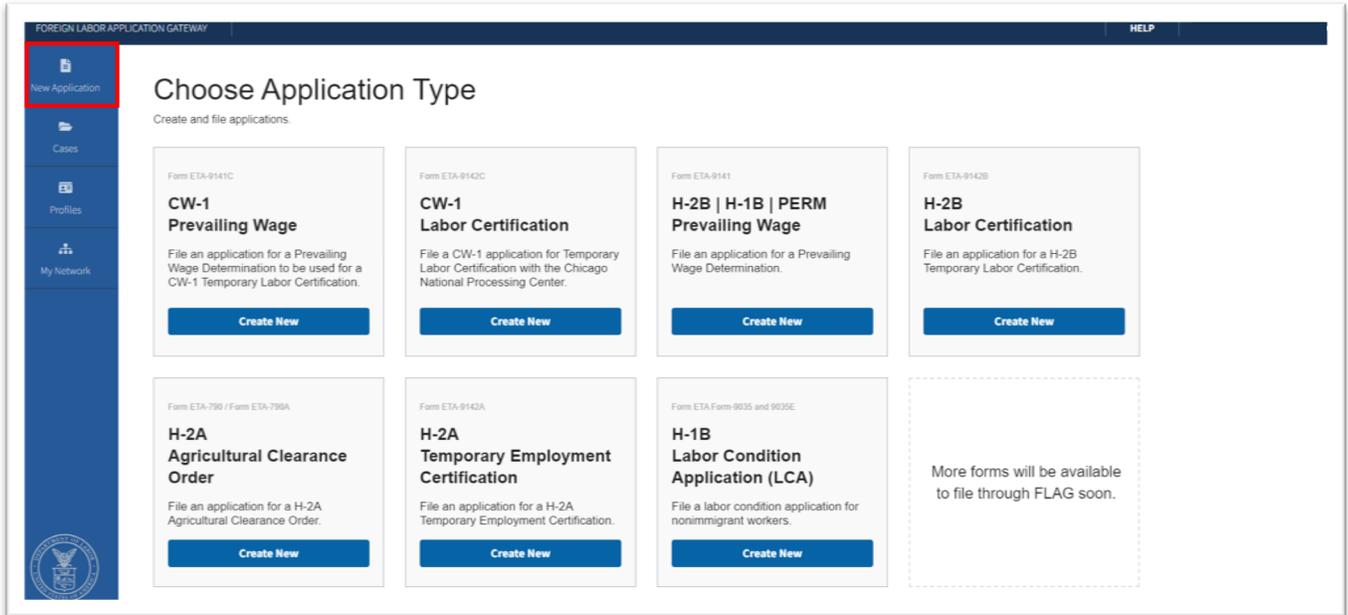




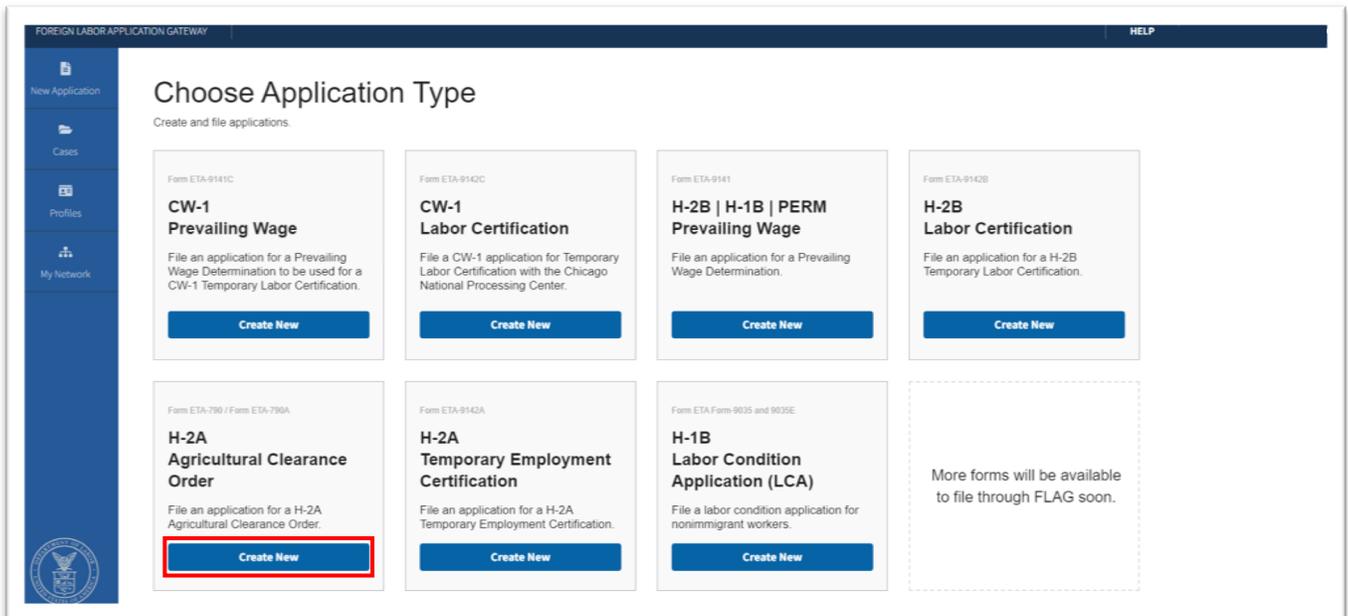
*FLAG has been optimized to work with Google Chrome, Safari, and Mozilla Firefox.

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 <https://flag.dol.gov>.
2. Once logged in, the “New Application” tab will automatically launch. The “New Application” tab is used to begin the application process.



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





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

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 fields/items containing an asterisk (*).

It is a federal offense to knowingly and willfully furnish materially false information in the preparation of the Form ETA-790A and any supplement thereto or to aid, abet, or counsel another to do so (18 U.S.C. §§ 2, 1001). Other 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).

Employer Name(s)

II.1. Legal Business Name * ?

II.2. Trade Name / Doing Business As (DBA) ?

II.15. Federal Employer Identification Number (FEIN from IRS) * ?

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

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 future Form ETA-9142A for H-2A workers. This Form ETA 790/790A is designed to (1) facilitate the initial receipt 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 workers and U.S. workers.

Type of Clearance Order

1. Indicate the type of agricultural clearance order being placed with the SWA for recruitment of U.S. workers (choose only one) * ?

790A (H-2A clearance order)

790B (regular clearance order)

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. ?

Individual Employer



6. Under “Job Offer Information,” complete the required fields.

Form ETA-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Job Offer Information

Employer - Identifiers

A.1. Job Title [?]

A.2A. Workers Needed - Total [?]

A.2B. Workers Needed - H-2A [?]

A.3. Begin Date [?]

A.4. End Date [?]

A.5. Will this job generally require the worker to be on-call 24 hours a day and 7 days a week? [?]
 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-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Job Offer Information

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.) [?]

0 / 4000 character limit

Material Terms and Conditions - Job Duties

[+ Add Addendum C](#)

Wage Information

A.8B. Wage Offer [?]

A.8C. Per [?]



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

Job Order Cover Sheet

Preliminary Questions

A Job Offer Information

B Minimum Job Qualifications/Requirements

C Placement of Employment Information

D Housing Information

E/F Provision of Meals and Transportation

G Referral and Hiring Instructions

A.S.A. Job Duties (Please begin)

Add Material Terms and Conditions of the Job Offer

Section/Item Number and Category of Material Term or Condition *

Materials Terms and Conditions - Job Duties

Summary of Material Term Condition

Details of Material Term or Condition * ?

0 / 3500 character limit

Cancel Save

9. Click “Continue.”

Form ETA-790 / Form ETA-790A
H-2A Agricultural Clearance Order

Job Order Cover Sheet

Preliminary Questions

A Job Offer Information

B Minimum Job Qualifications/Requirements

C Placement of Employment Information

D Housing Information

E/F Provision of Meals and Transportation

G Referral and Hiring Instructions

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.) * ?

0 / 1000 character limit

Material Terms and Conditions - Pay Deductions

+ Add Addendum C

Save & Quit Back Continue



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

Form ETA-790 / Form ETA-790A
H-2A Agricultural Clearance Order

Minimum Job Qualifications/Requirements

B.1. Education: minimum U.S. diploma/degree ?

- None
- High School/GED
- Associate's
- Bachelor's
- Master's or Higher
- Other degree (JD, MD, etc.)

B.2. Work Experience: number of months * ?

B.3. Training: number of months * ?

B.4. Basic Job Requirements (check all that apply) ?

<input type="checkbox"/> Certification/license requirements	<input type="checkbox"/> Exposure to extreme temperatures
<input type="checkbox"/> Driver requirements	<input type="checkbox"/> Extensive pushing or pulling
<input type="checkbox"/> Criminal background check	<input type="checkbox"/> Extensive sitting or walking
<input type="checkbox"/> Drug Screen	<input type="checkbox"/> Frequent stooping or bending over
<input type="checkbox"/> Lifting requirements	<input type="checkbox"/> Repetitive movements

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.) *

5 / 1000 character limit

Material Terms and Conditions - Job Requirements

[+ Add Addendum C](#)



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

Form ETA-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Placement of Employment Information

C1. Address/Location * ?

0 / 120 character limit

C2. City * ?

C3. State * ?

- Select -

C4. Postal Code * ?

C5. County * ?

Type search term here

C6. Additional Place of Employment Information (if no additional information, enter "NONE" below) * ?

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

Form ETA-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Housing Information

D1. Housing Address/Location * ?

0 / 120 character limit

D2. City * ?

D3. State * ?

- Select -

D4. Postal Code * ?

D5. County * ?

Type search term here



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-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Job Order Cover Sheet
Preliminary Questions
Job Offer Information
Minimum Job Qualifications/Requirements
Placement of Employment Information
Housing Information
E/F Provision of Meals and Transportation
G Referral and Hiring Instructions

Provision of Meals and Transportation

E1. Describe how the employer will provide each worker with 3 meals a day or furnish free and convenient cooking and kitchen facilities.*

(Please begin response on this form and use Addendum C if additional space is needed.) * ⓘ

0 / 1000 character limit

Material Terms and Conditions - Meal Provision

[+ Add Addendum C](#)

15. Click “Continue.”

0 / 500 character limit

Materials Terms and Conditions - Inbound/Outbound Transportation

[+ Add Addendum C](#)

F3. During the travel described in Item 2, the employer will pay for or reimburse daily meals by providing each worker ⓘ

No less than * ⓘ

per day

No more than * ⓘ

per day with receipts

Employer daily meal reimbursement must be no less than \$12.46 and no more than \$55.00.



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-750 / Form ETA-750A
H-2A Agricultural Clearance Order

Referral and Hiring Instructions

G1. Explain how 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 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.*

*(Please begin response on this form and use Addendum C if additional space is needed.) **

0 / 4000 character limit

Material Terms and Conditions - Referral and Hiring Instructions

[+ Add Addendum C](#)

17. Complete two of three fields and click “Continue.”

Form ETA-750 / Form ETA-750A
H-2A Agricultural Clearance Order

0 / 4000 character limit

Material Terms and Conditions - Referral and Hiring Instructions

[+ Add Addendum C](#)

Two of three entries required*

G2. Telephone Number to Apply ?

G3. Email Address to Apply ?

G4. Website address (URL) to Apply ?

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.”

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."

Addendum A - Crops and/or Agricultural Activities

This Addendum must be fully completed and submitted with the Form ETA-790A when the employer needs to disclose additional information about the payment of wages for specific crops and/or agricultural activities. The employer must disclose wage information covering all the crops or agricultural activities that workers will need to perform under the agricultural clearance order. For example, where an employer has multiple applicable hourly rates (e.g., due to work in different states subject to different AEWRs), the employer may disclose the distinct hourly rates by entering the crop and state on the Addendum A. The employer could enter the wage rate information for "Lettuce Harvesting – California" with the hourly AEWR covering work performed in California in one row, and then enter the wage rate information for "Lettuce Harvesting – Arizona" with the hourly AEWR covering work performed in Arizona on another row....
[Read More](#)

5 Crops and/or Agricultural Activities
Use the table below to enter the details about each crop, when applicable.

Crop ID	Crop or Agricultural Activity	Wage Offer	Per	Piece Rate Units/Special Pay Information
		\$nnnn.nn	- Select -	

Add Row **Remove 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."

Addendum B - Additional Place of Employment Information

Section Complete
Because you indicated that work will only be performed at one worksite (per Section C), no Addendum B is necessary for this application.

Save & Quit **Back** **Continue**



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

Addendum B - Additional Housing Locations

Section Complete
Because you indicated that housing will only be provided at one location (per Section D), no Addendum B is necessary for this application.

Save & Quit Back **Continue**

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.”

Addendum C - Material Terms and Conditions of the Job Offer

Addendum C may be used to elaborate or further explain material terms or conditions of the job offer previously disclosed on this clearance order or to disclose a material term or condition of the job offer that ...
[Read More](#)

7 Material Terms and Conditions. Use the table below to enter the details of each additional material terms and conditions of the job order, when applicable.

Section Name	Section Summary	Actions
Materials Terms and Conditions - Meal Provision	Meal Provision Continued	...
Materials Terms and Conditions - Job Duties	Job Duties Continued	...

[+ Add Addendum C](#)

Save & Quit Back **Continue**



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.”

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.



26. Click "Submit."

The screenshot shows a web form with a sidebar on the left containing a list of steps: Provision of Meals and Transportation, Referral and Hiring Instructions, Conditions of Employment and Assurances, Addendum A - Additional Crops and/or Agricultural Activities, Addendum B - Additional Place of Employment Information, Addendum B - Additional Housing Location, Addendum C - Material Terms and Conditions of the Job Offer, State Workforce Agency (SWA) Selection, and Review & Submit. The main content area is titled '7 Material Terms and Conditions. Use the table below to enter the details of each additional material terms and conditions of the job order, when applicable:'. It contains two tables for 'Meal Provision' and 'Job Duties', each with columns for 'Section/Item Number and Category of Material Term or Condition', 'Summary of Material Term Condition', and 'Details of Material Term or Condition'. Below these tables is a dropdown menu for 'SWA: State Workforce Agency (SWA) Selection' with 'DISTRICT OF COLUMBIA' selected. At the bottom, there are three buttons: 'Save & Quit', 'Back', and 'Submit' (which is highlighted with a red border).

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.*

