

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D. C. 20210	CLASSIFICATION H-2A Program
	CORRESPONDENCE SYMBOL OFLC
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ADVISORY: **FOREIGN LABOR CERTIFICATION
TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 17-06**

TO: **OFLC-NATIONAL PROCESSING CENTER DIRECTORS
STATE WORKFORCE AGENCY ADMINISTRATORS**

FROM: **EMILY STOVER DeROCCO /s/
Assistant Secretary**

SUBJECT: **Special Procedures for Employers in the Itinerant Animal
Shearing Industry Under the H-2A Program**

1. **Purpose.** To outline special procedures, determined by the U.S. Department of Labor, as part of the H-2A labor certification process for employers who desire to employ temporary foreign workers in the United States in occupations involving an itinerary for the shearing of sheep, goats, alpacas, or other animals requiring shearing.
2. **References.** 20 C.F.R. Part 655, Subpart B; 20 C.F.R. Part 653, Subparts B and F; and 20 C.F.R. Part 654, Subpart E.
3. **Background.** Due to the unique nature of the itinerant animal shearing industry, the Employment and Training Administration (ETA) is establishing special procedures for the processing of H-2A applications for certification of temporary employment in that industry. 20 C.F.R. 655.93(c) provides the Department with the authority to continue and, where appropriate, revise special procedures in effect for the handling of applications for the itinerant animal shearing industry. Historically, H-2A applications for the animal shearing industry were processed through ETA's Regional Offices.

However, in December 2004, the Department opened two new National Processing Centers (NPCs) located in Atlanta and Chicago. These NPCs have been designated as the Centers to process applications to employ foreign workers for temporary positions under the H-2A agricultural worker visa program. The Department published a notice in the Federal Register (Vol. 70, No. 137, pages 41430-

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41438) on July 19, 2005, clarifying that, effective August 1, 2005, employers must file original copies of their H-2A applications directly with the NPCs, coinciding with the area of intended employment, and simultaneously file a copy with the appropriate State Workforce Agency (SWA).

The special procedures outlined in this memorandum for employers in the itinerant animal shearing industry work in concert with this centralized filing process, and ensure greater consistency in the processing of these H-2A applications through the Centers.

4. **Special Procedures.** Attachment A outlines special procedures for applications submitted by employers in the itinerant animal shearing industry under the H-2A program. Unless otherwise specified in Attachment A, applications submitted by employers in the itinerant animal shearing industry must comply with the requirements for H-2A applications contained at 20 C.F.R. Part 655, Subpart B.
5. **Action Required.** NPC Directors and State Workforce Agency Administrators are directed to provide staff involved in the processing of H-2A applications for the itinerant animal shearing industry with a copy of these special procedures.
6. **Inquiries.** Questions from State Workforce Agency staff should be directed to the appropriate NPC. Questions from NPC staff should be directed to the National Office of Foreign Labor Certification.
7. **Attachment.**

Attachment A	Special Procedures for Applications in the Itinerant Animal Shearing Industry Under the H-2A Program
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