



How the H2B program works

Tuesday, April 15, 2008

The H2B program requires U.S. employers to complete a number of steps before being eligible to hire temporary foreign workers, according to Sandie Azinger of Hot Springs, head of International Hospitality Resources Agency, which places the majority of foreign workers in the Black Hills area.

Employers must:

- First advertise and offer to American workers every job before attempting to fill it with international workers.
- Recruit local workers, place a job order with Job Service nationwide and run help wanted ads in local newspapers.
- Report to the Labor Department whether anyone applied or inquired about the jobs.
- Prove his or her seasonal, temporary or peak need. The employer must be certified by the state and federal labor departments to hire seasonal workers under H2B.
- Pay the prevailing local wage for the job. The state Department of Labor determines the minimum wage for the jobs.

Other provisions of the H2B program:

- An H2B worker can remain in the United States for up to three years uninterrupted as long as he or she is working for a certified employer.
- H2B workers can transfer to other certified employers.
- If H2B workers go home and are approved for the next season in the U.S., they must go back to the U.S. embassy in their home country and be interviewed again.
- H2B workers from some countries must go through a security clearance before getting a temporary work visa.