

# Tree Planter & Related Forestry Occupation Applications

H2B Applications that Require  
Special Processing

# Special Processing Guidance

- Will be updated
  - TEGL 21-06 rescinds GAL 1-95, Change 1
  - National Processing Center's continue to follow GAL 1-95, Change 1 until new guidance is issued and effective

# Purpose of Forestry Procedures

## GAL 1-95, Change 1

- Forestry positions encompass job elements of both agricultural and non-agricultural occupations
- Itineraries involve multi-state and/or multi-site locations
- Employers bid on sequence of contracts, linking each seasonal activity into an itinerary of a number of months

# Who Can Apply?

- Generally, registered Farm Labor Contractor (FLC)
  - Licenses issued by ESA / Wage & Hour
  - W&H maintains list of FLC
- FLC Activities
  - recruit, solicit, hire, employ, furnish or transport workers

# What to File

- ETA Form 750, Part A
- Valid Farm Labor Contractor License
- Proof of Vehicle Registration & Insurance
- Farm Labor Contractor Employee Certificate of Registration
- Federal, State and Local Licenses, Certificates or Registrations
- Temporary Need Letter & Supporting Documents

# Attachment to ETA 750

## ➤ Work Itinerary

- Number of Crews
- Number of Workers in Each Crew
- Specific Work Locations
  - County/City/Town and State
- Dates of Need
  - Start date and estimated end date
- Appropriate Prevailing Wage for each location

# Employer Requirements: Prevailing Wage

- Occupational Employment Statistics data is source data for all forestry occupations. Employers must pay 100% of OES wages.
- Piece Rate Pay
  - Employer guarantees hourly PW rate;
  - Must identify production requirements
  - Often used as an incentive
- Employer Provided Survey
  - Requires approval by SWA prior to job posting

# Documentation of Workload Standards

## ➤ Work Load Standards

- Must be listed on ETA 750 A, item 13
- 2,000 seedling planting per day
- Requirements beyond 2,000 seedlings must be clearly documented by the employer



# Documentation of Special Requirements

- Special Requirements
  - Tool Purchasing
  - Relationship Disclosure
  - Housing Rental Expense
    - Identified on ETA 750, item 15
  
- SWA to review all deductions

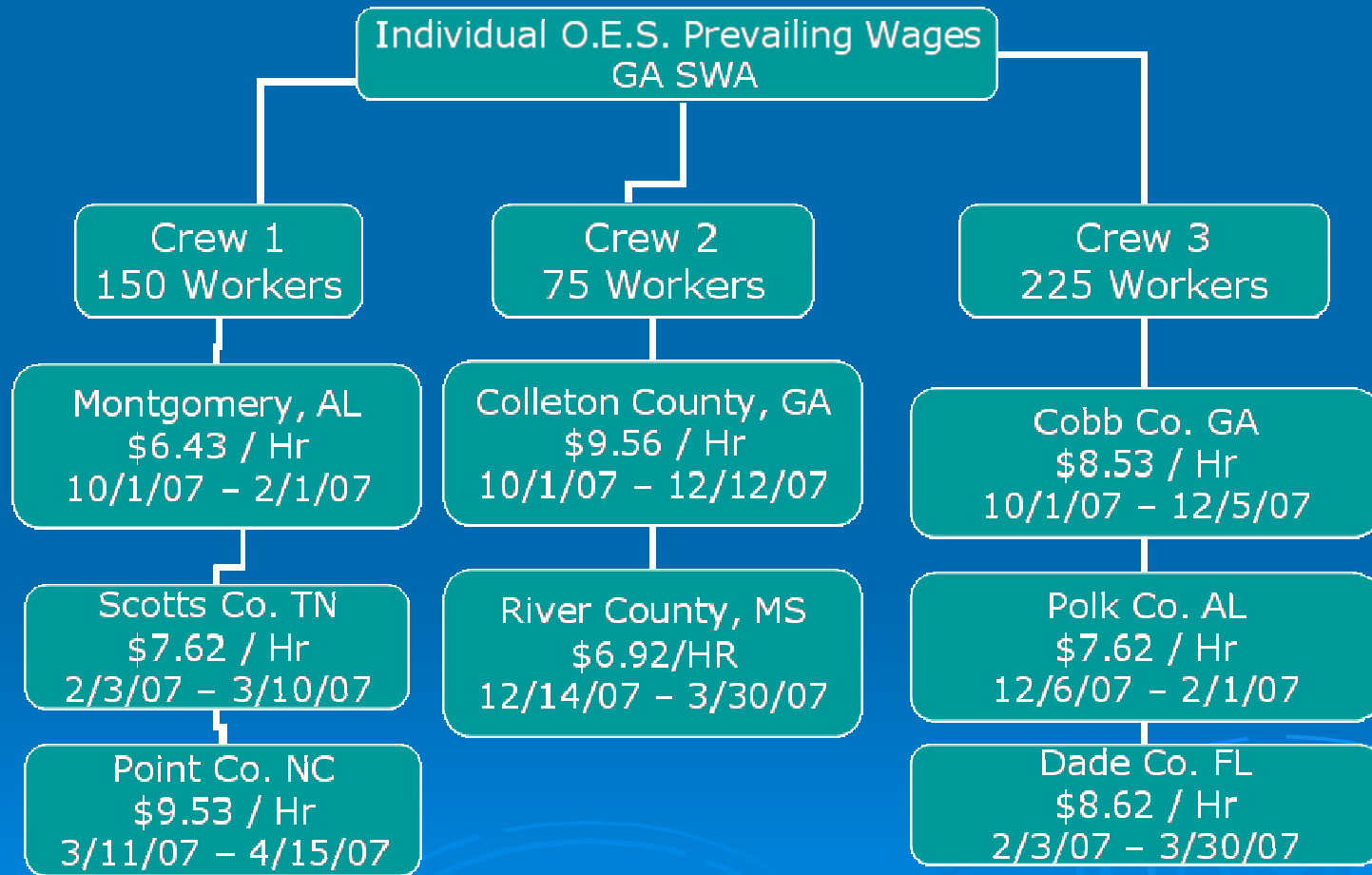
# How to File

- Master Applications acceptable
- Individual State Applications, an alternative
- Meet Job Order & Advertising Requirements

# Master Applications Requirements

- Must be filed with SWA where largest crew will be employed or first job location on itinerary
- Crews work for only one employer
- Total range of crew's start dates cannot be greater than 14 days
- The NPC has jurisdiction over the SWA where master application is filed will process that application

# Master Applications across NPC jurisdiction



# Individual Applications

- Best for itineraries that involve states in widely separated geographic areas
- Start Dates that are more than 14 days apart

# Job Order and Advertising Requirements

- File applications 120 days prior Date of Need
- With SWA where work begins or largest crew working
- Advertise with
  - 10 day job order &
  - 3 day newspaper ad where Application / Master Application filed
- Key requirements for newspaper advertising
  - Brief job description
  - Address of local SWA office and job order number
  - Summary of Itinerary and wages
  - Incentive Wages
  - Benefits offered
  - Purchase of Tools

# Forestry Special Processing

# Thank You!