



## U.S. Citizenship and Immigration Services

# DHS and DOL Propose Modernizing Recruitment Requirements for H-2B Employers to Protect U.S. Workers

The Department of Homeland Security (DHS), [in conjunction with the Department of Labor](#) (DOL), has published a joint notice of proposed rulemaking (NPRM) that would modernize the recruitment requirements for employers seeking H-2B nonimmigrant workers to make it easier for U.S. workers to find and fill these open jobs. The [H-2B program](#) allows U.S. employers or U.S. agents who meet specific regulatory requirements to bring foreign nationals to the United States to fill temporary nonagricultural jobs.

The proposed rule would require electronic advertisements to be posted on the internet for at least 14 days, replacing the print newspaper advertisements that regulations currently require. DHS and DOL believe this is a more effective and efficient way to disseminate information about job openings to U.S. workers. The Departments believe that electronic advertisements, posted on websites that U.S. workers in the area of the job opportunity would use, best ensures that U.S. workers learn of job opportunities. The joint rule proposes phasing out the current requirements with a limited transition period. During the transition, employers would be able to choose between print and electronic advertisements. This provision should provide flexibility for employers who may have already purchased print advertising or have advertising contracts in place.

For more information, read the [NPRM published in the Federal Register](#) on Nov. 9, 2018. USCIS encourages public feedback on the proposed rule before the comment period ends on Dec. 10, 2018.

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