H-2B Seasonal Staffing Decision Checklist

Template — not legal advice, and not financial advice. H-2B rules and dates change; use the U.S. Department of Labor and USCIS pages and an immigration attorney or agent for your filing.

Business / property: _____ **Season:** _____ **Board meeting:** _____

1. The decision

The board is asked to [approve / not approve] filing for [number] H-2B workers in [job titles] with a date of need of [date], at an estimated cost of [amount], with [name/title] responsible for the filing.

2. Why we need seasonal workers

- Temporary need type (DOL categories): [ ] Seasonal [ ] Peakload [ ] One-time [ ] Intermittent
- Local recruiting tried last season and results: _____
- Rooms, covers, or hours we could not staff last season: _____

3. Dates counted back from the date of need

Date of need (first day workers start): _____

Step	Rule (per DOL / USCIS)	Our date	Owner	Done
Board decision	Suggested: 6–9 months before			[ ]
Prevailing wage request (ETA-9141)	At least 60 days before it is needed			[ ]
Job order to state workforce agency + H-2B application (ETA-9142B)	75 to 90 days before date of need			[ ]
Recruitment as DOL directs; recruitment report	By the date in DOL's notice of acceptance			[ ]
Petition to USCIS (Form I-129) after certification	Check the USCIS cap count first			[ ]
Keep accepting U.S. applicant referrals	Until 21 days before date of need			[ ]

4. Budget

Item	Estimate
Attorney or agent fees	
Government filing fees	
Wages at or above the prevailing wage	
Travel and other costs the rules require us to cover	
Housing (if we provide it)	

Total	

5. Plan B if workers do not arrive in time

☐ Reduce rooms / covers / hours to: _____

☐ Shift opening date to: _____

☐ Other staffing (local, students, agency): _____

- Board will decide on plan B by: _____

6. Records

☐ Retention file kept for three years from certification (DOL)

☐ Final recruitment report in the file

☐ Board decision and budget in the board record

7. Resolution

RESOLVED, that the board approves the H-2B filing described in section 1, a budget not to exceed [amount], and the plan B in section 5, and directs [name/title] to report status at each meeting until the workers start.

Vote: For ___ Against ___ Abstain/recused ___

Related: Seasonality and labor decisions guide (https://preparedboard.com/guides/hospitality-seasonality-and-labor-decisions) · Seacoast Maine and New Hampshire hospitality boards (https://preparedboard.com/for/hospitality/seacoast-maine-new-hampshire) · Seasonal opening and closing checklist (https://preparedboard.com/templates/hospitality-seasonal-opening-closing-checklist).

Sources: U.S. DOL — H-2B program (https://www.dol.gov/agencies/eta/foreign-labor/programs/h-2b) · USCIS — H-2B cap count (https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-2b-non-agricultural-workers/cap-count-for-h-2b-nonimmigrants)

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