

## **2011 PILOT SUMMER WORK TRAVEL PROGRAM FOR BELARUS, BULGARIA, MOLDOVA, ROMANIA, RUSSIA AND UKRAINE**

### **Program Administration**

For the upcoming 2011 season, U.S. sponsors and their Pilot Summer Work Travel Program participants from Belarus, Bulgaria, Moldova, Romania, Russia, and Ukraine will be subject to the following requirements or limitations, which are additional to the Department's existing Summer Work Travel Program regulations:

1. Verification of Foreign Third Parties –U.S. Sponsors must complete a Foreign Entity Report to provide assurances that they and their Pilot Program participants are working with legitimate foreign organizations. The Department will notify U.S. sponsors of the due date for the Foreign Entity Report and will supply U.S. sponsors with a template to facilitate completion. The Report must be submitted to: [EVPreports@state.gov](mailto:EVPreports@state.gov).

In the Foreign Entity Report, U.S. sponsors must list the names, addresses, and contact information of all foreign third parties acting on their behalf (i.e., partners, agents, contractors, and volunteers). For reporting purposes, a U.S. entity operating overseas is also considered a foreign third party.

U.S. sponsors must submit an updated Foreign Entity Report within two business days of any changes to existing overseas partner information or the addition or deletion of third parties.

2. Participant Screening and Selection –U.S. sponsors are responsible for screening and selecting Pilot Program participants. However, U.S. sponsors may engage foreign third parties to assist them with: (1) recruiting potential participants; (2) marketing the Pilot Program; (3) verifying participant eligibility (i.e., confirming that each participant is a full-time student enrolled in an accredited post-secondary academic institution in his or her home country who possesses sufficient proficiency in the English language to participate in the program successfully); (4) assisting potential participants with the visa application process; and (5) responding to student/family inquiries.

3. Job Placement – U.S. sponsors are responsible for identifying, evaluating, and securing job placements for Pilot Program participants. U.S. sponsors must contract directly with potential employers, using the sponsor's own forms. In addition, U.S. sponsors must fully vet job placements by (1) contacting employers in person, by telephone, or by email to confirm the terms and conditions of jobs; (2) obtaining written confirmation of those terms and conditions; (3) authenticating places of employment by using Secretary of State or state Department of Labor websites, Google street view, etc.; (4) obtaining and verifying employers' Employer Identification Number (EIN); and (5) verifying employers' workmen's compensation coverage, if applicable.

U.S. sponsors must send completed Forms DS-2019 directly to the U.S. embassies or consulates in the countries in which participants apply. These forms must be received before the visa interviews. Consular officers will distribute the Forms DS-2019 to participants at the time of the visa interviews. Consular officers will not issue J-1 visas to applicants whose job placements (including job titles) are not listed on their Form DS-2019.

Participants may submit proposed self-identified job placements directly to their U.S. sponsors, but before participants may accept such positions, their U.S. sponsors must complete the vetting process described above and assume full responsibility for those positions.

4. Use of Staffing or Employment Agencies Prohibited – U.S. sponsors are not permitted to engage Staffing or Employment Agencies to act as employers for Pilot Program participants. U.S. sponsors must contract directly with the entity that controls the participant’s work location and supervises, manages, and pays the participant.

5. Monitoring of Participants – U.S. sponsors are required to provide all participants with a copy of the Department’s Summer Work Travel Program Brochure, a copy of the Department of State’s Summer Work Travel Participant Letter, the Department of State’s toll-free help line, and the email address of a designated contact in the Office of Private Sector Exchange in the Department’s Bureau of Educational and Cultural Affairs.

U.S. sponsors must ensure that participants are promptly and properly paid and have suitable accommodation for the duration of their stay in the U.S. If the offer of employment includes mandatory or optional housing, the sponsor must disclose to the participant the entire cost of the housing including rent, security deposit, utilities and the conditions of housing including the number of persons per room, type of accommodation and location. If a participant seeks to change employers, the participant must notify his or her U.S. sponsor, who shall fully vet that employer before approving the prospective employer and shall update the participant’s SEVIS record.

6. Prohibited Placements – U.S. sponsors must not place participants: (1) in any position in the adult entertainment industry; (2) in positions that are substantially commission-based and thus do not guarantee that a participant will be paid minimum wage in accordance with federal and state standards for all hours worked; (3) in sales positions that require participants to purchase inventory that they must sell in order to support themselves; (4) in domestic help positions in private homes (e.g., child care, elder care, gardener, chauffeur); (5) as pedicab or rolling chair drivers or operators; (6) as operators of vehicles or vessels that carry passengers for hire and/or for which commercial drivers licenses are required; (7) in any position related to clinical care that involves patient contact; or (8) in any position that could bring notoriety or disrepute to the Exchange Visitor Program.

7. Compensation of Participants – All Pilot Program participant jobs must, at a minimum, compensate participants at the prevailing local wage, which must meet the higher of either the applicable State or the Federal minimum wage requirements, including payment for overtime.