

**Rick Scott**  
GOVERNOR



**Jesse Panuccio**  
EXECUTIVE DIRECTOR

## MEMORANDUM

**DATE:** June 2, 2015

**TO:** Regional Workforce Board Executive Directors

**FROM:** Lois A. Scott, Chief, Bureau of One-Stop and Program Support 

**SUBJECT:** Processing H-2B Temporary Non-Agricultural Employment Job Orders

The purpose of this memorandum is to provide additional follow up information regarding the processing of H-2B job orders previously communicated on May 5, 2015.

With the implementation of the new Interim Final Rule, published on April 29, 2015, several changes were made to assure that U. S. workers who apply for H-2B job opportunities, whether at Career Centers or via our labor exchange system (Employ Florida Marketplace [EFM]), are fully apprised of the material terms and conditions for employment.

Under the new rule, employers are required to submit their H-2B job order to both the Chicago National Processing Center (CNPC) and the State Workforce Agency (DEO) for a simultaneous review. The DEO/ALC staff will perform a comprehensive review of all H-2B job orders and notify the CNPC of their findings. All job orders must be approved by the CNPC Certifying Officer, prior to being *activated* within the labor exchange system. The CNPC will send the DEO/ALC staff a Notice of Acceptance (NOA) or a Notice of Deficiency (NOD) which will direct further actions to be taken regarding the job order.

Florida will continue to allow employers two options for posting their job orders, when desiring to hire foreign workers in H-2B employment: self-posting (self-service) or staff assisted.

Self-service permits employers to self-post their job orders directly into EFM, for recruitment in the area of intended employment without assistance from the SWA staff. All H-2B job opportunities must be identified in EFM as such by the employer when posted. When Career Center staff become aware that an H-2B job order has been posted in their area, we request that they *immediately* place the H-2B job posting in a "Hold" status and notify DEO/ALC staff, via email at [H-2BJobOrder@deo.myflorida.com](mailto:H-2BJobOrder@deo.myflorida.com) (include Job Order Number) that the H-2B job order has been posted in order for DEO/ALC staff to conduct the job order review.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax  
[www.floridajobs.org](http://www.floridajobs.org) | [www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

Upon an employer's request for staff assistance in placing an H-2B Job Order, the SWA (either DEO/ALC or Career Center staff) will provide the employer a copy of the **H-2B Job Order Request Form** (attached) to assist as a guide for creation of their job order. This form was composed using the **H-2B Job Order Checklist** (attached) provided by the Department of Labor. When completed, the employer will send a copy of the job order simultaneously to the CNPC and the SWA (either DEO/ALC or Career Center staff).

If Career Center staff assist an employer with placing an H-2B job order, the job order will be entered into EFM and placed on "Hold" status. Career Center staff will *immediately* notify DEO/ALC staff, via email at [H-2BJobOrder@deo.myflorida.com](mailto:H-2BJobOrder@deo.myflorida.com) (include Job Order Number) that the H-2B job order has been placed in order for DEO/ALC staff to conduct the job order review.

Upon completion of the review, DEO/ALC will notify CNPC of the findings. The CNPC will issue a NOA or NOD which will provide further instructions regarding the job order. If approved, the DEO/ALC will designate the job order as "On-line and available" in EFM, case note the file appropriately, and follow directions as outlined in the NOA. If disapproved, the DEO/ALC will provide appropriate case notes and close the job order in EFM.

If you have questions, please contact Gloria Robinson at 850-921-3299 or Danny Romans at 850-921-3371.

Attachments:

[H-2B Job Order Request Form](#)

[H-2B Job Order Checklist](#)

Cc: Tom Clendenning  
Anita Richardson