

25-966 DEPARTMENT OF LABOR V. SUN VALLEY ORCHARDS, LLC

DECISION BELOW: 148 F.4th 121

LOWER COURT CASE NUMBER: 23-2608

QUESTION PRESENTED:

The H-2A visa program grants U.S. employers the privilege of "import[ing]" foreign aliens into the United States for temporary agricultural work under special visas. 8 U.S.C. 1188(a)(1). As a condition of granting petitions to import foreign workers, federal law requires an employer to agree to comply with statutory and regulatory requirements governing workers' living and working conditions. Congress has authorized the Secretary of Labor to impose monetary remedies to assure employer compliance with those "terms and conditions." 8 U.S.C. 1188(g)(2). The question presented is:

Whether Article III of the Constitution precludes Congress from assigning to the Secretary of Labor the initial adjudication of proceedings to collect monetary remedies from employers who violate the terms and conditions of participating in the H-2A visa program.

THE PETITION FOR A WRIT OF CERTIORARI IS GRANTED LIMITED TO THE FOLLOWING QUESTIONS: 1) WHETHER ARTICLE III OF THE CONSTITUTION PRECLUDES THE DEPARTMENT OF LABOR FROM ADJUDICATING PROCEEDINGS TO COLLECT MONETARY REMEDIES FROM EMPLOYERS WHO HAVE ALLEGEDLY VIOLATED THE TERMS AND CONDITIONS OF EMPLOYMENT OF H-2A WORKERS AND DOMESTIC WORKERS IN CORRESPONDING EMPLOYMENT. 2) WHETHER 8 U. S. C. §1188(g)(2) AUTHORIZES THE DEPARTMENT OF LABOR TO ADJUDICATE PROCEEDINGS TO COLLECT MONETARY REMEDIES FROM EMPLOYERS WHO HAVE ALLEGEDLY VIOLATED THE TERMS AND CONDITIONS OF EMPLOYMENT OF H-2A WORKERS AND DOMESTIC WORKERS IN CORRESPONDING EMPLOYMENT.

CERT. GRANTED 4/27/2026