders as immigrants did not permit the sheep industry to “fully benefit” from the services of foreign herders, prompting legislation that made foreign shepherders guest

<sup>131</sup> Philip Martin, *Labor in the Western Sheep Industry* (Sept. 27, 1994).

workers under the H-2 (H-2A after 1987) program. Ranchers were allowed to employ H-2 sheep and goat herders for three-364-day contracts or almost three years.<sup>132</sup>

Senator Alan Simpson (R-WY), chair of the Senate Immigration Subcommittee and co-author of the Immigration Reform and Control Act of 1986, held hearings in the early 1980s on many aspects of immigration, including foreign sheep herders. Sheep industry representatives asserted that sheepherding was a skilled job and “one of the highest paid...in agriculture.” Ranchers also testified that foreign sheepherders needed training because a rancher only benefits from herders in their second year of herding.<sup>133</sup>

WRA reported that its members employed 300 H-2A and 30 US herders in 1981, and that herders were paid about \$600 a month. The WRA asked:

- to have the period of foreign herder employment extended from three to five years,
- to allow farmers to attest to their need for H-2 shepherds rather than undergo DOL certification (no more posting jobs, trying to recruit US herders, and interviewing applicants) and
- to deduct the cost of food provided to herders from their wages

Etchepare, testifying on behalf of the Western Range Association, reported 1,000 H-2 sheepherders in the US, with 300 departing and 300 new herders arriving each year; most herders earned \$600 to \$625 a month. Etchepare requested blanket certification that there is a shortage of US sheepherders based on the assertion that the WRA maintains an open job order with SWAs in all areas with H-2A sheepherders, and that fewer than 30 US workers a year respond to WRA’s open job order in the 17 western states.<sup>134</sup>

DOL developed special regulations for range herders in 1989 that set a minimum monthly wage of \$750 a month for range herders and required ranchers to provide herders with housing and food at no cost. The minimum monthly wage was still \$750 a month two decades later when the *Mendoza v. Perez* lawsuit was filed in 2011 by ex-H-2A herders who said they left herding jobs, became US immigrants, and did not seek herder jobs due to the \$750 wage and poor working conditions. Mendoza alleged that DOL issued special herding regulations in 2011 without adequate notice and comment and used Training and Employment Guidance Letters (TEGLs) to lay out special procedures for cattle, sheep and goat employers seeking H-2A herders.<sup>135</sup>

---

<sup>132</sup> USCIS, *Temporary or Seasonal Need for H-2A Petitions Seeking Workers for Range Sheep and/or Goat Herding or Production* (Nov. 14, 2019), available at [https://www.uscis.gov/sites/default/files/document/memos/1-PMH2ASeasonalSheepGoatHerder\\_PolicyMemo.pdf](https://www.uscis.gov/sites/default/files/document/memos/1-PMH2ASeasonalSheepGoatHerder_PolicyMemo.pdf).

<sup>133</sup> US Senate, *Senate Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary* 85-110 (Oct. 22, 1981), available at <https://babel.hathitrust.org/cgi/pt?id=purl.32754075434955&seq=1>.

<sup>134</sup> John Etchepare, *Statement before the Senate Immigration Subcommittee* (Nov. 30, 1981), available at <https://babel.hathitrust.org/cgi/pt?id=purl.32754075297154&seq=1>.

<sup>135</sup> TEGL No. 15–06 dealt with open-range cattle herders and TEGL No. 32–10 with sheepherders and goat herders.

The two rancher-created recruiting organizations, Mountain Plains Agricultural Services and the Western Range Association,<sup>136</sup> intervened and persuaded a federal district judge to dismiss the *Mendoza* suit. However, the DC Circuit Court of Appeals overturned the district judge in 2014 and concluded that DOL had substantively and unlawfully changed herder regulations with the TEGs. The DC Circuit Court ordered DOL undertake notice-and-comment regulatory rulemaking to establish H-2A procedures for herders.<sup>137</sup>

On November 16, 2015, DOL issued new regulations<sup>138</sup> that raised the AEW for the estimated 1,600 herders in the western states from \$750 a month to \$993 and to \$1,206 a month on December 15, 2015.<sup>139</sup> The November 2015 regulations required a monthly minimum wage of \$7.25 for 208 hours of work a month (48 hours a week for 4.33 weeks a month)<sup>140</sup> for herders whose contracts include at least 50 percent workdays on open range, defined as periods of time when herders have 24/7 on-call work schedules. The result was a minimum monthly herder wage of \$1,508 that is adjusted each year based on the change in the Employment Cost Index for private sector wages and salaries during the previous year.

---

<sup>136</sup> The Mountain Plains Agricultural Services and the Western Range Association said that their members employed 1,500 to 2,000 H-2A sheep and goat herders in the early 2010s.

<sup>137</sup> *Mendoza v. Perez*, 754 F.3d 1002, 1009 (D.C. Cir. 2014).

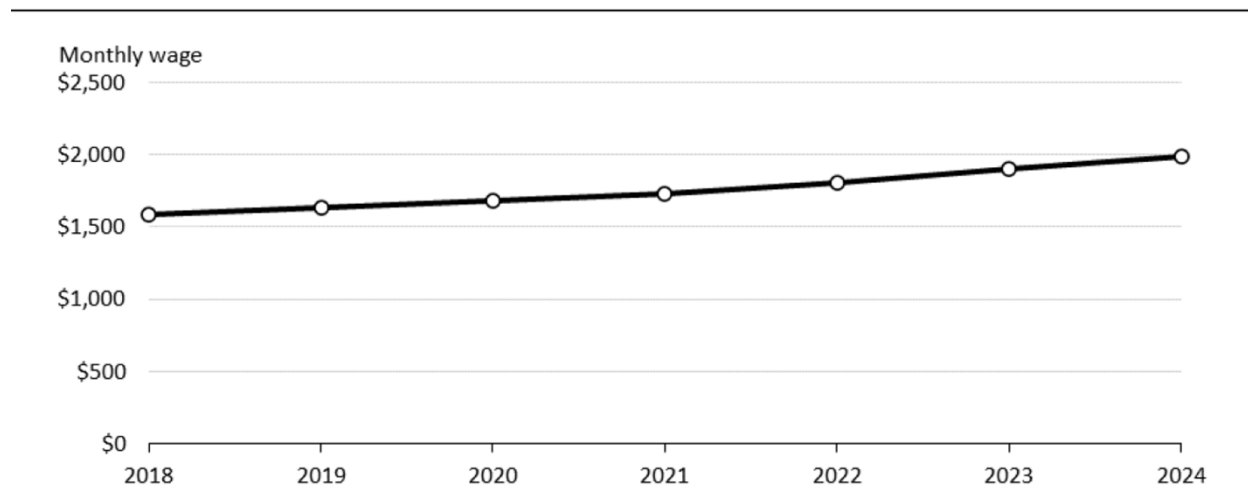
<sup>138</sup> The November 16, 2015, regulations, which also covered cattle herders on rangeland, were the first to explicitly establish standards for herder occupations. Herders are required to spend more than half of their time in rangelands, that is, away from the ranch farm or shop.

<sup>139</sup> DOL's herder AEW had risen by \$50 a month in the previous two decades. The November 16, 2015 AEW was based on the federal minimum wage of \$7.25 for 48 hours a week, with ranchers given several years to adjust to the higher monthly AEW. Further increases in the AEW reflect changes in the Employment Cost Index. California's minimum herder monthly wage was \$1,600 in 2015; Oregon's was \$1,319.

DOL considered using the USDA Farm Labor Survey (FLS) average hourly earnings of crop and livestock workers that ranged from \$10 to \$13 rather than \$7.25 but did not because of employer opposition. Employers noted that they provided housing and food to herders and that they could not afford the higher AEW implied by FLS earnings data. DOL concluded that using FLS earnings to set the AEW would "cause a substantial number of herding employers to close or significantly downsize their operations—leaving fewer herding jobs available to U.S. workers."

<sup>140</sup> Employers proposed basing the wage on a 40-hour week for herders, advocates a 48-hour week, and DOL assumed a 44-hour week and 4.33 weeks a month.

**Figure A6. Federal AEWB monthly wage for range herders, 2018-24**



Source: Reprinted from Elizabeth Weber, *Measuring Wages in the Agricultural Sector for the H-2A Visa Program*, Congressional Research Service, <https://www.congress.gov/crs-product/R47944>.

The CO-based Hispanic Affairs Project sued after DOL issued regulations on November 16, 2015, alleging that herding jobs were year-round rather than seasonal. The Hispanic Affairs Project said that DOL’s practice of certifying herder jobs to be filled for 364 days and renewing this certification twice, so that the same herder is in the US for almost three years and employed by one rancher, violates the requirement that H-2A jobs must be seasonal.<sup>141</sup>

The DC Circuit Court of Appeals agreed with the Hispanic Affairs Project in August 2018, concluding that DOL’s practice of allowing herders to receive 364-day contracts violated the INA’s requirement that nonimmigrant workers may fill only seasonal farm jobs.<sup>142</sup> As a result, most herder job orders specify a range herder job for six months followed by a lamber job for six months, then range herder again and then lamber again. Herders remain with the same employer for three years, but with six contracts rather than one.

<sup>141</sup> Worker advocates suggested that herding jobs be divided between herding for 5-6 months and lambing for 4-5 months, with each job certified separately.

<sup>142</sup> *Hispanic Affairs Project v. Acosta*, 901 F.3d 378-386 (D.C. Cir. 2018).

## APPENDIX D: VEGETATION MANAGEMENT

Vegetation management or targeted grazing involves animals grazing vegetation for the purpose of managing the landscape: one definition says that targeted grazing “refocuses outputs of grazing [such as meat or wool] from livestock production to vegetation and landscape enhancement.” Even though some or all of the animals that graze landscapes may be sold for meat, the primary purpose of targeted grazing is vegetation management.

Livestock grazing occurs on some 30 million acres of public and private land in California, but most is traditional grazing for meat rather than targeted or “the controlled harvest of vegetation with livestock.”<sup>143</sup> The California Wildfire and Forest Resilience Task Force has a dashboard with data on the fuel reduction activities of federal and state agencies and private firms.<sup>144</sup> The US Forest Service grazed the most acres in 2024, 257,000, most with mechanical and hand fuel reduction (116,000 acres) and prescribed fire (108,000 acres). Targeted grazing involved 110,000 acres, including 92,000 acres managed by the California Department of Fish and Game and 11,000 acres managed by the US Bureau of Land Management.<sup>145</sup>

Vegetation management usually means that the client pays the owners of the animals for vegetation and landscape services from \$150 to \$1,500 an acre in California. The major factors affecting the cost of vegetation management include the ease of access to the site, the need for fencing, supplemental feed and water, and the presence of predators, people, and domestic dogs. Targeted grazing costs are typically highest in urban areas, where grazing may be preferred to mechanical or chemical removal of grasses and weeds, especially in areas too steep for machines or near homes.

**Table A1. California fuel reduction options**

Treatment	Application	Cost	Benefits	Constraint	Products	Extent (est)
Manual	Clear or prune herbaceous and woody plants.	\$1,980/ha	Low impact, targeted. Steep slopes.	High cost, small areas. Fuel may be left on site or need disposal.	No.	Minimal.
Mastication	Chop and grind surface and ladder fuels by machine.	\$250-2,500/ha	Targeted, masticated areas can be more safely burned to remove fuel.	Fuel left on site but converted to horizontal structure.	No.	Minimal.
Mechanical thinning or harvest	Tree removal, reducing density, or cutting for timber.	\$90-2,500/ha	Costs offset from timber. Only method to remove established trees (besides wildfire).	Soil disturbance. Can meet fuels reduction targets. Accompany with burning or mastication to reduce surface fuels.	Wood products, saw logs, chips.	±1 million ha/year
Prescribed fire	Reduce ground and surface fuel,	Variable Cost \$7-2,700/ha	Lower cost at scale. Benefits	Smoke, regulations, site	No.	±45,000 ha/year (increasing)

<sup>143</sup> John Watson, *Farmers encouraged to use targeted grazing as tool* (2025), available at <https://www.agalert.com/california-ag-news/archives/march-26-2025/farmers-encouraged-to-use-targeted-grazing-as-tool>.

<sup>144</sup> <https://interagencytrackingsystem.org/>.

<sup>145</sup> <https://interagencytrackingsystem.org/>.

	including dead wood, invasives.		fire-adapted plants. Selective of fuels by intensity.	conditions, air quality, liability, risk—especially with ladder fuels. Selective by fuel quality.		
Prescribed/ targeted grazing	Reduce ground and surface fuels, control invasive species.	Variable Cost \$1,090-2,700/ha	Low risk, few regulations. Selective by species and intensity. Different livestock for different goals.	Higher cost, small areas. Fences, water, maybe herder needed. Prune up to 4-6 feet off the ground. Large woody vegetation not removed, desired plants may be.	Often a specialized service rather than for producing meat or milk. Often goats.	31,000 ± ha/year
Commercial grazing	Annual herbaceous biomass removed. Trampling and grazing may impede shrub spread or regrowth.	\$0 to revenue; cost-sharing, reduced rent for infrastructure help, complex plans.	Lowest cost if infrastructure present. Annual treatment easy. Low risk. Brush seedlings may be removed / suppressed, annual grasses eagerly consumed.	Requires fences and water. Forage must meet livestock needs or supplement is needed. Mature woody vegetation not removed. May consume desired plants. Limited livestock production needs, bottom line.	Food and animal products.	16 million ± ha/year

Source: Reprinted from Lynn Huntsinger and Sheila Barry, *Grazing in California’s Mediterranean Multi-Firescapes*. *Frontiers in Sustainable Food Systems*, [https://www.frontiersin.org/files/Articles/715366/fsufs-05-715366-HTML/image\\_m/fsufs-05-715366-t002.jpg](https://www.frontiersin.org/files/Articles/715366/fsufs-05-715366-HTML/image_m/fsufs-05-715366-t002.jpg)

Most of California’s targeted grazing involves publicly funded efforts to reduce fuel loads in the urban-wildlife interface. AB 179 (Budget Committee, 2022), Section 74, Item 3540-101-0001 provided \$80 million in Fire Prevention Grants in 2022, giving priority to targeted grazing around schools in disadvantaged communities.<sup>146</sup> The State Land Grazing website has a Grazing License Agreement Template that does not mention compliance with the California Labor Code.<sup>147</sup>

SB 675 (Limón, 2024) expands state-funded fire prevention activities to include prescribed grazing, defined as “the lawful application of grazing by a specific kind of livestock at a determined season, duration, and intensity to accomplish defined vegetation or conservation goals, including reducing the risk of wildfire by reducing fuel loads, controlling undesirable or invasive plants, and promoting biodiversity and habitat for special status species.”<sup>148</sup> SB 675 requires the California Department of Forestry and Fire Protection to “increase opportunities and

<sup>146</sup> [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB179](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB179).

<sup>147</sup> <https://bof.fire.ca.gov/board-committees/range-management-advisory-committee/livestock-grazing-management-resources>.

<sup>148</sup> <https://legiscan.com/CA/text/SB675/id/2829536>.

outreach for projects on state and private land that include prescribed grazing in the local assistance grant program.”

Many cities and counties contract with sheep and goat grazing firms to reduce fuel loads in areas that could burn. Marin county noted that 1,200 goats grazed about three acres a day in 2019, covering 600 acres in 200 days.<sup>149</sup> The San Rafael Fire Department awarded a contract in 2025 to Blue Tent Farms to have 1,200 goats graze 176 acres in 89 days, meaning that the goats covered less than two acres a day at a cost of \$950 per acre. The equipment list specified four trailers for herders. Each herder cost Blue Tent about \$6,000 a month, so four herders cost \$24,000 a month and, for the three-month contract, herding costs of \$72,000 were 43 percent of the \$167,000 contract.<sup>150</sup>

A 2024-26 Alameda County contract with Star Creek Land Stewards offers \$2.2 million to graze 50 parcels in the county between May and October that range from less than one acre to over 150 acres. The per acre rate varies from a low of \$440 for the over 150 acre site to \$800 an acre for smaller sites, and the per acre rate increases by 2.5 percent each year for the second and third years. The contract includes maps of the targeted grazing sites.<sup>151</sup>

Star Creek has about 10,000 sheep and goats, uses 70 percent of its animals for targeted grazing, and employs more than 20 herders. The contract requires at least one herder per 1,000 goats and limits each herder camp to two trucks and one mobile home. Section 20 (p24) of the Alameda County contract requires Star Creek to comply with California Labor Code Section 2695.4, and Section 21 requires Star Creek to register with DIR and comply with DIR-determined prevailing per diem wages, although there are no DIR prevailing wages for herders.<sup>152</sup>

Solar farms, orchards, and vineyards also rely on targeted grazers to manage vegetation. A group of grazing businesses and public and private organizations sent a letter to Governor Newsom June 22, 2023, requesting equal goat and sheep herder wages in order to preserve goats in targeted grazing portfolios.<sup>153</sup>

Sheep are most often used to graze grass at solar farms, which often lease low-value land for 20 or 30 years and make annual rent payments of perhaps \$1,000 an acre to landowners. Landowners can insist on agrivoltaic rights,<sup>154</sup> such as grazing sheep or establishing a pollinator habitat so that farm production continues and perhaps generates tax benefits for the landowner.

---

<sup>149</sup> <https://firesafemarin.org/programs/goat-grazing/>.

<sup>150</sup> <https://publicrecords.cityofsanrafael.org/WebLink/PDF10/2c53cb63-b9b4-41d2-9250-bf567605edb2/40350>.

<sup>151</sup> <https://calclimateag.org/wp-content/uploads/2024/07/Letter-to-Governor-Requesting-Support-for-Prescribed-Goat-Grazing-6.22.23-2.pdf>.

<sup>152</sup> <https://www.dir.ca.gov/OPRL/2024-1/PWD/Determinations/Subtrades/ALA.html>.

<sup>153</sup> <https://calclimateag.org/wp-content/uploads/2024/07/Letter-to-Governor-Requesting-Support-for-Prescribed-Goat-Grazing-6.22.23-2.pdf>.

<sup>154</sup> Agrivoltaics is defined as “agricultural production, such as crop or livestock production or pollinator habitats, underneath solar panels or adjacent to solar panels.”

Solar farms pay grazing firms to keep down grasses and weeds that could limit electricity generation.

The American Solar Grazing Association (ASGA) estimated that the median fee paid to sheep ranchers who graze solar sites was \$280 per hectare per year, which ASGA said was lower than mowing costs of \$300 and herbicide costs of \$725 per hectare per year.<sup>155</sup> Firms offering solar grazing services had an average 1,300 sheep and grazed an average 600 hectares, often placing their sheep at several sites simultaneously. Texas and California have the most solar energy production and the most sheep grazing at solar farms.

Virtual fencing can also reduce herder tasks and perhaps labor costs. Instead of physical fences, virtual fencing relies on GPS chip-enabled animal collars to warn cattle, sheep, and goats that they are approaching a boundary. The collar first issues an auditory warning, and then an electrical shock to encourage the animal to move away from the virtual fence line that is established and modified by the operator from a smartphone or tablet.

Virtual fencing requires investment in collars that cost \$300 each, base stations, and cell service, and can be cost effective if the cost of building fencing is high.<sup>156</sup> Most proponents believe that subsidies are required to persuade more farmers to adopt virtual fencing.<sup>157</sup>

Hoag et al. evaluated the costs of virtual fencing for a 300 cow, 30,000-acre ranch (100 acres for each cow) and found virtual fencing to be cheaper than barbed wire and portable (electrified) fencing and 30 base stations with towers that can serve a 25-mile radius and cost \$12,500 each. Hoag estimated the cost of such a system at \$30,000 to \$60,000 a year including the cost of computers and labor to install the system and to check animal collars and whether cattle are rounded up once or several times a year to check on the collars. Base stations were 40 percent of the cost, followed by 30 percent for collars, and almost 30 percent for labor and management.<sup>158</sup>

Barbed wire fencing costs an estimated \$50,000 for this ranch, which makes low-intensity virtual fencing profitable. However, if the rancher wants interior pastures, called high-intensity virtual fencing, then virtual fencing can be profitable because the collars make it unnecessary to build interior fences. Ranchers who elect to not collar all animals and to tolerate some areas without base station coverage can switch to virtual fencing and save money.

Hoag reported that 44,000 ranches, each with more than 2,000 acres, account for 30 percent of US beef cows and could save money with virtual fencing. The Bureau of Land Management (BLM) and the USDA Forest Service manage 230 million acres of public lands that permit grazing.

---

<sup>155</sup> WC Stewart et al., *Vegetation management utilizing sheep grazing within utility-scale solar: Agro-ecological insights and existing knowledge gaps in the United States* (2025), available at <https://www.sciencedirect.com/science/article/pii/S0921448825000100>.

<sup>156</sup> <https://ucanr.edu/index.cfm?blogpost=61037&blogasset=102388>.

<sup>157</sup> <https://www.perc.org/2024/11/21/unlocking-the-conservation-potential-of-virtual-fencing/>.

<sup>158</sup> Dana Hoag et al., *The economic fundamentals of virtual fencing compared to traditional fencing* (2025), available at <https://doi.org/10.1016/j.rala.2024.05.006>.

## APPENDIX E: EDD RANGE HOUSING CHECKLIST

### STANDARDS FOR RANGE HOUSING INSPECTION CHECKLIST

Employer:	
Location:	
City:	
State:	
Phone #:	
Housing Inspection Program #:	

**Note:** Use this checklist for employer housing in which workers are to perform herding or production of livestock on the range more than 50 percent of the workdays in the work contract period. These activities generally require the workers to be on call 24 hours per day, 7 days a week. *Do not use for permanent housing structures.*

**20 CFR 655.235(a) Housing site**

**IN COMPLIANCE?**

1. Is the mobile housing site well drained and free from depressions in which water may stagnate?  YES    NO    N/A

**20 CFR 655.235(b) Water supply**

2. Is an adequate and convenient supply of water that meets the standards of the State or local health authority provided? (At least 4.5 gallons of potable water per day).  YES    NO    N/A
3. Is there an additional amount of water sufficient to meet laundry and bathing needs for each worker?  YES    NO    N/A
4. Are Individual drinking cups provided?  YES    NO    N/A
5. If mobile unit is located in an area subject to freezing temperatures, are there potable water storage containers small enough to allow storage in the housing unit to prevent freezing?  YES    NO    N/A

**20 CFR 655.235(d) Housing structure**

6. Is the mobile unit structurally sound, in good repair, in a sanitary condition, and able to provide shelter against the elements? (Broken windows and torn screens cannot provide adequate protection.)  YES    NO    N/A
7. Does the mobile unit have flooring constructed of rigid materials? Is the flooring easy to clean and so located to prevent ground and surface water from entering?  YES    NO    N/A
8. Does the mobile unit have at least one window or skylight that can be opened directly to the outdoors?  YES    NO    N/A
9. Are tents being used only where the terrain and/or land use regulations do not permit the use of other more substantial housing?  YES    NO    N/A

**STANDARDS FOR RANGE HOUSING INSPECTION CHECKLIST**

- 10. If tents are in use (see 9), are facilities provided and maintained for effective disposal of excreta and liquid waste according to State and local health and sanitation requirements?  YES  NO  N/A
- 11. When tents are in use, are pits that are used for the disposal by burying of excreta and liquid waste kept fly tight when not filled in completely after each use?  YES  NO  N/A
- 12. When tents are in use, is there a heater? (The heater must approved by a testing service, and the tent must be fireproof.)  YES  NO  N/A

**20 CFR 655.235(e) Heating**

- 13. Is the stove or other source of heat using combustible fuel installed and vented in such manner as to prevent fire hazards and a dangerous concentration of gases? (Portable electric heaters may be used, and if approved by Underwriter’s Laboratory, kerosene heaters may be used according to manufactures’ instructions.)  YES  NO  N/A
- 14. If a solid or liquid fuel stove is used in a room with wooden or other combustible flooring, is there a concrete slab, insulated metal sheet, or other fireproof material on the floor under each stove, extending at least 18 inches beyond the perimeter of the base of the stove?  YES  NO  N/A
- 15. Is any wall or ceiling within 18 inches of a solid or liquid fuel stove or stovepipe of fireproof material? (A vented metal collar must be installed around a stovepipe or vent passing through a wall, ceiling, floor, or roof.)  YES  NO  N/A
- 16. If the heating system has automatic controls, do the controls cut off the fuel supply when the flame fails or is interrupted, or whenever a predetermined safe temperature or pressure is exceeded?  YES  NO  N/A

**20 CFR 655.235(f) Lighting**

- 17. In areas where it is not feasible to provide electrical service to the mobile housing unit or tent, are lanterns provided? (Kerosene wick lights meet the definition of lantern.)  YES  NO  N/A
- 18. Where lanterns are used, is one lantern provided for each occupant?  YES  NO  N/A

**20 CFR 655.235(g) Bathing laundry, and hand washing**

- 19. When it is not feasible to provide hot and cold water under pressure, are movable bathing, laundry, and handwashing facilities (such as a portable laundry/bathtub) provided?  YES  NO  N/A

## STANDARDS FOR RANGE HOUSING INSPECTION CHECKLIST

### 20 CFR 655.235(h) Food storage

20. When mechanical refrigeration of food is not feasible, is there an alternative method to keep food fresh and to prevent spoilage, such as butane or propane gas refrigerator. Other proven methods of safeguarding fresh foods, such as dehydrating or salting, are acceptable.  YES  NO  N/A

### 20 CFR 655.235(i) Cooking and eating facilities

21. When shepherders or their families are permitted or required to cook in their individual mobile housing unit, is a space provided with adequate lighting and ventilation?  YES  NO  N/A
22. Are wall surfaces next to all food preparation and cooking areas made of nonabsorbent, easy to clean material? Are the wall surfaces next to cooking areas must be made of fire-resistant material?  YES  NO  N/A

### 20 CFR 655.235(j) Garbage and other refuse

23. Are durable, fly-tight, clean containers provided to each mobile housing unit, including tents, for storing garbage and other refuse?  YES  NO  N/A
24. Have provisions been made for collecting or burying refuse, which includes garbage, at least twice a week or more often if necessary? (Refuse disposal shall conform to federal, state, or local law, whichever is applicable to the location.)  YES  NO  N/A

### 20 CFR 655.235(k) Insect and rodent control

25. Are appropriate materials, including sprays, provided to aid the mobile housing unit occupant(s) in combating insects, rodents, and other vermin?  YES  NO  N/A

### 20 CFR 655.235(l) Sleep facilities

26. Are separate sleeping units provided for each person, except in a family arrangement? (Such units shall include a comfortable bed, cot, or bunk with a clean mattress.) Note: If a temporary variance from this requirement is needed to allow for a second herder to join the herding operation for a short time, the employer must explain fully why it is impractical to set up a second sleeping unit. If the second herder cannot provide his/her individual sleeping bag or bed roll, the employer must do so.  YES  NO  N/A

### 20 CFR 655.235(m) Fire, safety, and first aid.

27. Is the unit constructed and maintained according to applicable State or local fire and safety law?  YES  NO  N/A
28. Except for materials needed for current household use, are there any flammable or volatile liquid or materials stored in or next to rooms used for living purposes?  YES  NO  N/A

Rev. (8/23/2023)

### STANDARDS FOR RANGE HOUSING INSPECTION CHECKLIST

29. Does the unit have a second means of escape through which the worker can exit without difficulty? (Tents are not required to have a second means of escape, except when large tents with walls of rigid material are used.)  YES  NO  N/A

30. Does the unit have adequate, accessible fire extinguishers in good working condition?  YES  NO  N/A

31. Does the unit have a first aid kit?  YES  NO  N/A

#### CA LABOR CODE SECTIONS 2695.1, 2695.2 and 2695.4

32. 2695.2(f)(1) and 2695.4(f)(1) Is there a toilet and bathing facility? (This may include a portable toilet or portable shower.)  YES  NO  N/A

33. 2695.2(f)(2) and 2695.4(f)(2) Do quarters have properly installed, operable heating equipment? Does the equipment supply adequate heat?  YES  NO  N/A

34. 2695.2(f)(5) and 2695.4(f)(5) Are cooking utensils provided by the employer?  YES  NO  N/A

35. 2695.2(g)(1) and 2695.4(g)(1) Does the worker receive regular mail service?  YES  NO  N/A

36. 2695.2(g)(4) and 2695.4(g)(4) Upon request and to the extent practicable, does the employer provide the worker with access to transportation to and from the nearest locale where shopping, medical, or cultural facilities and services are available on a weekly basis?  YES  NO  N/A

37. 2695.1(c) Has the employer posted in the unit, or provided a copy to the worker, an updated a copy of the Industrial Welfare Commission Order 14-2001, relating to herders?  YES  NO  N/A