

# Guam Department of Labor

## APPLICATION FOR TEMPORARY ALIEN LABOR CERTIFICATION

with NDAA Required Certifications

**IMPORTANT: READ CAREFULLY BEFORE COMPLETEING THIS FORM**  
 To knowingly furnish any false information in the preparation of this form and any supplement thereto or to aid, abet or counsel another to do so, is a felony punishable by \$10,000.00 fine or five years in the penitentiary, or both (18 U.S.C. 1001).

**OFFER OF EMPLOYMENT**

1. Name of Alien (Family name in capital letters, First, Middle)	
2. Present Address of Alien (Number, Street, City, State, Zip Code or Country)	3. Type of Visa (if in U.S.)

**The following information is submitted as evidence of an offer of employment.**

4. Name of Employer (Full name of organization)	5. Telephone Number
6. Address (Number, Street, City, State, Zip Code)	
7. Address Where Alien Will Work (if different from item # 6)	

8. Employer's Business Activity	9. Name of Job Title	10. Total Hours Per Week Basic	Overtime	11. Work Schedule Hourly	12. Rate of Pay Basic	Overtime
				a.m.	\$	\$
				p.m.	Per _____	Per Hour

13. Describe Fully the Job to be Performed (Duties)

14. State in detail the MINIMUM education, training and experience for a worker to perform satisfactorily the job described in item #13 above.					15. Other Special Requirements	
EDUCATION Enter # of yrs	Grade School	High School	College	Degree Req'd		
				Major Field of Study		
TRAINING	No. of Yrs		No. of Months	Type of Training		
EXPERIENCE	Job Offered Yrs Mos.		Related Occupation Yrs Mos.		Related Occupation (Specify)	

16. Occupational title of the person who will be the alien's immediate supervisor:	17. Number of employees the alien will supervise:
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**GOVERNMENT OF GUAM  
TEMPORARY LABOR CERTIFICATION**

Qualified U.S. workers are not available. Temporary employment of aliens will not adversely affect the wages and working conditions of similarly employed U.S. residents. The employer has met the USDOL Guam Military Base Realignment Contractor Recruitment Standards and the Director of Labor certifies such on behalf of the Secretary of Labor. Further, the Governor of Guam hereby certifies to the Secretary of Defense pursuant Section 2834(a)(6)(A)(ii) of the 2010 National Defense Authorization Act that sufficient qualified US workers are unavailable and that the employment of H-2B workers will not adversely affect similarly employed US workers.

Valid Beginning: \_\_\_\_\_ Expires on: \_\_\_\_\_

<b>RECOMMENDATION:</b>	<b>DETERMINATION:</b>
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

**DR. SHIRLEY "SAM" MABINI**  
Director of Labor

**EDDIE BAZA CALVO**  
Governor of Guam

**ENDORSEMENTS (For Government Use Only)**

Occupational Coding

NAICS Code	ONet Code
ONet Title	

18. NUMBER OF POSITIONS AND DURATION OF OFFER		19. IF JOB IS UNIONIZED (Complete)	
a. No. of Openings to Be Filled by Aliens Under Job Offer:	b. Exact Dates You Expect to Employ Alien		a. Number of Local
	FROM	TO	
			c. City and State:

20. DESCRIBE EFFORTS TO RECRUIT U.S. WORKERS PRIOR TO THE FILING OF THE APPLICATION AND THE RESULTS OF SUCH RECRUITMENT (Specify Sources of Recruitment by Name)

### EMPLOYER CERTIFICATIONS

*By virtue of my signature below, I HEREBY CERTIFY, the following conditions of employment.*

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>a. I have enough funds available to pay the wage or salary offered the alien.</li> <li>b. The wage offered equals or exceeds the prevailing wage and I guarantee that if a labor certification is granted, the wage paid to the alien, when the alien begins to work, will be the rate specified on the labor certification.</li> <li>c. The wage offered is not based on commissions, bonuses or other incentives, unless I guarantee a wage paid on a weekly, bi-weekly or monthly basis.</li> <li>d. I will be able to place the alien on the payroll on the date of the alien's proposed entrance into the United States.</li> </ul> | <ul style="list-style-type: none"> <li>e. The job opportunity does not involve unlawful discrimination by race, creed, color, national origin, age, sex, religion, handicap or citizenship.</li> <li>f. The job opportunity is not: (1) Vacant because the former occupant is on strike or is being locked out in the course of a labor dispute involving work stoppage. (2) At issue in a labor dispute involving a work stoppage.</li> <li>g. The job opportunity's terms, conditions and occupational environment are not contrary to Federal, State or local law.</li> <li>h. The opportunity has been and is clearly open to any qualified U.S. worker.</li> </ul> |
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### DECLARATIONS

**DECLARATION OF EMPLOYER:** Pursuant to 28 U.S.C. 1746. I declare under penalty of perjury the foregoing is true and correct.

SIGNATURE	DATE
NAME (Type or Print)	TITLE

**AUTHORIZATION OF ATTORNEY FOR EMPLOYER:** I HEREBY DESIGNATE the attorney below to represent me for the purposes of labor certification and I TAKE FULL RESPONSIBILITY for the accuracy of any representations made by the attorney.

SIGNATURE OF EMPLOYER	DATE
NAME OF ATTORNEY (Type or Print)	ADDRESS OF ATTORNEY (Number, Street, City, State, Zip Code or Country)