

H-2B Visa

for Temporary and Seasonal Workers



The [H-2B visa](#) allows skilled and unskilled non-agricultural workers to live and work temporarily in the U.S.

The number of H-2B visas issued has never exceeded the annual quota of 66,000, and the prospect of obtaining an H-2B visa in the future is good.

1. Requirements

a. Valid job offer

You must have a valid job offer from a U.S. employer who has a temporary need for workers in positions for which qualified U.S. workers are not available in the region of your proposed employment.

b. Coming temporarily to the U.S.

You must be coming temporarily to engage in non-agricultural employment which is seasonal or intermittent, to meet a peak-load need, or to participate in a one-time occurrence.

- *Seasonal need*: The services are traditionally connected to a particular time of the year because of a recurring event or pattern
- *Peak-load need*: The need for additional staff should be because of a short-term demand and must not be ongoing
- *One-time occurrence*: There must be a temporary event of short duration

c. Intention to return

You must intend to return to your home country when your visa expires.



TIPS:

No special requirements: If the job offer requires no education, work experience, or training, then anyone may qualify for the position.

Special requirements: If you are a qualified insurance salesman, but are offered a job supervising a catering project that requires experience in catering, you will not be granted an H-2B visa for that job because you have no background in catering.

2. Benefits

a. Employee benefits

You are entitled to all the benefits of a regular employee in the same classification despite the temporary nature of your work.

b. Change employers

You may change H-2B employers in order to work for different employers in different seasons.

c. Unlimited travel

If you are holding a multiple entry H-2B visa, you may travel in and out of the U.S. as often as you want while your visa is valid.

d. Dependants

Your dependents (spouses and unmarried children under 21 years of age) may accompany you on an H-4 visa. However, dependents under the [H-4 visa](#) category may not be employed.

e. Transportation

If you are dismissed before the end of the admission period on your H-2B visa, your employer must pay the reasonable costs of return transportation back to your home country.



TIP:

You may change employers in the same season before the end of the admission period on your H-2B visa. However, your new employer must sponsor a new H-2B visa.

3. Duration and Extension of Stay

a. Period of stay

Your initial period of stay is governed by the period of time your temporary services are needed. This period must be reasonable in terms of the duties to be performed, and generally cannot exceed one year.

b. Extensions

Extensions may be granted, but for not more than 12 months at a time, and with a maximum stay of three years.

TIPS:

If you are physically in the U.S. and your H-2B visa status extension has been approved by the BCIS, you may have your visa revalidated by mail without leaving the country.

If you file your H-2B extension petition for the same employer before your current authorized stay expires, you are automatically permitted to continue working up to 240 days while you are waiting for a decision.

After spending three years in the U.S. in the H-2B category you may reenter the U.S. under the H or L nonimmigrant category, but only after you have physically resided outside the U.S. for six months.

4. Change of Status

If your latest H-2B status has not expired, and you have not filed a petition for another H-2B, you may apply for a [B-1](#) or [B-2](#) nonimmigrant visa and remain in the U.S.

TIP:

If you are in the U.S. on a J-1 visa and not subject to 212(e), you may apply for a [change of status](#) to B-2 or H-2B visa and remain in the U.S.

5. Temporary Jobs

Below are several examples of temporary jobs that may qualify for an H-2B visa:

a. Workers at a summer or winter resort

A cook comes to the U.S. to work at a restaurant in a summer resort. This position qualifies for H-2B status because the resort has a regular, seasonal need for additional workers in this position.

b. Entertainers and performers

Performing and non-performing members of lesser-known troupes come to the U.S. on a tour. These positions qualify for H-2B status because the touring nature of the job makes it temporary.

c. Training positions

A corporate trainer from a foreign office teaches specific company procedures to employees in the U.S. This training position qualifies for H-2B status because the job is of limited duration.

d. Child-care attendant

A child-care attendant comes to the U.S. to supervise a newborn child for three years. This position qualifies for H-2B status because the job will terminate once the child is ready to go to nursery school.



TIP:

If you work for an employer in H-2B status, you may not seek a [green card](#) through permanent labor certification with the same employer.

6. Living in the U.S.

While on H-2B visa you are entitled to apply for a Social Security Number (SSN), driver license, open a bank account, and required to pay income taxes.

a. SSN

The SSN is a unique identification number issued to every taxpayer in the U.S. by the Social Security Administration (SSA). While on H-2B visa you will receive a Social Security Card, which bears the legend 'Valid for Work only with BCIS Authorization'.

To obtain a SSN you need to file an application for a Social Security Card with your nearest Social Security office.

Visit the following link to learn more about SSN:

<http://www.ssa.gov/ssnumber>

b. Driver license

Driver licenses are issued by individual states to their residents, and are required for operating a motor vehicle. Driver licenses are often used as photo identifications in situations where a proof of identity or age is required.

Different states have different requirements and procedures for obtaining a driver license. For specific details, contact the Department of Motor Vehicles (DMV) in your area.

c. Bank Account

While on H-2B visa you may open bank accounts to manage your finances.

d. Taxes

As a nonresident alien in the U.S. on H-2B visa, you must file income tax returns. You must file with the Internal Revenue Service (IRS) by 15th April, following your tax year.

7. How to Look For a Job

It's easy to locate seasonal job opportunities on the Internet. To help you get started we have identified the valuable online resources listed in the next section.

You can identify even more resources by entering the keywords <seasonal temporary jobs US> in any of your favorite search engines. Follow the instructions contained in the web sites that you find.

When you locate an employer where you would like to work, contact them and apply for the job.

8. Where to Find Jobs

ADVENTURE JOBS

<http://www.actionjobs.com>
<http://www.backdoorjobs.com>
<http://www.funjobs.com>
<http://www.jobsinparadise.com>

CASINO JOBS

<http://www.casinocareers.com>

HOSPITALITY JOBS

<http://www.hcareers.com>
<http://www.hospitalitycareernet.com>
<http://www.hospitalityonline.com>
<http://www.restaurantmanager.net>
<http://www.foodindustryjobs.com>
<http://www.hospitalitylink.com>
<http://www.starchefsjobfinder.com>
<http://www.hospitalityoffice.com>
<http://www.hotelforcepalmbeach.com>
<http://www.restaurantcareers.com>
<http://www.restaurantrecruit.com>
<http://www.hotelandcaterer.com>
<http://www.luxuryhoteljobs.com>
<http://www.paradisework.com>



<http://www.sommelierjobs.com>

<http://www.finediningjobs.com>

SUMMER JOBS

<http://www.fishingjobs.com>

<http://www.alaskajobfinder.com>

<http://www.jobmonkey.com>

<http://www.overseasjobs.com>

<http://www.skiingthenet.com>

<http://www.becjobs.com>

<http://www.themeparkjobs.com>

<http://www.coolworks.com>

<http://www.snagajob.com>

<http://www.summerjobs.com>

<http://www.aplus-summerjobs.com>

<http://www.workamper.com>

<http://www.resortjobs.com>

<http://www.clubswim.com>

TRUCK DRIVERS JOBS

<http://www.bubbajunk.com>

WINTER JOBS

<http://www.skiingthenet.com>

<http://www.skiresortjobs.com>

<http://www.breck.net/employment.cfm>

<http://www.skitownjobs.com>

<http://www.funkycareers.com>

<http://www.coloradojobs.com>

<http://www.coolworks.com/resort-jobs.asp>

<http://www.jobsinparadise.com/ski.htm>

<http://www.jobmonkey.com/ski/html/page100911.html>

<http://www.backdoorjobs.com/ski.html>

<http://www.skicentral.com/resorts.html>

<http://www.bisdirectory.com/ski/>

<http://www.onthesnow.com/ski/index.html>

Fast, Easy, Economical Visa Processing

VisaPro

How VisaPro Can Help

Call VisaPro as soon as you get a job offer.

VisaPro will call your prospective U.S. employer and start the H-2B visa process for you.

About Us

VisaPro is a rich source of information about work visas, visitor visas, student visas, family visas, green cards and U.S. citizenship. We offer e-mail and telephone consultations with attorneys, useful articles, discussion groups, online chat with attorneys, INS forms, online visa status, and more.

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