

Program Overview

Foreign Labor Certification programs are designed to allow employers to bring foreign workers into the United States (U.S.) while ensuring that the job opportunities, wages, and working conditions of U.S. workers are not adversely affected. The programs enable U.S. businesses to employ the labor not readily available in the U.S., to effectively compete in the global economy.

The U.S. Department of Labor, Office of Foreign Labor Certification, Chicago National Processing Center (CNPC) makes final determinations on labor certifications. FloridaCommerce works with the CNPC to assist with processing temporary labor certifications for Florida employers who participate in the H-2A Temporary Agricultural Program and the H-2B Temporary Non-Agricultural Program.

H-2A Temporary Agricultural Program

Allows agricultural employers who anticipate a shortage of U.S. workers to bring non-immigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature.

An important component of the H-2A program is the federal requirement for H-2A employers to provide housing that is in full compliance with Occupational Safety and Health Administration (OSHA) standards at no cost to workers who are not reasonably able to return to their home within the same day. FloridaCommerce has formed a strategic partnership with the Florida Department of Health to coordinate and conduct statewide housing inspections for the H-2A Program on FloridaCommerce's behalf.

H-2B Temporary Agricultural Program

Allows employers who anticipate a shortage of U.S. workers to bring non-immigrant foreign workers to the U.S. to perform non-agricultural work, which may be one-time, seasonal, peak-load or intermittent workload needs for 12 months or less.

Program Priorities and Goals

- Development and implementation of alternative methods for conducting and deploying prevailing wage and practices surveys which include data collection.
- Implementation of an automated application management system that will create a more streamlined application submittal process for employers/agents.



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