

[Latest On Supplemental H-2B Visas From NALP](#)



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The National Association of Landscape Professionals (NALP) has been working closely with Capitol Hill to get the H-2B [supplemental 22,000 visa rule](#) published as soon as possible. In late April, the Department of Homeland Security (DHS) and the Department of Labor (DOL) reached a deal to lift the existing 66,000 annual cap, which has already been exhausted.

Recently, Senate leaders sent the following [letter to the Administration](#) urging a prompt release of the additional H-2B visas during this peak need of [seasonal labor](#). Unfortunately, NALP has heard the rule authorizing the release will likely not be published until the week before or the week after Memorial Day. Here is additional information NALP has heard about the supplemental visa rule:

- It will require [employers](#) to contact any furloughed U.S. workers and to re-post the job order. This can be done after petition submission to DHS and will not likely require a new TLC.
- Visas for workers from outside the Northern Triangle countries will be limited to returning workers. There will not be a returning worker requirement for workers from the Northern Triangle countries.
- There will be some worker portability component that will allow workers to change jobs (move to higher wage-paying employers).
- There will be an irreparable harm attestation that will be followed with possible DOL adjudication. Employers should make sure they have documentation to support the irreparable harm claim.
- The applications for the 22,000 supplemental H-2B visas will be overprescribed based on current demand and a new lottery will be conducted to allocate visas.

NALP will be providing concrete details and guidance once the rule is published. For more information, visit the NALP site at

landscapeprofessionals.org.

–From the NALP Landscape Industry Essentials newsletter.