

*FLAG has been optimized to work with Google Chrome, Safari, and Mozilla Firefox.

HOW TO SUBMIT AN ETA-790/790A APPLICATION IN FLAG.DOL.GOV

- 1. Ensure that you have created an account using Login.gov. Please use your Login.gov credentials to access <u>https://flag.dol.gov.</u>
- 2. Once logged in, the "New Application" tab will automatically launch. The "New Application" tab is used to begin the application process.

APPLICATION GALEWAY			HELP
Choose Appl Create and file applications.	ication Type		
Form ETA-9141C	Form ETA-01-DC	Form ETA-0141	Form ETA-91428 H-2B
Prevailing Wage	Labor Certification	Prevailing Wage	Labor Certification
File an application for a Prev Wage Determination to be us CW-1 Temporary Labor Cert	ailing File a CW-1 application for Temporary sed for a Labor Certification with the Chicago fication. National Processing Center.	File an application for a Prevailing Wage Determination.	File an application for a H-28 Temporary Labor Certification.
Create New	Create New	Create New	Create New
Form ETA-790 / Form ETA-790A	Form ETA-0142A	Form ETA Form-9035 and 9035E	
H-2A Agricultural Cleara Order	H-2A nce Temporary Employment Certification	H-1B Labor Condition Application (LCA)	More forms will be available
File an application for a H-2/ Agricultural Clearance Order	File an application for a H-2A Temporary Employment Certification.	File a labor condition application for nonimmigrant workers.	to the through FLAG soon.
Create New	Create New	Create New	

3. Select "Create New" under "H-2A Agricultural Clearance Order" to begin filling out an ETA-790/790A application.

ABOR APPLICATI	Choose Applicatio	n Type		HELP
	Create and file applications. From EDA-9141C CW-1 Prevailing Wage	Form ETA-91-0C CW-1 Labor Certification	Fem ETA 9141 H-2B H-1B PERM Prevailing Wage	Form ETA-91-OB H-2B Labor Certification
	File an application for a Prevailing Wage Determination to be used for a CW-1 Temporary Labor Certification. Create New	File a CW-1 application for Temporary Labor Certification with the Chicago National Processing Center.	File an application for a Prevailing Wage Determination.	File an application for a H-2B Temporary Labor Certification.
	Ferre EIA-730 / Ferre EIA-730A H-2A Agricultural Clearance Order File an application for a H-2A Agricultural Clearance Order.	Perm ETA-9142A H-2A Temporary Employment Certification File an application for a H-2A Temporary Employment Certification. Create New	Form ETA Form-9035 and 9035E H-1B Labor Condition Application (LCA) File a labor condition application for nonimmigrant workers. Create New	More forms will be available to file through FLAG soon.



4. Under "Job Order Cover Sheet," complete the required fields. Click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Job Order Cover Sheet	×
Job Order Cover Sheet	IMPORTANT: Employers and authorized preparers must read these general instructions carefully before completing the Form ETA-790A, Agricultural Clearance Order, and all required addendums. These instructions contain explanations of the questions and assurances that make up the Form ETA-790A. Please complete ALL required field/lifems containing an asterisk (*)	
Preliminary Questions	It is a federal offense to knowingly and willfully furnish materially false information in the preparation of the Form	
A Job Offer Information	penalties may also apply to fraud or misuse of this immigration document and to perjury with respect to this form (18 U.S.C. §§ 1546, 1621).	
B Minimum Job Qualifications/Requirements		
C Placement of Employment Information	Employer Name(s)	
D Housing Information	II 2 Trade Name / Doing Business As (DBA) (?)	
E/F Provision of Meals and Transporation		
G Referral and Hiring Instructions	II.15. Federal Employer Identification Number (FEIN from IRS) * ③	

5. Under "Preliminary Questions," complete the required fields. Field 1 -Type of Agricultural Clearance Order has already been prefilled. Click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Preliminary Questions	
Job Order Cover Sheet	IMPORTANT: In accordance with 20 CFR 655.121, prior to filing an H-2A Application for Temporary Employment Certification (Form ETA-9142A), the employer must submit a job order (Form ETA-790/790A) to the State Workforce Agency (SWA) serving the area of intended employment, identifying it as a job order to be placed in connection with a fiture Form ETA-9142 for H-24 workforc. This Form ETA 790/790A is designed to (1) facilitate the initial except	
Preliminary Questions	a name form intervention (2) workers, marking the source of the source of the worker(s) sought for the job and processing of the job order by the SWA, (2) Identify the employer(s) of the worker(s) sought for the job opportunity, (3) designate that the job order will be used in connection with a future Form ETA-9142A for H-2A workers, and (4) disclose all the material terms and conditions of employment that the employer will offer to H-2A	
Job Offer Information	workers and U.S. workers.	
Minimum Job Qualifications/Requirements	Type of Clearance Order	
Placement of Employment Information	I. Indicate the type of agricultural clearance order being placed with the SWA for recruitment of U.S. workers (choose only one)* ⑦ 790A (H-2A clearance order)	
Housing Information	790B (regular clearance order)	
F Provision of Meals and Transportation	Type of Employer Application	
	2. Please select one of the options below to indicate the type of H-2A application that will be filed in connection with this job order. ③	
G Referral and Hiring Instructions	O Individual Employer	



6. Under "Job Offer Information," complete the required fields.

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Job Offer Information	^
Job Order Cover Sheet	Employer - Identifiers	
Preliminary Questions	A.1. Job Title * ③	
A Job Offer Information	A.2A. Workers Needed - Total * ③	
B Minimum Job Qualifications/Requirements	A.2B. Workers Needed - H-2A 💿	
Placement of Employment Information	A.3. Begin Date * ⑦	
Housing Information	mm/dd/yyyy A.4. End Date * ③	
Provision of Meals and Transporation	mm/dd/yyyy	
G Referral and Hiring Instructions	A.5. Will this job generally require the worker to be on-call 24 hours a day and 7 days a week? * (7) Yes No	

7. If you need more space to describe the Job Duties and/or Pay Deductions, click the blue hyperlink, "+ Add Addendum C" to add additional details.

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	A.8A. Job Duties - Description of the specific services or labor to be performed. (Please begin response on this form and use Addendum C if additional space is needed.) * ③
Job Order Cover Sheet	
Preliminary Questions	
A Job Offer Information	
	0 / 4000 character limit
B Minimum Job Qualifications/Requirements	
C Placement of Employment Information	Material Terms and Conditions - Job Duties <u>+ Add Addendum C</u>
D Housing Information	
	Wage Information
E/F Provision of Meals and Transporation	A.8B. Wage Offer * ⑦
G Referral and Hiring Instructions	\$nnn.nn
-	A.8C. Per ⑦



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8. Complete the "Summary of Material Term Condition" and "Details of Material Term or Condition." Click "Save."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	A.8A. Job Dut (Please begin	Add Material Terms and Conditions of the Job Offer X
		Section/Item Number and Category of Material Term or Condition ·
Job Order Cover Sheet		Materials Terms and Conditions - Job Duties
		Summary of Material Term Condition
Preliminary Questions		
I		Details of Material Term or Condition * ③
A Job Offer Information		
		00 character limit
B Minimum Job Qualifications/Requirements		
	Material Terr	
Placement of Employment Information	+ Add Addend	U 7 SSUU Characteri imit
Housing Information		Cancel
	Wage Inform	
E/F Provision of Meals and Transporation	A.8B. Wage O	

9. Click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order		
Job Order Cover Sheet	A.11. State all deduction(s) from pay and, if known, the amounts(s). (Please begin response on this form and use Addendum C if additional space is needed.) * ③	
Preliminary Questions		
A Job Offer Information		
B Minimum Job Qualifications/Requirements	0 / 1000 character limit	
C Placement of Employment Information		
D Housing Information	Material Terms and Conditions - Pay Deductions +Add Addendum C	
Provision of Meals and Transporation		
G Referral and Hiring Instructions	Save & Quit Back Continue	



11. If you need more space to describe the Job Requirements, click the blue hyperlink, "+ Add Addendum C" to add additional details. Click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	No B. 6. Additional Information Regarding Job Qualifications/Requirements (Please begin response on this form and use Addendum C if additional space is needed. If no additional skills or requirements, enter "NONE" below.) * ^{(*} None.
Preliminary Questions	
Job Offer Information	
B Minimum Job Qualifications/Requirements	5 / 1000 character limit
C Placement of Employment Information	Material Terms and Conditions - Job Requirements
D Housing Information	+ Add Addendum C
Provision of Meals and Transporation	
G Referral and Hiring Instructions	Save & Quit Back Continue

10. Under "Minimum Job Qualifications/Requirements," complete the required fields.

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12. Under "Place of Employment," complete the required fields and click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Placement of Employment Information	`
Job Order Cover Sheet	C1. Address/Location * ③	
Preliminary Questions		
Job Offer Information	0/120 character limit	
Minimum Job Qualifications/Requirements	C3. State * ⑦	
C Placement of Employment Information	- Select - ◆ C4. Postal Code * ⑦	
D Housing Information		
Err Provision of Meals and Transporation	C5. County * ⑦ Type search term here	
G Referral and Hiring Instructions	C6. Additional Place of Emolovment Information (if no additional information. enter "NONE" below)* • (?)	

13. Under "Housing Information," complete the required fields and click "Continue."

R H	orm ETA-790 / Form ETA-790A -2A Agricultural Clearance Order	Housing Information	^
Jol	b Order Cover Sheet	D1. Housing Address/Location * ③	
Pre	eliminary Questions		
Jol	b Offer Information	D2. City * ⑦ 0/120 character limit	
Qu	nimum Job alifications/Requirements	D3. State * ⑦	
Pla	acement of Employment Information	- Select -	
D Ho	using Information		
E/F Pro	ovision of Meals and Insporation	D5. County * ⑦ Type search term here	

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14. Under "Provision of Meals and Transportation," complete the required fields. If you need more space to describe the Meal Provision, Daily Transportation, and Inbound/Outbound Transportation, click the blue hyperlink, "+ Add Addendum C" to add additional details.

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Provision of Meals and Transporation	×
Job Order Cover Sheet	E1. Describe how the employer will provide each worker with 3 meals a day or furnish free and convenient cooking and kitchen facilities."	
Preliminary Questions	(Please begin response on this form and use Addendum C if additional space is needed.) * ③	
Job Offer Information		
Minimum Job Qualifications/Requirements		
Placement of Employment Information	0/1000 character limit	
Housing Information	Material Terms and Conditions - Meal Provision	
EF Provision of Meals and Transporation	+ Add Addendum S	

15. Click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	0 / 500 character limit
Job Order Cover Sheet	Materials Terms and Conditions - Inbound/Outbound Transportation + Add Addendum C
Preliminary Questions	
Job Offer Information	F3. During the travel described in item 2, the employer will pay for or reimburse daily meals by providing each worker ⁽²⁾ No less than * ⁽²⁾
Minimum Job Qualifications/Requirements	Snnnn.nn per day
Placement of Employment Information	No more than * ⑦ Snnnn.nn per day with receipts
Housing Information	Employer daily meal reimbursement must be no less than \$12.46 and no more than \$55.00.
FF Provision of Meals and Transporation	
G Referral and Hiring Instructions	Save & Quit Back Continue

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16. Under "Referral and Hiring Instructions," complete the required fields. If you need more space to describe the Referral and Hiring Instructions, click the blue hyperlink, "+ Add Addendum C" to add additional details.

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	Referral and Hiring Instructions	×
Job Order Cover Sheet	G1. Explain <u>how</u> prospective applicants may be considered for employment under this job order, including verifiable contact information for the employer or the employer's authorized hiring representative and the methods of contact (e.g., email, phone) that prospective U.S. applicants may use to be considered for the job	
Preliminary Questions	opportunity. Summarize how applicants are to be considered, referred, and hired. For example, indicate the days and hours that the employer or the employer's authorized hiring representative will be available to interview workers by telephone and/or in-person and whether anybody different from the employer has hiring authority.*	
Job Offer Information	(Please begin response on this form and use Addendum C if additional space is needed.) *	
Minimum Job Qualifications/Requirements		
Placement of Employment Information		
Housing Information	0 / 4000 character limit	
Provision of Meals and Transporation	Material Terms and Conditions - Referral and Hiring Instructions	
6 Referral and Hiring Instructions	*Add Addendum C	

17. Complete two of three fields and click "Continue."

Form ETA-790 / Form ETA-790A H-2A Agricultural Clearance Order	0 / 4000 character limit
Job Order Cover Sheet	Material Terms and Conditions - Referral and Hiring Instructions <u>+ Add Addendum C</u>
Preliminary Questions	
Job Offer Information	Two of three entries required* G2. Telephone Number to Apply ⑦
Minimum Job Qualifications/Requirements	
Placement of Employment Information	G3. Email Address to Apply ③
Housing Information	G4. Website address (URL) to Apply ⑦
Provision of Meals and Transporation	
6 Referral and Hiring Instructions	Save & Quit Back Continue



18. Under "Conditions of Employment and Assurances," thoroughly read the Conditions of Employment and Assurances and complete the required fields.



19. Under "Signature," upload a copy of your signature. Click the blue hyperlink, "Browse" to search for a file to upload. Click "Continue."

	Signer Information
H-2A Agricultural Clearance Order	I1. Last (family) Name * 🛞
Job Order Cover Sheet	12. First (family) Name * 🛞
Preliminary Questions	
T III	13. Middle Initial ③
Job Offer Information	
Minimum Job	I4. Title * 🛞
Qualifications/Requirements	
Placement of Employment Information	Signature
Housing Information	IS. By signing this document with an electronic signture, I acknowledge the Conditions of Employment and Assurances stated above. * 🕜
Provision of Meals and	Document Upload ·
Transporation	Drop files here or browse.
Referral and Hiring Instructions	File size limit: 30MB
Conditions of Employment and Assurances	

20. Under "Addendum A," use the table to enter details about each crop. Enter the Crop ID, Crop or Agricultural Activity, Wage Offer, Rate, and Piece Rate Units/Special Pay Information and click "Add Row" once completely filled out to save the entered crop and/or agricultural activity. If



applicable, you will then move back to the top of the page to enter the next crop and/or agricultural activity. To remove the last entry, click "Remove Last Row." Click "Continue."

Provision of Meals and Transporation	Provision of Meals and Transporation Referral and Hiring Instructions						×
Conditions of Employment and Assurances Addendum A - Additional Crops and/or Agricultural Activities	This Addendum mu disclose additional employer must disc perform under the i (e.g., due to work ii by entering the cro	ust be fully completed and su information about the payme close wage information cove agricultural clearance order. n different states subject to c p and state on the Addendur	ubmitted with the Form ETA-7 ent of wages for specific crop ring all the crops or agricultur For example, where an empl different AEWRs), the employ m A. The employer could ente	90A when i s and/or ag al activities oyer has m er may disc er the wage	the employer needs to rricultural activities. The that workers will need to uitiple applicable hourly rates close the distinct hourly rates rate information for "Lettuce		
B Addendum B - Additional Place of Employment Information	Harvesting – Califo wage rate informat on another row <u>Read More</u>	rmia" with the hourly AEWR (ion for "Lettuce Harvesting –	covering work performed in C • Arizona" with the hourly AEV	alifornia in VR covering	one row, and then enter the g work performed in Arizona		
ADO B Addendum B - Additional Housing Location							
ADD Addendum C - Material Terms and Conditions of the Job Offer	5 Crops and/or Ag	gricultural Activities to enter the details about	each crop, when applicable	-			
State Workforce Agency (SWA)	Crop ID	Crop or Agricultural Activity	Wage Offer	Per	Piece Rate Units/Special Pay Information		
Selection			\$nnnn.nn	- Sele e t -			
Review & Submit	Add Row Re	move Last Row					

21. Depending on your selection in Section C7 "Will work be performed at worksite locations other than the ones identified above?" Addendum B- Additional Place of Employment Information is required. Click "Continue."





22. Depending on your selection in Section D, Addendum B- Additional Housing Locations may be required. Click "Continue."

Provision of Meals and Transporation	Addendum B - Additional Housing Locations	x
Referral and Hiring Instructions	Section Complete Because you indicated that housing will only be provided at one location (per Section D), no Addendum B is	
Conditions of Employment and Assurances	necessary for this application.	
Addendum A - Additional Crops and/or Agricultural Activities	Save & Quit Back Continue	
Addendum B - Additional Place of Employment Information		
ADD Housing Location		
Addendum C - Material Terms and Conditions of the Job Offer		
State Workforce Agency (SWA) Selection		
B Review & Submit		

23. "Addendum C – Material Terms and Conditions of the Job Offer" will show a table listing the Addendums that were added while completing the form. You have the option to add more Addendums by clicking the blue hyperlink "+ Add Addendum C." Under "Actions" you have the option to edit or remove Addendums. Once you have reviewed the Addendums, click "Continue."

Provision of Meals and Transporation	Addendum C - Material the Job Offer	Terms and Cond	itions of	
Conditions of Employment and Assurances	Addendum C may be used to elaborate or further explai disclosed on this clearance order or to disclose a materi Read More	in material terms or conditions of the job offe ial term or condition of the job offer that	er previously	
Addendum A - Additional Crops and/or Agricultural Activities	7 Material Terms and Conditions. Use the table belo and conditions of the job order, when applicable.	ow to enter the details of each addition	al material terms	
Addendum B - Additional Place of Employment Information	Section Name	Section Summary	Actions	
Addendum B - Additional	Materials Terms and Conditions - Meal Provision	Meal Provision Continued		
	Materials Terms and Conditions - Job Duties	Job Duties Continued		
Addendum C - Material Terms and Conditions of the Job Offer	+ Add Addendum C			
State Workforce Agency (SWA) Selection	Save & Quit	Back	Continue	
Review & Submit				



24. "State Workforce Agency (SWA) Selection" is dependent on Questions 4 and 5 in the "Preliminary Questions" Section. In Field 1, select the State from the Drop-down options. Click "Continue."

Provision of Meals and Transporation	State Workforce Agency (SWA) Selection
Referral and Hiring Instructions	You must select a State Workforce Agency (SWA) to which this Job Order will be routed. You may select any state that has jurisdiction over your intended place(s) of employment. Failure to select a relevant SWA may delay the processing
Conditions of Employment and Assurances	or this application
Addendum A - Additional Crops and/or Agricultural Activities	Choose a State Workforce Agency (SWA) State
Addendum B - Additional Place of Employment Information	1. State * DISTRICT OF COLUMBIA
Addendum B - Additional Housing Location	
Addendum C - Material Terms and Conditions of the Job Offer	Save & Quit Back Continue
State Workforce Agency (SWA) Selection	
Review & Submit	

25. Under "Review & Submit," validate the summary of information. Any invalid entries or incomplete required fields will be listed under the "Incomplete" section. Use the stepper to navigate back to any section if changes are necessary.

Provision of Meals and Transporation	Review & Submit	×
Referral and Hiring Instructions	Incomplete:	
Conditions of Employment and Assurances	Submission Errors:	
Addendum A - Additional Crops and/or Agricultural Activities	Summary: Job Order Cover Sheet	
Addendum B - Additional Place of Employment Information	Legal Business Name: Business Name	
Addendum B - Additional Housing Location	Federal Employer Identification Number (FEIN from FEIN IRS):	
Addendum C - Material Terms and Conditions of the Job Offer	Trade Name / Doing Business As (DBA): Trade Name	
State Workforce Agency (SWA)	NAICS Code: NAICS Code	
B Review & Submit	NAICS Description: NAICS Description	



27. Once submitted, users will be redirected to a "Success page" that confirms the submission of the H-2A Agricultural Clearance Order (ETA-790/790A). Note: The newly-submitted case will retain its temporary/initiated case number until it is assigned a permanent case number, which can be viewed in the confirmation email.

FOREIGN LABOR APPLICATION GATEWAY	HELP	
E New Application	⊘ SUCCESS!	
Cases	Your H-2A Agricultural Clearance Order application has been submitted. A confirmation email will be sent to you within 24	
Profiles	hours. The confirmation email will include a generated case number which you can track in My Cases> Submitted. If you	
森 My Network	do not receive a case number within 24 hours of application submission, please contact the FLAG Technical Help Desk.	
	Thanks, Foreign Labor Application Gateway	
	Return to Dashboard	