

## **Office of Foreign Labor Certification H-2A Employer Filing Tips**

The following “filing tips” are based upon the Chicago National Processing Center’s experience in processing H-2A applications over the past 16 months. These filing tips are intended to remind an employer of common mistakes which can delay the processing of an application. Additional detailed information on the H-2A program, including Frequently Asked Questions (FAQs), is available at:

<http://www.foreignlaborcert.doleta.gov/faqsanswers.cfm#h2a>

### **Pre-Filing**

- Make sure to **first** submit a job order using the ETA Form 790 to the State Workforce Agency (SWA) which serves the area of intended employment between 60 and 75 days before your start date.
- Be specific when describing what agricultural work is to be performed and the crops to be planted, cultivated, and/or harvested.
- Include the most recent minimum amount to be provided to the workers for transportation and food as they travel from the place of recruitment to the worksite.
- Make sure you use the most current Adverse Effect Wage Rate (AEWR) on the job order where an hourly wage rate will be offered. The current AEWRs for all states can be found at:  
<http://www.foreignlaborcert.doleta.gov/adverse.cfm>.
- Where information cannot legibly be written on the face of the forms, clearly label all applicable attachments.
- Make sure the application contains an original signature and is dated.
- Please include, if possible, an e-mail address to help with faster processing. If one is not available, ensure that the mailing address on the ETA 9142 is correct for receiving overnight delivery of parcels.

## Forms

- Please use the fillable forms whenever possible. Hand written applications are often difficult to read and can create delays in processing. Avoid crossing out and making ink changes on the application.
- Make sure you use the correct forms when preparing your application. Forms that are fillable can be found at:  
<http://www.foreignlaborcert.doleta.gov/form.cfm>
- When the application is submitted to the Chicago National Processing Center, ensure all required information on the ETA Form 9142 is present and is as close to identical as is possible to the information contained on the ETA Form 790.

## Recruitment

- Make sure the employer signs the recruitment report, not the agent or attorney.

If you have additional questions, please contact the Chicago National Processing Center Help Desk at (312) 886-8000 or by email to [tlc.chicago@dol.gov](mailto:tlc.chicago@dol.gov) and include the words “H-2A Program Question” in the subject line of the email. Employers without internet access may also contact the Chicago NPC by fax at (312) 886-1688, ATTN: H-2A Certifying Officer.