

**ALLOWABLE MEAL CHARGES AND
REIMBURSEMENTS FOR DAILY SUBSISTENCE**
Effective on or after March 1, 2011

Allowable Meal Charge to Workers

In its job offer to U.S and H-2A workers, the employer either must state that it will provide each worker with three (3) meals a day or furnish free and convenient cooking and kitchen facilities to the workers that will enable the workers to prepare their own meals. If the employer is going to provide the meals to the workers, the job offer must state the charge, if any, to the worker for such meals.

Until the Department publishes a new amount or approves a higher amount based on a request from an employer, the job offer must not charge a worker more than the following amount for meals:

Maximum Meal Charge: \$ 10.73 per day

Daily Subsistence Amounts for Workers Traveling

In its job offer to U.S. and H-2A workers, the employer must state the minimum and maximum amounts of money that workers will receive for daily subsistence when traveling to and from the place of employment. For workers who complete 50 percent or more of the work contract period, the employer must pay workers for subsistence expenses incurred traveling from the place the worker came to the place of employment. If the worker either completes the work contract period or is terminated without cause, and the worker has no immediate subsequent H-2A employment, the employer must pay workers for subsistence expenses incurred traveling from the place of employment back to the place the worker came from to work for the employer.

Until the Department publishes a new amount, the job offer must state that the worker will receive the following amount(s) for daily subsistence while traveling:

Minimum: \$ 10.73 per day⁽¹⁾

Maximum: \$ 46.00 per day⁽²⁾ (with documentation of actual expenses)

Important Notes:

- (1) Under the regulations, the amount of money that a worker can receive for daily subsistence must be at least as much as the allowable meal charge while employed with the employer.

- (2) The maximum daily rate is based on the standard rate for the Continental United States (CONUS) covering meals and incidental expenses as published by General Services Administration (GSA) at <http://www.gsa.gov/portal/category/21287>