



# Foreign guest-worker programs

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**Guest-worker programs are meant to fill worker shortages**

**U.S.-based workers are protected from cheap foreign labor**

**Employers get lots of assistance**

The federal government operates two guest-worker programs that allow U.S. employers to temporarily hire workers from other countries when there is a shortage of U.S. workers for those jobs. The H-2A program is for agricultural jobs; the H-2B program is for temporary non-agricultural jobs. Both programs require employers to first actively recruit available U.S. workers and to assure that admitting foreign workers will not harm the wages and working conditions of U.S. workers employed in similar jobs. Employers often receive assistance from attorneys or consultants to complete their H-2A or H-2B applications. Employment Security staff is available to provide information and guidance about both programs.

## Foreign certification for agricultural jobs (H-2A)

Employment Security's primary responsibilities under the H-2A program include the following.

- Help employers by informing them about requirements of the program.
- Recruit qualified, U.S.-based workers to meet employers' needs, if possible.
- With assistance from the state departments of Health and Labor & Industries, coordinate the inspection of required housing for workers. The H-2A program requires that employers provide no-cost housing to foreign and non-local U.S. workers hired under this program.
- Conduct prevailing-wage and -practice surveys on agricultural jobs, and provide the results to the federal Department of Labor. H-2A employers are required to offer wages, terms and job conditions that are similar to those offered by non-H-2A employers. This is intended to protect jobs for U.S. workers and avoid abuse of foreign workers.

## Foreign certification for non-agricultural jobs (H-2B)

Employment Security has two primary responsibilities under the H-2B program.

- 1) Help employers recruit qualified U.S.-based workers to fill the identified H-2B job openings.
- 2) Verify the employment eligibility of qualified workers referred to these job openings.

## Funding to run the program

Employment Security gets about \$200,000 a year in federal funding for the duties the state is required to perform for the foreign-labor certification programs.

## Contacts

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