

From: [Farm Hands, LLC](#)
To: [ETA, OFLC Forms - ETA](#)
Subject: RE: Proposed changes to Forms ETA790 and ETA9142A
Date: Sunday, November 18, 2018 12:05:57 PM

One other thing. Under the current I-Cert rules, only one person has access to preparing the forms and submitting them. But this creates a problem where the principal has employees or agents to help with the work. In such a situation, the agent can prepare the data, but the principal has to enter them into I-Cert, resulting in needless retyping, *etc.*

Suggest that for each I-Cert account, you would have review and data entry access both for the principal and such agents as the principal may authorize. However, when the agent enters data, it will be flagged on I-Cert as having been entered by the individual agent, which could be done, for example, by color coding the online font. While the agents would be permitted to enter data, only the principal, after checking the agents' work, would be able to submit the final product.

You might want to limit the number of agents which a principal may have, suggest 5. If there are more than 6 people working for a company, one of its experienced staff will presumably need to open a new principal account.

Example:

Alice is the principal on an I-Cert account. Any information she enters would be color coded by appearing in black type.

Betty and Charlene are her two assistants. Betty's data entries on I-Cert would be color coded blue, and Charlene's would be color-coded green.

Working separately, they populate all necessary form fields on forms ETA790 and ETA9142A and upload attachments, which would be tagged, for example "uploaded by Charlene on [date]".

When done, Alice double checks her assistants' work, and submits the finished forms on I-Cert as per current procedure.

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From: [Farm Hands, LLC](#)
Sent: Friday, November 16, 2018 9:51 AM
To: ETA.OFLC.Forms@dol.gov
Subject: Proposed changes to Forms ETA790 and ETA9142A

As a agent preparer for farmers seeking H2A labor certification, I applaud the proposals on the table to simplify the paperwork and to do just about everything online.

However, I might suggest a few additions –

1. Suggest that there should be a system where, on approval, the \$100 plus \$10 per certified worker fee for DOLETA/OFLC can be paid electronically. For example, on filing the ETA9142A, you could have a screen on I-Cert authorizing a credit card payment or direct bank transfer for payment of the fee, on the understanding that there would be no transfer until labor certification has been otherwise approved for issuance, that the fee would be reduced if less than the full number of workers requested are certified, and that the farmer or agent would receive email confirmation of the details of the transfer. This of course would have the side benefit to the treasury of making sure that these fees are timely paid.
2. It is my understanding that USDOL is working with USCIS to simplify the process generally. What might make sense is that if USCIS would allow farmers to prepare online the application for foreign workers, and authorize the fee in anticipation of the labor certification, electronic payment could be collected and the USCIS application could be deemed submitted and sent to processing as soon as USCIS electronically receives notification from USDOL that labor certification has been granted.

Again, thanks for taking this initiative. My farmers will really appreciate the speeding up of the process and the cost savings involved.

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