

Things to consider when Interviewing Applicants

Impermissible Reasons for Rejection of Applicants

- Applicant was overqualified.
- Applicant lacked the experience required for the job (where no exp. is required).
- Applicant lived too far away. (Even applicants that live far away must be contacted. If they are willing to relocate, they must be considered for the job.)

Permissible Reasons for Rejection of Applicants

- Applicant turned down the job after it was offered to them (give reason applicant declined position on report).
- Applicant withdrew from consideration.

Considering and Hiring U.S. Workers

- You must consider all U.S. workers who apply for the job (or on whose behalf an application is made), including those who apply directly to you for the job opportunities that are the subject of this Application for Temporary Employment Certification. You must accept and hire any applicants who are qualified and who will be available at the time and place of employment. Any U.S. worker who applies, but whom you reject for other than a lawful, job-related reason or fail to provide with a lawful, job-related reason for rejection, will be considered available for work and could result in a reduction of the total number of job opportunities that may be certified.

Interviewing U.S. Workers

- If you wish to interview U.S. applicants, you must conduct the interviews by phone or provide a procedure for the interviews to be conducted in the location where the worker is being recruited so that the worker incurs little or no cost. All scheduled interviews should be conducted during normal business hours. (M-F, 8am-5pm) You must not provide H-2B workers with favorable treatment in whether you require or in how you conduct interviews.

Things to avoid:

- Telling applicants that the position has been filled.