

Ohio Department of Job and Family Services
FOREIGN LABOR CERTIFICATION REQUEST FOR H-2B JOB ORDER

This job order request is being placed in connection with a future application for H-2B workers

Email all pages of this form to FLC@jfs.ohio.gov

The ETA Form 9142B must be filed with the Chicago National Processing Center at the same time you submit this request form to Ohio Foreign Labor Certification.

This is an offer of full-time (at least 35 hours per week), temporary employment.

1 EMPLOYER INFORMATION

a Business Name <div style="border: 1px solid black; padding: 2px;">Bates Brothers Amusement Co.</div>	b FEIN <div style="border: 1px solid black; padding: 2px; background-color: black;"></div>	c Employer's E-mail <div style="border: 1px solid black; padding: 2px;">braddallman@yahoo.com</div>
c Business Physical Address (Street Address, City, State, Zip Code, County)		
1506 Fernwood Road	Wintersville	OH 43953

2 JOB ORDER REFERRAL INFORMATION

a Phone <div style="border: 1px solid black; padding: 2px;">(740) 266-2950</div>	b Fax <div style="border: 1px solid black; padding: 2px;"></div>	c E-mail Address <div style="border: 1px solid black; padding: 2px;">braddallman@yahoo.com</div>
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3 JOB OPPORTUNITY INFORMATION

a Job Opportunity Title <div style="border: 1px solid black; padding: 2px;">Carnival Worker</div>	b # Openings <div style="border: 1px solid black; padding: 2px; text-align: center;">60</div>	c Employment Begin Date <div style="border: 1px solid black; padding: 2px; text-align: center;">1 1 22</div>	d Employment End Date <div style="border: 1px solid black; padding: 2px; text-align: center;">10 6 22</div>
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e Duties To Be Performed For This Position (Assurances are to be placed in Section 7)

Bates Brothers Amusement Co. - Job Order 2021

Bates Brothers Amusement Co., 1506 Fernwood Rd, Wintersville, OH 43953 – 60 temporary full-time Carnival Workers from 1/1/22 – 10/06/22. 740-266-2950.

Perform a variety of attending duties at amusement or recreation facility. Collect tickets/fees, sell and serve food; erect, take down, operate/attend and maintain equipment/rides; games; make change; assist patrons. Set up - stock/clean and ready for service, tear down - pack up stock and close down booth, heavy lifting and physically mobile, operate food concessions, games and amusement rides. Hours, schedule and days vary - typically working a 9-hour shift between 10:00am – 11:00pm (sample shift time: 10am-7pm, 1 hour unpaid break); 35-48hrs./wk., extra hours may be required or available, may include weekends and holidays. Work needs (i.e., hours, days, schedule, location, and work positions) vary. Work needs subject to industry practice and are not guaranteed per day, per week, per schedule, per location, or per worker, e.g., rainouts, brief periods without scheduled events, event dates and hours set by agreement with sponsor and subject to change (based upon adverse weather, hours of operation, day of the week, attendance, size of the event, school schedules, amount of equipment in operation, staffing, etc.), and unforeseen cancellations. In the event of approved, overlapping events, work needs may cause workers to be adjusted.

Pay varies, \$10.09 - \$12.13 per hour. Merit/sick pay savings program, wage pre-pay at employer discretion. Travel required and provided to work in Jefferson, Franklin, Coshocton, Wayne, Portage, Muskingham, Lake, Licking, Ashland, Medina, Geauga, Cuyahoga and Knox Counties, Ohio. Travel provided to all events as per itinerary. Must commute from home at prior worksite to next worksite. Optional transportation to worksites provided at no cost to the worker. Work is performed outside in all weather.

Employer reserves the option to provide additional compensation for performance and tenure. Overtime is defined by and paid as required by prevailing law, varies at \$15.14 - \$18.20 an hour. No education or experience required. Pay received weekly, single workweek used for computing wages. Employer will make all deductions from worker's paycheck required by law. Employer optional shared housing is provided at no cost to the worker (\$120/wk), local convenience travel valued at (\$20/wk.), and food available for wage credit and/or deduction, or any lesser amount to the maximum extent not prohibited by law.

Employer will provide workers at no charge all tools, supplies and equipment required to perform job. On the job training provided.

H-2B workers will be reimbursed in the first workweek for all visa, visa processing, border crossing, and other related fees, including those mandated by the government (excluding passport fees).

Allowed costs of inbound transportation provided (including meals and, to the extent necessary, lodging) to the place of employment, if the worker completes 50% of the work contract period, employer will arrange and pay directly for transportation and subsistence from the place of recruitment to the place of work. Upon completion of the employment period or where the worker is dismissed early, the employer will provide or pay for worker's reasonable costs of return transportation and Subsistence back home or to the place the worker originally departed to work, except where the worker will not return due to subsequent employment with another employer or where the employer has appropriately reported a worker's voluntary abandonment of employment. The amount of transportation payment or reimbursement will be equal to the most economical and reasonable common carrier for the distances involved. Daily subsistence will be provided at a rate of at least \$13.17 per day during travel to a maximum of \$55 per day with submission of receipt at the applicable exchange rate not to exceed reasonable costs by check within first pay period during travel to the U.S. All transportation costs are to be preapproved. If necessary, employer will reimburse worker within first pay period for approved cost of meals and lodging at the applicable exchange rate, not to exceed reasonable costs. Receipts must be submitted.

The job requires that the applicant be qualified, ready, willing, able, and available to perform during the entire employment at the designated worksites under adverse weather; to enter into and comply with employment contracts; to follow workplace rules; and to meet job performance standards. Must comply with grooming requirements and dress code. Subject to discharge for cause. Must be willing to work up to 7days/wk. Post-employment drug testing and criminal background check required, paid by employer. Applicants must cooperate with and complete job application and interview truthfully.

This job order, including its wage and working terms and conditions, is intended contingent upon prevailing U.S. immigration law, including Department of Labor and Department of Homeland Security regulations. If any such prevailing law is enjoined, invalidated, rescinded, superseded, vacated, or substantially modified, then the parties will re-negotiate in good faith any affected term.

Inquire about the job opportunity, send an application, and/or resume indicating availability directly to your nearest OH State Workforce Agency Office - OhioMeans Jobs - Jefferson County Center – 114 North Fourth Street, Steubenville, OH 43952/PH. 740-282-0971 x139. <https://jobseeker.ohioeans.com>

f Special Requirements (Check all that apply)

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|---|---|
| <input checked="" type="checkbox"/> Criminal Background Check | <input type="checkbox"/> Extensive Push / Pull |
| <input checked="" type="checkbox"/> Post-hire | <input type="checkbox"/> Extensive Sitting |
| <input type="checkbox"/> Pre-employment | <input type="checkbox"/> Extensive Walking |
| <input checked="" type="checkbox"/> Drug Screen | <input type="checkbox"/> Exposure to Extreme Temperatures |
| <input type="checkbox"/> Pre-employment | <input type="checkbox"/> Frequent Stooping |
| <input type="checkbox"/> Upon Suspicion | <input type="checkbox"/> Repetitive Movements |
| <input checked="" type="checkbox"/> Other (Please Explain) <div style="border: 1px solid black; padding: 2px; display: inline-block;">Post-employment</div> | |

g Lifting/Carrying Requirement <div style="border: 1px solid black; padding: 2px;"><input checked="" type="checkbox"/> None # <div style="border: 1px solid black; width: 40px; height: 20px; display: inline-block;"></div> pounds</div>	h Minimum Education Required <div style="border: 1px solid black; padding: 2px;">No Education Required</div>	i Minimum Months of Experience <div style="border: 1px solid black; padding: 2px;">None</div>
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j Equipment Certifications and / or Licenses Required <input checked="" type="checkbox"/> None <input type="checkbox"/> Required (<i>Please List</i>)	
k Driver License Required <input checked="" type="checkbox"/> None <input type="checkbox"/> Class D <input type="checkbox"/> CDL Class / Endorsement: None	
l Employer Provides On-the-Job Training <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Explain: OJT Provided	
m Work Days Per Week <input checked="" type="checkbox"/> Sun <input checked="" type="checkbox"/> Mon <input checked="" type="checkbox"/> Tue <input checked="" type="checkbox"/> Wed <input checked="" type="checkbox"/> Thurs <input checked="" type="checkbox"/> Fri <input checked="" type="checkbox"/> Sat	n Total Regular Weekly Hours <div style="border: 1px solid black; padding: 2px; display: inline-block;">35-48</div>
o Normal Shift Hours From: <div style="display: inline-block; border: 1px solid black; padding: 2px;">10</div> <div style="display: inline-block; border: 1px solid black; padding: 2px;">00</div> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM To: <div style="display: inline-block; border: 1px solid black; padding: 2px;">7</div> <div style="display: inline-block; border: 1px solid black; padding: 2px;">00</div> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	p Possible Hours to be Worked Over 40 <div style="border: 1px solid black; padding: 2px; display: inline-block;">VARIES</div>
4 WORKSITE LOCATION(S) Place multiple worksite counties in Item b.	
a Worksite 1 (<i>Street Address, City, State, Zip Code, County</i>) Same as business address? <div style="border: 1px solid black; padding: 2px; display: inline-block;">1506 Fernwood Road</div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="border: 1px solid black; padding: 2px; width: 20%;">Wintersville</div> <div style="border: 1px solid black; padding: 2px; width: 10%;">OH</div> <div style="border: 1px solid black; padding: 2px; width: 20%;">43953</div> <div style="border: 1px solid black; padding: 2px; width: 50%;">Jefferson</div> </div>	b Multiple Worksite Counties <div style="border: 1px solid black; padding: 2px; display: inline-block;">SEE ATTACHED ITINERARY</div>
5 WAGE INFORMATION	
a Prevailing Wage Amount \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;">10.09-12.13</div> /hr	b Wage Offer \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;"></div> /hr
c Wage Range (<i>if applicable</i>) \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;">10.09-12.13</div> / hr	d Overtime Wage \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;">15.14-18.20</div> /hr
e Frequency of Pay <input checked="" type="checkbox"/> Weekly <input type="checkbox"/> Every 2 weeks <input type="checkbox"/> Other (<i>Explain</i>)	
6 PAYROLL DEDUCTIONS	
<input checked="" type="checkbox"/> Deductions required by law <input checked="" type="checkbox"/> Elective Deductions Deduction Amount \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;"></div> per pay	
List and explain elective deductions below <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Employer will make all deductions from worker's paycheck required by law. Employer optional shared housing is provided at no cost to the worker (\$120/wk), local convenience travel valued at (\$20/wk.), and food available for wage credit and/or deduction, or any lesser amount to the maximum extent not prohibited by law. </div>	
7 ASSURANCES	
Board/Lodging or Other Facilities <i>The language depends greatly on the unique circumstances of the employer's job opportunity, housing arrangements, and/or business operations</i> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>	<input checked="" type="checkbox"/> If lodging is primarily for the employer's benefit and convenience (e.g. the employer requires a mobile workforce: The employer will pay the cost of lodging to the extent such costs would reduce pay below the offered wage rate for the area of intended employment. <div style="text-align: center; margin: 10px 0;">OR</div> <input type="checkbox"/> If lodging is not primarily for the employer's benefit and convenience: Shared lodging is available in employer-owned housing at \$ <div style="border: 1px solid black; padding: 2px; display: inline-block;"></div> per pay period
Daily Transportation (Optional) <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>	<input checked="" type="checkbox"/> Workers are responsible for daily transportation to and from the designated pick-up location. Employer will then provide each work crew with daily transportation among the worksite locations.

First Work Week Reimbursement	<input checked="" type="checkbox"/> Workers will be reimbursed in the first workweek for all visas, visa processing, border crossing, and other related fees, Including those mandated by the government (except passport fees).
Inbound / Outbound Transportation and Subsistence	<p>If the worker completes 50% of the work contract period, the employer will</p> <p><input checked="" type="checkbox"/> Option A: arrange and pay directly for transportation and subsistence</p> <p><input type="checkbox"/> Option B: reimburse the worker for transportation and Subsistence</p> <p><input type="checkbox"/> Option C: provide advance payment for transportation and Subsistence from the place of recruitment to the place of work. Upon completion of the work contract or where the worker is dismissed earlier, the employer will provide or pay for the worker's reasonable costs of return transportation and subsistence back home or to the place the worker originally departed to work, except where the worker will not return due to subsequent employment with another employer or where the employer has appropriately reported a worker's voluntary abandonment of employment. The amount of transportation payment or reimbursement will be equal to the most economical and reasonable common carrier for the distances involved. Daily meals will be provided at a rate of at least \$13.17 per day during travel to a maximum of \$55 per day with receipts.</p>
Provision of Tools, Supplies, and Equipment	<input checked="" type="checkbox"/> The employer will provide workers at no charge all tools, supplies, and equipment required to perform the job.
Three-Fourths Guarantee (Optional)	<p><input type="checkbox"/> The employer guarantees to offer work for hours equal to at least three-fourths of the workdays in each 6 week period of the total employment period.</p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> The employer guarantees to offer work for hours equal to at least three-fourths of the workdays in each 12-week period of the total employment period.</p>
Single Workweek for Pay	<input checked="" type="checkbox"/> The employer will use a single workweek as its standard for computing wages due.
SWA Contact Information	<input checked="" type="checkbox"/> The employer agrees that applications and/or resumes and referrals for qualified applicants will be forwarded by the OhioMeansJobs Center for interviewing.

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