

USCIS - H-2A Agricultural Workers - Windows Internet Explorer provided by USCIS

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=889f0b69284a3210vgi

File Edit View Favorites Tools Help Links Google ROCIS Login Page Information Collection Review SnagIt Convert Select

Current Inventory Report USCIS - H-2A Agricultural... Add/Edit Information Collecti...

Employment-Related Notifications to USCIS

Petitioners of H-2A workers must notify USCIS within 2 workdays if any of the following occur:

- **No show:** The H-2A worker fails to report to work within 5 work days of the latter of:
 - The employment start date on the H-2A petition, or
 - The start date established by the employer;
- **Abscondment:** The H-2A worker leaves without notice and fails to report for work for 5 consecutive workdays without the consent of the employer;
- **Termination:** The H-2A worker is terminated prior to the completion of the H-2A labor or services for which he or she was hired; or
- **Early Completion:** The H-2A worker finishes the labor or services for which he or she was hired more than 30 days earlier than the date specified in the H-2A petition.

Petitioners must include the following information on the employment-related notification:

1. The reason for the notification (for example, explain that the worker was either a "no show," "absconder," "termination," or "early completion");
2. The reason for untimely notification and evidence for good cause, if applicable;
3. The USCIS receipt number of the approved H-2A petition;
4. The petitioner's information, including:
 - Name
 - Address
 - Phone number
 - Employer identification number (EIN)
5. The employer's information (if different from that of the petitioner):
 - Name
 - Address
 - Phone number
6. The H-2A worker's information:
 - Full Name

Done Internet 100%

start Microsoft... USCIS - H-2... 2012 Extens... 4 Microsoft... Adobe A... 10:24 AM

USCIS - H-2A Agricultural Workers - Windows Internet Explorer provided by USCIS

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=889f0b69284a3210Vgi

File Edit View Favorites Tools Help Links Google ROCIS Login Page Information Collection Review SnagIt Convert Select

Current Inventory Report USCIS - H-2A Agricultural... Add/Edit Information Collecti...

6. The H-2A worker's information:

- Full Name
- Date of birth
- Place of birth
- Last known physical address and phone number

Additionally, to assist USCIS with identification of the H-2A worker, submit the following for each H-2A worker, if available:

- Social Security Number
- Visa Number

Failure to Notify USCIS: A petitioner who fails to comply with these employment notification requirements, or fails to demonstrate good cause for untimely notification, may be required to pay \$10 in liquidated damages for each instance of noncompliance.

Note: USCIS defers to DOL's definition of "workday." According to the Fair Labor Standards Act (FLSA), this generally means the period of time on any particular day when an employee begins and ends his or her "principal activities."

How do I notify USCIS?

Notification should be made via email or mail to the California Service Center at the following addresses. Although not required, email notification is strongly recommended to ensure timely notification.

California Service Center

By email: CSC-X-H-2AAbs@dhs.gov

By mail:

California Service Center
Attn: Div X/BCU ACD
P.O. Box 30050
Laguna Niguel, CA 92607-3004

[Return to top](#)

Done Internet 100%

start Microsoft... USCIS - H-2... 2012 Extens... W 4 Microsoft... Adobe A... 10:25 AM

USCIS - H-2A Agricultural Workers - Windows Internet Explorer provided by USCIS

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnnextoid=889f0b89284a3210vgi

File Edit View Favorites Tools Help Links Google ROCIS Login Page Information Collection Review SnagIt Convert Select

Current Inventory Report USCIS - H-2A Agricultural... Add/Edit Information Collecti...

By mail:
California Service Center
Attn: Div X/BCU ACD
P.O. Box 30050
Laguna Niguel, CA 92607-3004

[Return to top](#)

Fee-Related Notifications to USCIS

A petitioner, agent, facilitator, recruiter, or similar employment service is prohibited from collecting a job placement fee or other compensation (either direct or indirect) at any time from an H-2A worker as a condition of employment.

Petitioners are provided with the opportunity to avoid denial or revocation (on notice) of their H-2A petition if they notify USCIS that they obtained information concerning the beneficiary's payment (or agreement to pay) a prohibited fee or compensation to any agent, facilitator, recruiter, or similar employment service *only after* they filed their H-2A petition. This narrow exception does not apply, however, where a petitioner knew or should have known at the time of filing of its H-2A petition that the prospective worker had paid (or agreed to pay) such recruitment-related fees to any such persons or entities.

Petitioners must notify USCIS of an H-2A worker's payment or agreement to pay prohibited fees to a recruiter, facilitator or similar employment service within 2 workdays of gaining knowledge of such payment or agreement.

Petitioners must include the following information in their fee-related notification:

1. The reason for the notification;
2. The USCIS receipt number of the approved H-2A petition;
3. The petitioner's information:
 - Name
 - Address
 - Phone number
4. The employer's information (if different from that of the petitioner):
 - Name

Done Internet 100%

start Microsoft... USCIS - H-2... 2012 Extens... 4 Microsoft... Adobe A... 10:25 AM

USCIS - H-2A Agricultural Workers - Windows Internet Explorer provided by USCIS

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=889f0b69284a3210Vgi

File Edit View Favorites Tools Help Links Google ROCIS Login Page Information Collection Review SnagIt Convert Select

Current Inventory Report USCIS - H-2A Agricultural... Add/Edit Information Collecti...

- Phone number

4. The employer's information (if different from that of the petitioner):

- Name
- Address
- Phone number

5. Information about the recruiter, facilitator, or placement service to which the beneficiaries paid (or agreed to pay) the prohibited fee:

- Name
- Address

Fees not prohibited are:

- The lesser of the fair market value or actual costs of transportation and
- Any government-mandated passport, visa, or inspection fees to the extent that the payment of such costs and fees by the alien H-2A worker is not prohibited by statute or other laws. This includes, but is not limited to, the FLSA, DOL regulations, case law, and DOL interpretations of the FLSA and other relevant labor laws.

How do I notify USCIS?

Notification should be made to the California Service Center via email or mail at the following addresses. Although not required, email notification is strongly recommended to ensure timely notification. ([OMB Control Number 1615-0107](#))

California Service Center

By email: CSC.H2AFee@dhs.gov

By mail:

California Service Center
Attn: H-2A Fee
P.O. Box 10695
Laguna Niguel, CA 92607-1095

[Return to top](#)

Done Internet 100%

start Microsoft... USCIS - H-2... 2012 Extens... 4 Microsoft... Adobe A... 10:25 AM



U.S. Citizenship and Immigration Services

Home | Español | Blog | Archive | Index

Search



FORMS

NEWS

RESOURCES

LAWS

OUTREACH

ABOUT US

- File My Application Online (E-Filing)
- Green Card-Based Forms
- Citizenship and Naturalization-Based Forms
- Employment-Based Forms**
- Family-Based Forms
- Adoptions-Based Forms
- Humanitarian Benefits-Based Forms
- Check Filing Fees
- Fingerprints
- Forms Updates

Home > FORMS > Employment-Based Forms

Printer Friendly

H-2 Petitioner's Employment Related or Fee Related Notification

OMB Control number: 1615-0107

The OMB Expiration Date: 12/31/2012

Burden Disclosure Notice: An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a valid OMB Control Number. The public reporting burden for this collection is .5 hours per response, including the time it takes to review instructions, complete and submit the form. Send comments regarding this burden estimate and any other aspect of this collection of information to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, D.C. 20529-2140. Please include OMB Control Number 1615-0107 with your correspondence. **Do not mail your application to this address.**

Last updated:01/22/2013

Forms Information

- Forms by Mail
- Forms by Phone
- General Information on Immigration Forms
- Adobe Reader Download (Free)
- Archived Forms Updates

Fees

- Paying Immigration Fees
- Fee Waiver Guidance
- USCIS Immigrant Fee

Forms Guidance

- Signature Requirements for USCIS Forms
- Expedite Criteria
- Paperwork Reduction Act
- Form I-797: Types and Functions

Online Services

- Online Change of Address
- USCIS Service and Office Locator