



U.S. Citizenship and
Immigration Services

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

OMB Control Number 1615-0107

<https://www.uscis.gov/forms/h-2-petitioners-employment-related-or-fee-related-notification>

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

OMB Control number: 1615-0107

The OMB Expiration Date: 04/30/2022

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.**

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

Employment-Related Notifications to USCIS

[OMB Control Number 1615-0107](#)

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

- **No show:** The H-2B worker fails to report to work within 5 work days of the latter of:
 - The employment start date on the H-2B petition; or
 - The start date established by the employer;
- **Abscondment:** The H-2B worker leaves without notice and fails to report for work for a period of 5 consecutive workdays without the consent of the employer;
- **Termination:** The H-2B worker is terminated before completing the H-2B labor or services for which he or she was hired; or
- **Early Completion:** The H-2B 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-2B petition.

Petitioners must include the following information in 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-2B 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-2B worker’s information:
- Full Name
 - Date of birth
 - Place of birth
 - Last known physical address and phone number

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

OMB Control number: 1615-0107

The OMB Expiration Date: 04/30/2022

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.**

New content to be added here:

Note: Employers are reminded of their responsibility to ensure compliance with all laws and regulations, including those prohibiting unfair labor practices and harassment. In this regard, DHS regulations provide specific bases for reporting, and do not constitute a *per se* basis for a finding of fault on the part of the worker(s), and employers should not imply otherwise to their workers.

Move existing content here:

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.”

Additionally, to help USCIS identify the H-2B worker, submit the following for each H-2B worker, if available:

- Social Security number, and
- Visa number

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."

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How do I notify USCIS?

Email or mail your notification to the USCIS Service Center that approved the I-129 petition. Although not required, email notification is strongly recommended to ensure timely notification.

California Service Center

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

By mail:

California Service Center

Attn: BCU Section
P.O. Box 30050
Laguna Niguel, CA 92607-3004

Vermont Service Center

By email: VSC.H2BABS@uscis.dhs.gov

By mail:

Vermont Service Center
Attn: BCU ACD
38 River Road
Essex Junction, VT 05479-0001

Move this existing content above.

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Employment-Related Notifications to USCIS

Fee-Related Notifications to USCIS

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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 a noncitizen H-2B worker as a condition of employment.

Petitioners may avoid denial or revocation of their H-2B petitions if they notify USCIS that they obtained information concerning the beneficiary's payment of (or agreement to pay) a prohibited fee or compensation to any agent, facilitator, recruiter, or similar employment service only after they filed their H-2B petition. This narrow exception does not apply, however, where a petitioner knew or should have known at the time of the filing of its H-2B 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 the fee-related notification:

1. The reason for the notification;
2. The USCIS receipt number of the approved H-2B petition;
3. The petitioner's information
 - o Name;
 - o Address
 - o Phone number
4. The employer's information (if different from that of the petitioner):
 - o Name
 - o Address
 - o Phone number
5. Information about the recruiter, facilitator, or placement service to which the beneficiaries paid or agreed to pay the prohibited fees:
 - o Name
 - o Address

How do I notify USCIS?

Email or mail your notification to the USCIS Service Center that approved the I-129 petition. Although not required, email notification is strongly recommended to ensure timely notification.

California Service Center

By email: CSC.H2BFee@uscis.dhs.gov

By mail:

California Service Center

Attn: H-2B Fee

P.O. Box 10695

Laguna Niguel, CA 92607-1095

Vermont Service Center

By email: VSC.H2BPROPLACEMENT@uscis.dhs.gov

By mail:

Vermont Service Center

Attn: BCU ACD

38 River Road

Essex Junction, VT 05479-0001

H-2B Petitions Exempt from the Temporary Need Requirement

More Information

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

Employment-Related Notifications to USCIS

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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 before completing 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
 - Date of birth
 - Place of birth
 - Last known physical address and phone number

New content to be added here.

Note: Employers are reminded of their responsibility to ensure compliance with all laws and regulations, including those prohibiting unfair labor practices and harassment. In this regard, DHS regulations provide specific bases for reporting, and do not constitute a per se basis for a finding of fault on the part of the worker(s), and employers should not imply otherwise to their workers.

Move Existing content here:

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.”

Additionally, to help USCIS identify 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?

Email or mail your notification 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@uscis.dhs.gov

By mail:

California Service Center

Attn: BCU Section

P.O. Box 30050

Laguna Niguel, CA 92607-3004

Move existing content above

Fee-Related Notifications to USCIS

[OMB Control Number 1615-0107](#)

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 of (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 of 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:
 - o Name
 - o Address
 - o Phone number
4. The employer's information (if different from that of the petitioner):
 - o Name
 - o Address
 - o Phone number
5. Information about the recruiter, facilitator, or placement service to which the beneficiaries paid (or agreed to pay) the prohibited fee:
 - o Name
 - o Address

How do I notify USCIS?

Email or mail your notification 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.H2AFee@uscis.dhs.gov

By mail:

California Service Center

Attn: H-2A Fee

P.O. Box 10695

Laguna Niguel, CA 92607-1095