

20 CFR 655.1303

This document is current through the October 4, 2019 issue of the Federal Register. Title 3 is current through August 2, 2019.

Code of Federal Regulations > TITLE 20 -- EMPLOYEES' BENEFITS > CHAPTER V -- EMPLOYMENT AND TRAINING ADMINISTRATION, DEPARTMENT OF LABOR > PART 655-- TEMPORARY EMPLOYMENT OF FOREIGN WORKERS IN THE UNITED STATES > SUBPART N -- LABOR CERTIFICATION PROCESS FOR TEMPORARY AGRICULTURAL EMPLOYMENT IN THE UNITED STATES (H-2A WORKERS) [SUBPART N IS SUSPENDED. SEE 74 FR 25972, 25985, MAY 29, 2009.]

§ 655.1303 Advertising requirements. [This section is suspended. See 74 FR 25972, 25985, May 29, 2009.]

[PUBLISHER'S NOTE: [74 FR 25972, 25985](#), May 29, 2009, suspended this section, effective June 29, 2009.]

All advertising conducted to satisfy the required recruitment steps under § 655.102 before filing the Application for Temporary Employment Certification must meet the requirements set forth in this section and at § 655.104 and must contain terms and conditions of employment which are not less favorable than those that will be offered to the H-2A workers. All advertising must contain the following information:

- (a)**The employer's name and location(s) of work, or in the event that a master application will be filed by an association, a statement indicating that the name and location of each member of the association can be obtained from the SWA of the State in which the advertisement is run;
- (b)**The geographic area(s) of employment with enough specificity to apprise applicants of any travel requirements and where applicants will likely have to reside to perform the services or labor;
- (c)**A description of the job opportunity for which certification is sought with sufficient information to apprise U.S. workers of services or labor to be performed and the anticipated period of employment of the job opportunity;
- (d)**The wage offer, or in the event that there are multiple wage offers (such as where a master application will be filed by an association and/or where there are multiple crop activities for a single employer), the range of applicable wage offers and, where a master application will be filed by an association, a statement indicating that the rate(s) applicable to each employer can be obtained from the SWA;
- (e)**The three-fourths guarantee specified in § 655.104(i);
- (f)**If applicable, a statement that work tools, supplies, and equipment will be provided at no cost to the worker;
- (g)**A statement that housing will be made available at no cost to workers, including U.S. workers, who cannot reasonably return to their permanent residence at the end of each working day;
- (h)**If applicable, a statement that transportation and subsistence expenses to the worksite will be provided by the employer;
- (i)**A statement that the position is temporary and a specification of the total number of job openings the employer intends to fill;

(j) A statement directing applicants to report or send resumes to the SWA of the State in which the advertisement is run for referral to the employer;

(k) Contact information for the applicable SWA and the job order number.

History

[52 FR 20507](#), June 1, 1987, as amended by [55 FR 29358](#), July 19, 1990; [65 FR 43538, 43543](#), July 13, 2000, withdrawn at [67 FR 59779](#), Sept. 24, 2002; [65 FR 67628](#), Nov. 13, 2000; [66 FR 49275](#), Sept. 27, 2001; [71 FR 35511, 35522](#), June 21, 2006; [73 FR 77110, 77207](#), Dec. 18, 2008; redesignated and suspended at [74 FR 25972, 25985](#), May 29, 2009]

Annotations

Notes

[EFFECTIVE DATE NOTE:

[74 FR 25972, 25985](#), May 29, 2009, redesignated Subpart B as Subpart N, and suspended Subpart N, effective June 29, 2009.]

Case Notes

LexisNexis® Notes

Case Notes Applicable to Entire Part

[Part Note](#)

Research References & Practice Aids

[CROSS REFERENCE:

This section was formerly § 655.103.]

NOTES APPLICABLE TO ENTIRE TITLE:

EDITORIAL NOTE: Other regulations issued by the Department of Labor appear in 20 CFR chapters IV, V, VI, VII and IX, 29 CFR subtitle A and chapters II, IV, V, XVII and XXV, 30 CFR chapter I, 41 CFR chapters 50, 60, and 61, and 48 CFR chapter 29.

End of Document