



U.S. DEPARTMENT OF LABOR

News Release

U.S. DEPARTMENT OF LABOR PROTECTS AMERICAN WORKERS WITH H-2B EDUCATION AND ENFORCEMENT INITIATIVE

WASHINGTON, DC - To ensure compliance with federal wage laws, the U.S. Department of Labor's Wage and Hour Division (WHD) is conducting a nationwide initiative to strengthen compliance with the labor provisions of the H-2B temporary visa program in the hotel industry.

The initiative includes providing compliance assistance tools and information to employers and stakeholders, as well as conducting investigations of employers using this program. A key component of the investigations is ensuring that employers recruit U.S. workers before applying for permission to employ temporary nonimmigrant workers.

"Any employer seeking workers under this program must be ready and willing to hire qualified U.S. applicants first," said Bryan Jarrett, Wage and Hour Division Acting Administrator. "This initiative demonstrates our commitment to safeguard American jobs, level the playing field for law-abiding employers, and protect guest workers from being paid less than they are legally owed or otherwise working under substandard conditions."

Last year, WHD investigations found more than \$105 million in back wages for more than 97,000 workers in industries with a high prevalence of H-2B workers, including the hotel industry.

The H-2B nonimmigrant program permits employers to temporarily hire nonimmigrant workers from outside the United States to perform nonagricultural labor or services in the United States. The employment must be of a temporary nature for a limited period of time such as a one-time occurrence, seasonal need, peak load need, or intermittent need. Many hotels use H-2B workers to fill a need for seasonal workers.

Before employers can be approved to request guest workers under the H-2B program, they must file an application with the Department stating that:

- An insufficient number of U.S. employees are qualified, and available to work; and
- The employment of non-immigrant, temporary workers will not adversely affect the wages and working conditions of similarly employed U.S. workers.

For more information about the labor provisions of the [H-2B program](#) and other laws enforced by the Division, contact the toll-free helpline at 866-4US-WAGE (487-9243). Information is also available at www.dol.gov/whd.

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