From: United States Department of Labor [mailto:subscriptions@subscriptions.dol.gov]
Sent: Tuesday, April 23, 2013 8:12 AM
To:
Subject: United States Department of Labor ETA - Foreign Labor Certification Website Update

You are subscribed to ETA - Foreign Labor Certification Website for United States Department of Labor. This information has recently been updated, and is now available. Please visit our website http://www.foreignlaborcert.doleta.gov/ to see What's New.

April 22, 2013. H-2B Wage Methodology Interim Final Rule.

The Department of Labor and the Department of Homeland Security are making available for public inspection a copy of the Interim Final Rule, Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2, to be published in the *Federal Register* on April 24, 2013. This Interim Final Rule, developed jointly by the Departments of Labor and Homeland Security, revises the prevailing wage methodology used by the Department of Labor to calculate certain prevailing wages paid to H-2B workers and U.S. workers recruited in connection with an H-2B Application for Temporary Employment Certification, and is being published in response to a court order issued by the U.S. District Court for the Eastern District of Pennsylvania on March 21, 2013, in *Comite de Apoyo a los Trabajadores Agricolas et al v. Solis*, 09-cv-00240 (E.D. Pa). The court order vacated a portion of the 2008 wage methodology rule dealing with the way the Department of Labor determines the prevailing wage when relying on the Bureau of Labor Statistics' Occupational Employment Statistics (OES) survey, and provided the Department of Labor with 30 days to come into compliance.

On the effective date of the Interim Final Rule, the Department of Labor will resume processing both pending H-2B prevailing wage requests and H-2B applications for temporary labor certification based on the OES wage survey data, in accordance with standards set in the Interim Final Rule. To learn more about the revised H-2B prevailing wage methodology, please read the advance copy of the Interim Final Rule.

In the near future, the Department of Labor will post additional information about the Interim Final Rule on this web site. We encourage stakeholders to sign up to receive e-mail alerts to ensure receipt of most recent updates affecting the H-2B Temporary Non-agricultural Visa Program. Instructions for signing up for e-mail updates are provided below.

E-Mail Update Instructions: On the home page of the OFLC web site, under the E-mail Updates heading, enter your e-mail address and then click the "Subscribe" button. You will be directed to the Department's E-mail Subscription Service page. On that page, under the Employment and Training Administration heading, please select a checkbox next to "Foreign Labor Certification Website" and then click the "Submit" button.

Questions? Contact Us

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