

Section 2. Complete This Section If Filing for H-2A or H-2B Classification (continued)

21. The petitioner agrees to notify DHS beginning on a date and in a manner specified in a notice published in the Federal Register within 2 workdays if: an H-2A/H-2B worker does not report for work within 5 workdays after the employment start date stated on the petition or, applicable to H-2A petitioners only, within 5 workdays of the start date established by the petitioner, whichever is later; the agricultural labor or services for which H-2A/H-2B workers were hired is completed more than 30 days early; or the H-2A/H-2B worker does not report for work for a period of 5 consecutive workdays without the consent of the employer or is terminated prior to the completion of agricultural labor or services for which he or she was hired. ☐ Yes ☐ No

See www.uscis.gov/h-2a and www.uscis.gov/h-2b, respectively, for the appropriate manner of notifying DHS as specified in a notice published in the Federal Register.

NOTE: The above notification is a petitioner obligation and does not represent an indication of wrongdoing on the part of the worker. Further, USCIS **does not** consider the information provided in a petitioner notification, alone, to be conclusive evidence regarding the worker's current status. "Workday" means the period between the time on any particular day when such employee commences his or her principal activity and the time on that day at which he or she ceases such principal activity or activities.

22. The petitioner agrees to retain evidence of such notification and make it available for inspection by DHS officers for a one-year period. ☐ Yes ☐ No
23. **For H-2A petitioners only:** The petitioner agrees to pay \$10 in liquidated damages for each instance where it cannot demonstrate it is in compliance with the notification requirement. ☐ Yes ☐ No

The petitioner must execute **Part A**. If the petitioner is the employer's agent, the employer must execute **Part B**. If there are joint employers, they must each execute **Part C**.

Part A. Petitioner

By filing this petition, I agree to the conditions of H-2A/H-2B employment, agree to fully cooperate with any compliance review, evaluation, verification, or inspection conducted by USCIS, and agree to the notification requirements. For H-2A petitioners: I also agree to the liquidated damages requirements defined in 8 CFR 214.2(h)(5)(vi)(B)(3).

Signature of Petitioner



Name of Petitioner

Date (mm/dd/yyyy)

Part B. Employer who is not the petitioner

I certify that I have authorized the party filing this petition to act as my agent in this regard. I assume full responsibility for all representations made by this agent on my behalf and agree to the conditions of H-2A/H-2B eligibility. I agree to fully cooperate with any compliance review, evaluation, verification, or inspection conducted by USCIS.

Signature of Employer

Name of Employer

Date (mm/dd/yyyy)

Part C. Joint Employers

24. **For H-2A petitioners only:** A separate **Part C**. must be submitted for each Joint Employer.

Legal Name of Individual Joint Employer

Family Name (Last Name)

Given Name (First Name)

Middle Name

Joint Employer Company or Organization Name