

Secretary of Labor **Hilda L. Solis**

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News Release**OASP News Release: [05/13/2010]****Contact Name: Lina Garcia****Phone Number: (202) 693-4661****Release Number: 10-0563-NAT****US Labor Department unveils new tool to help employees and small businesses understand foreign worker certification***Online advisor clarifies rights and responsibilities under H-1B visa program*

WASHINGTON — The U.S. Department of Labor today unveiled a new tool to help employers and others understand how to comply with requirements under the H-1B visa program, which allows for the temporary employment of foreign workers in the U.S. in certain specialty occupations.

An online "advisor," available at <http://www.dol.gov/elaws/h1b.htm>, describes the program's standards and provides detailed information about employers' and workers' rights and responsibilities. It outlines notification requirements, monetary issues, worksite issues, recordkeeping, worker protections and enforcement.

"The Labor Department's goal is to provide employers and the public with user-friendly information regarding both rights and responsibilities under the H-1B program," said Secretary of Labor Hilda L. Solis. "The new online advisor harnesses technology to help take the mystery out of the new rules, and it offers an important resource to workers and employers alike."

The H-1B nonimmigrant visa classification was created under the Immigration and Nationality Act to help employers who cannot obtain needed skills and abilities from the U.S. workforce by authorizing the employment of qualified individuals who are not otherwise authorized to work in the U.S. The act establishes certain standards to protect similarly employed U.S. workers from being adversely affected by the employment of foreign workers under the H-1B program, as well as to protect H-1B workers themselves.

Responsibilities for the H-1B visa program are shared among the Labor Department's Office of Foreign Labor Certification and the department's Wage and Hour Division, the U.S. Department of Homeland Security's U.S. Citizenship and Immigration Service and the U.S. Department of State. The new advisor tool focuses solely on compliance with the requirements enforced by the Wage and Hour Division. The tool does not review the process for participating in the program or for invoking H-1B visa portability.

The H-1B Advisor is one of a series of Employment Laws Assistance for Workers and Small Businesses, or "elaws," advisors developed by the Labor Department's Office of the Assistant Secretary for Policy, working with other department agencies, to help employers and employees understand federal employment laws. To access the set of advisors, visit the elaws website at <http://www.dol.gov/elaws/>. To learn more about the Labor Department's role in administering the Immigration and Nationality Act and the H-1B visa program, visit the department's Office of Foreign Labor Certification website at <http://www.foreignlaborcert.doleta.gov> and its Wage and Hour Division site at <http://www.dol.gov/whd/>.

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