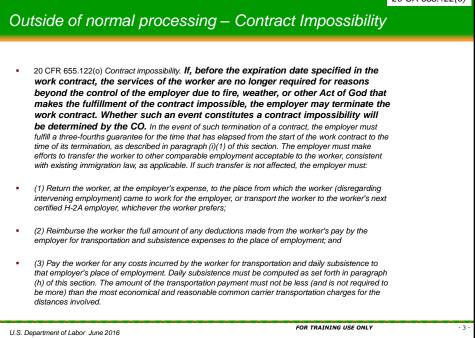
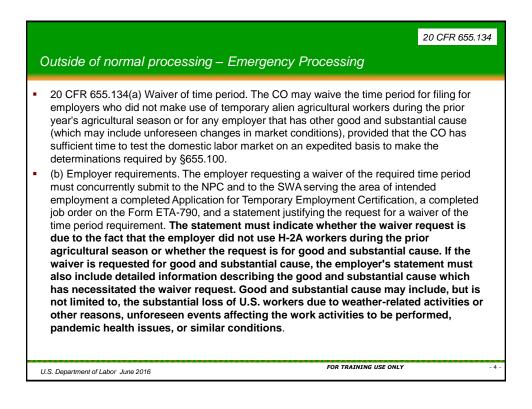


20 CR 655.122(o)





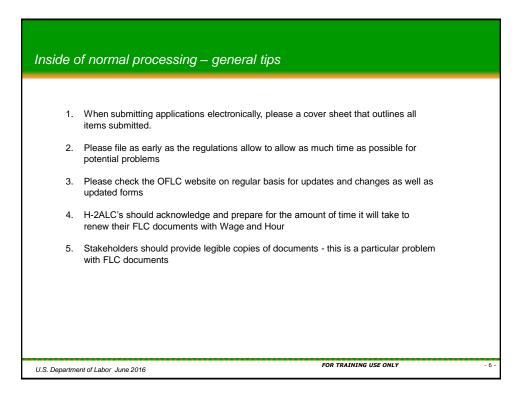
20 CFR 655.122(b)

Outside of normal processing – Long Term Extension Requests

20 CFR 655.122(b) Long-term extension. Employers seeking extensions of more than 2 weeks may apply to the CO. Such requests must be related to weather conditions or other factors beyond the control of the employer (which may include unforeseen changes in market conditions). Such requests must be supported in writing, with documentation showing that the extension is needed and that the need could not have been reasonably foreseen by the employer. The CO will notify the employer of the decision in writing if time allows, or will otherwise notify the employer of the decision. The CO will not grant an extension where the total work contract period under that Application for Temporary Employment Certification and extensions would be 12 months or more, except in extraordinary circumstances. The employer may appeal a denial of a request for an extension by following the procedures in §655.171.

FOR TRAINING USE ONLY

U.S. Department of Labor June 2016



Inside of normal processing – general tips
H-2ALCs should have all required documents ready before submitting case (chronic problem)
Required information and submissions. An H-2ALC must include in or with its Application for Temporary Employment Certification the following:
 The name and location of each fixed-site agricultural business to which the H-2ALC expects to provide H-2A workers, the expected beginning and ending dates when the H-2ALC will be providing the workers to each fixed site, and a description of the crops and activities the workers are expected to perform at such fixed site.
 A copy of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) Farm Labor Contractor (FLC) Certificate of Registration, if required under MSPA at 29 U.S.C. 1801 et seq., identifying the specific farm labor contracting activities the H-2ALC is authorized to perform as an FLC.
3. Proof of its ability to discharge financial obligations under the H-2A program by including with the Application for Temporary Employment Certification the original surety bond as required by 29 CFR 501.9. The bond document must clearly identify the issuer, the name, address, phone number, and contact person for the surety, and provide the amount of the bond (as calculated pursuant to 29 CFR 501.9) and any identifying designation used by the surety for the bond.
 Copies of the fully-executed work contracts with each fixed-site agricultural business identified under paragraph (b)(1) of this section.
U.S. Department of Labor June 2016 FOR TRAINING USE ONLY - 7 -

Inside of normal processing – general tips
1. Stakeholders should keep their Workers comp current and provide the current policies
2. Stakeholders with worksites in 2 or more states must demonstrate that they have coverage in each state.
U.S. Department of Labor June 2016 FOR TRAINING USE ONLY - 8 -

Disclaimer

This presentation is intended for training use only and does not carry the force of legal opinion.

The Department of Labor is providing this information as a public service. This information and any related materials are presented to give the public access to information on the Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modification of these pages. Therefore, we make no express or implied guarantees. The *Federal* Register and the *Code of Federal Regulations* remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.

U.S. Department of Labor June 2016

FOR TRAINING USE ONLY