

Department of Labor: H-2B Application

1. 120+ days from start date of employment – PES submits request for Prevailing Wage Determination (PWD)
2. 90-75 days from start date of employment – PES files H-2B application with DOL and opens a Job Order with the State Workforce Agency
3. DOL has up to 7 business days from receipt of application to issue a Notice of Acceptance (NOA) or Notice of Deficiency (NOD)
4. Once NOA is issued, PES will coordinate placement of newspaper ad (must run 2 days, one of which must be a Sunday)
5. Once NOA is issued, employer begins recruitment of U.S. workers and applicant tracking (contacting referrals from Job Order/State Workforce Agency and newspaper ad)
6. After 15 business days of required U.S. recruitment, PES submits initial Recruitment Report to the DOL; employer must continue to track applicants up to 21 days prior to start date
7. DOL reviews initial Recruitment Report and issues Certification or Request for Information (RFI)

USCIS: Petition for Nonimmigrant Worker

8. Once DOL Certification received (typically about 30 days prior to start date of need), PES files I-129 with USCIS Premium Processing
9. USCIS has 15 days to Approve the I-129 or issue Request for Evidence (RFE)
10. Once I-129 approved by USCIS, workers can begin embassy process to obtain visa