

August 28, 2025. OFLC Announces Update to Implementation of the 2023 H-2A AEWL Final Rule; District Court's Order Vacating the Final Rule

On August 25, 2025, the U.S. District Court for the Western District of Louisiana issued an order in *Teche Vermilion Sugar Cane Growers Association, Inc., et al. v. Lori Chavez-DeRemer*, plaintiffs' Motion for Entry of Final Judgment and vacating the 2023 H-2A AEWL Final Rule, *Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States*, 88 FR 12760 (Feb. 28, 2023) ("Final Rule").

As a result of the Final Rule being vacated, AEWL rates will be set according to the methodology set forth in the 2010 rule, *Temporary Agricultural Employment of H-2A Aliens in the United States*, 75 Fed. Reg. 6884 (Feb. 12, 2010).

The Department is currently taking steps to implement the vacatur and will post additional announcements and/or publish *Federal Register* notices for all stakeholders, as necessary, to effect the implementation of the court order.

[View the court order](#)