

U.S Department of State regulations list jobs NOT allowed for the Work&Travel USA program.

*All SWT placements are subject to Sponsor organisation approval. Jobs not listed herein may still be found inappropriate for the SWT program. Sponsor reserves the right to disallow any placement.

Participants are prohibited from working:

1. **In positions with employers that fill non-seasonal or non-temporary job openings with participants with staggered vacation schedules;
2. In positions that could bring notoriety or disrepute to the Exchange Visitor Program;
3. In sales positions that require participants to purchase inventory that they must sell in order to support themselves (such as door-to-door sales, traveling sales, canvassing);
4. In positions that are substantially commission-based and thus do not guarantee that participants will be paid minimum wage in accordance with federal and state standards (mall kiosk sales);
5. In positions in kiosks or cart stands at malls;
6. In domestic help positions in private homes (e.g., child care, elder care, gardener, chauffeur, housekeeping);
7. As pedicab or rolling chair drivers or operators;
8. As operators or drivers of vehicles or vessels for which drivers' licenses are required regardless of whether they carry passengers or not;
9. In positions related to clinical care that involves patient contact (patient care);
10. In any position in the adult entertainment industry (including, but not limited to jobs with escort services, adult book/video stores, and strip clubs);
11. In positions requiring work hours that fall predominantly between 10:00 p.m. and 6:00 a.m.;
12. In positions declared hazardous to youth by the Secretary of Labor at Subpart E of 29 CFR part 570;
13. In positions that require sustained physical contact with other people and/or adherence to the Centers for Disease Control and Prevention's Universal Blood and Body Fluid Precautions guidelines (e.g., body piercing, tattooing (including henna), massage, manicure, hair braiding);
14. In positions involved in gaming and gambling that include direct participation in wagering and/or betting;
15. In positions in chemical pest control, warehousing, catalogue/online order distribution centers;
16. In positions with travelling fairs or itinerant concessionaires;
17. In positions in moving companies;
18. In positions where manual labor is the primary focus;
19. With third-party organizations. The participant must be hired, paid, and directly supervised by the same company;
20. In positions through employment or staffing agencies;
21. In positions for which there is another specific J category (e.g., camp counselor, intern, trainee, au pair);
22. In positions in home based businesses (companies without a retail site or separate business address from individual's home address);
23. In positions in warehouses or factories;
24. In administrative positions handling sensitive/personal information;
25. In any position where the participant would be considered an Independent Contractor (1099 Form employee);
26. In positions in fisheries;



- 27. Positions in industrial style/scale service sector (jobs that involve assembly lines, repetitive movement using heavy machinery, use of industrial size steamers/pressers and dryers, use of industrial chemicals, factory-like atmosphere);
- 28. In Single-Guard Pool Companies;
- 29. Positions that involve the use of deli slicers;
- 30. Positions that are not compensated hourly e.g. piece wages, stipends, etc. or
- 31. In positions in the North American Industry Classification System's (NAICS) Goods-Producing Industries occupational categories industry sectors 11, 21, 23, 31-33 numbers (set forth at http://www.bls.gov/iag/tgs/iag_index_naics.htm) , **[including, but not limited to]:**
 - Construction (Includes specialty trade contractors), Mining (includes oil and gas extraction, support activities for mining), Manufacturing (Food manufacturing, textile mills, apparel manufacturing, wood product manufacturing, printing), Natural Resources (crop production, animal production, fishing, support activities for agriculture and forestry);

Jobs not recommended:

Major Cities: Employment in large cities such as Miami, New York and Los Angeles. **If a large city is submitted as a place of employment, the following must be demonstrated:**

- The job is seasonal in its nature (example: zoos, aquariums)
- The employer has reasonably attempted to hire locals for the season and the placement will not displace U.S. workers.
- There is access to suitable, affordable, and safe housing.

****The Department of State provides these definitions:**

Seasonal: Employment is of a seasonal nature when the required service is tied to a certain time of year by an event or pattern and requires labor levels above and beyond existing worker levels.

Temporary: Employment is of a temporary nature when an employer's need for the duties to be performed is a one-time occurrence, a peak-load need, or an intermittent need.

The regulations also include protections for U.S. workers. Each season, sponsors must confirm that the host employers with which they intend to place participants:

1. Will not displace U.S. workers at worksites where the participants are placed;
2. Have not experienced layoffs in the past 120 days; and
3. Do not have workers on lockout or on strike

