Disclaimer Notice: These Policies and Procedures are subject to change without notice in order to conform with changes in statute, regulation or departmental directives.

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Acknowledgement

The Director of Labor has authorized these policies and procedures and approved their usage subject to change as necessary.

Dr. Shirley "Sam" Mabini
Director of Labor

9/25/18
Procedure for: **Labor Certification Review and Processing**

**101.1 Temporary Labor Certification Initial Intake**

1. Upon submission of an application for Temporary Labor Certification, the caseworker will perform the following duties:
   - Review all items submitted to ensure completeness and compliance with applicable rules and regulations.
   - Stamp date of receipt on application.
   - Record and assign a case reference number on application and job orders.
   - Advise employer or authorized agent of deficiencies and corrections that should be made to application.
   - Assign an appropriate Occupational and Industry code in accordance with the job description given on the application and job orders submitted.
   - Review the proposed text of the employer's advertisement to determine compliance with advertising requirements. Advise employer to place ad in the Pacific Daily News and submit original tear sheets of the advertisement.
   - Prepare job orders for transmittal to Guam Employment Service to initiate the 30-day labor market testing.
101.2 Temporary Labor Certification Case Processing

After the recruitment period, Guam Employment Service will transmit the results of the labor market testing for the processing of recommendation by the ALPCD staff. The caseworker will perform the following:

- Collect recruitment results from GES and the employer on all applicants who responded to the employer's recruitment efforts.

- Review referral results and applicant resumes received against advertisements from GES to ensure applicants meet the employer requirements.

- Prepare a synopsis on case file illustrating the justification given by the employer for their request, the required bonding submitted, the results of clearances issued to the employer and the results of the labor market testing through Guam Employment Service for review and signature by the Administrator and Director of Labor.

- Transmit the application that has been signed by the Administrator and Director to Central Files for the Governor's review and signature.

- Applications obtained from Central Files shall be recorded and processed for release to the employer. The employer will be contacted to pick up two (2) sets of form 750s bearing recommendation and signatures of the Director and Governor. The employer will be required to sign a Notification of Employer’s Responsibility to ensure they are aware of the subsequent requirements of the program.

- The remaining set of form 750s will be filed with the corresponding case and placed in the active case file drawer for future reference.
Procedure for: Temporary Labor Certification
Special Handling Cases

102.1 Special Handling Explained

In situation where immigration rules have changed or if there are numerical cap limitations, procedures may be adjusted to allow for special handing cases. In the past, this has almost exclusively happened when we had extreme workload meeting worker extensions or in meeting filing deadlines for cases subject to the H-2B cap.
 Procedure for: **Additional Recruitment**

**103.1 Additional Recruitment Explained**

Additional recruitment may occur in cases where the Director feels that the recruitment efforts made by the employer were ineffective or insufficient.

Additional recruitment may occur in cases where issues arise from mistakes during the labor market testing or in Special Handling cases.
Procedure for: **Food and Lodging Issues**

**104.1 Meals and Lodging Deduction Increases**

Case workers should look closely at the meals and lodging (aka Board and Lodging) requirements on the labor certification. In cases where employers seek to increase the standard deduction for meals and lodging, the employer must submit a request in writing. Such request must indicate the amount to be increased (weekly) and the employer must list in detail their costs to provide meals and lodging. Supporting documents must be provided.

Requests with insufficient supporting documents may be returned with a request for additional documentation. If the employer’s request is not justified properly the request will be denied.

If the employer’s request is properly justified and is not excessive, a letter for the Director’s signature will be prepared and routed for signature.

**104.1 Meals and Lodging Audits and Complaints**

Caseworkers will handle complaints and audits with regards to Meals & Lodging issues. Negative results may directly affect labor certification approvals or may result in referral to Wage & Hour Division for further disposition.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 105

Procedure for: Bonding Issues

105.1 Allowable Bonds

Employers may submit Wage & Repatriation bonds in the form of:

Insurance Bond
Standby or Irrevocable Letter of Credit
Cashier’s Check payable to Treasurer of Guam

Refer to bonding procedures at 17 GAR Chapter section Section 7104(b)(7)(c) for specifics

105.2 Bond Releases

An employer may request for release of bonds submitted in connection with a temporary labor certification if the employer's projects have been completed and/or if all of the employer workers have been repatriated and the employer is no longer participating in the program.

The employer must submit a written request detailing the reason for the release, the specific bonds being requested for release (and copies if available) and supporting documents to justify the release. A bond clearance sheet must be completed to ensure that there are no pending Wage & Hour issues.

A memo will be routed to the Treasurer of Guam to retrieve the original document and a release letter will be done to the financial institution releasing DOL’s interest in the document.

In cases of releases of Cashier’s Checks, a memo will be done to the DOL ASO requesting for a Direct Payment be made to the employer to refund the bonding that was submitted and deposited for safekeeping. ALPCD staff should include the employer's business license with the request.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 106

Procedure for: Employer Clearances

106.1 Clearances for Temporary Labor Certification

1. Prior to the submission of a Temporary Alien Labor application, the employer must obtain a Clearance Sheet from Alien Labor Processing & Certification indicating the number of workers for Extension or Importation. The clearance must be signed by the Administrator.

The employer proceeds to the Departments/Agencies listed on the clearance sheet; such as GuamDOL/ALPCD Enforcement, Guam DOL/Worker's Compensation Commission, GuamDOL/Fair Employment Practice Division, Guam DOL/Fair Employment Practice Div., Guam DOL Wage & Hour Div., Guam DOL/Bureau of Labor Statistics.

Other Departments: U.S. DOL/Wage & Hour Div., Department of Public Works, Department of Land Management, Guam Environmental Protection Agency, Dept. of Public Health & Social Services, Dept. of Rev. & Tax(Business Privilege Branch, Income Tax Processing, Collection Branch, & Property Tax Branch.

2. Once the employer completes the clearance sheet, they will submit it along with other documents to ALPCD.

3. ALPCD case worker will review the clearance sheet to ensure that it is complete and signed by individuals authorized by each Department.

4. The caseworker will advise the employer of any corrections or additional clearances, if applicable.

5. In cases where clearances are conditional or not clear, the caseworker shall consult with the Administrator to find solutions which may include the employer's submission of additional assurances to clear unresolved matters within a specific time frame with consequences for non-compliance with the assurances.
Procedure for: Labor Certification Filing and Record Keeping

107.1 Active Labor Certifications

1. Active Labor Certifications are held in active files.
   a) Files are kept alphabetically by employer name.
   b) Documents are purged yearly.
   c) Once expired, files are kept in Inactive cabinet.

107.2 Inactive Labor Certifications

1. Expired Labor Certifications are kept in "Inactive" files. Inactive files are boxed after 1 year.
   a) Files are purged yearly.
   b) After purge, files are boxed and kept in-house for a period of 5 years.
   c) After 5 years files will be destroyed per records management policies.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 201

Procedure for: Work Registration Review & Processing

201.1 WORKER REGISTRATION PROCEDURE

Pursuant to 17 GAR, Chapter 7, §7105, all employers who employ H-2B workers, are required to register such workers within 24 hours (excluding weekend and holidays) upon arrival with ALPCD

1) All Employers should submit a cover letter (if submitting multiple applications) to the division of their intent to register foreign workers. Such letter must be accompanied with an original application for registration, to include name(s) of all workers and their petitioning status.

2) All Employers are required to submit a clear copy of passport showing Visa and I-94 and must bring the original passport book for physical inspection.

3) All Employers are required to submit a SIGNED employment contract. If said contract is in foreign language, such contract must be accompanied with an English Translation version. The contract should be the copy approved by GDOL.

4) USCIS Form I-797 Approval Notice must be submitted with the application for new registration and be provided as soon as possible for Extension / Renewals.

5) All Employers are required to submit a completed affidavit if requesting a waiver of the increased registration fee authorized in P.L. 34-98. GDOL has a sample format that the employer may use. The affidavit must be completed and submitted on employer’s company letterhead.

201.2 New Applicants - Documents Required Per Worker:

1. Completed Application for Registration signed by employer and worker. Form MUST be 2 sided
2. Clear copy of Worker’s Passport (showing Visa and Passport Photo page) Bring original passport for inspection.
3. Signed Employment Contract (In English and Foreign Language Translation if worker does not read English)
4. USCIS Form I-797 Notice of Approval
5. Copy of electronic I-94 obtained from CBP website: https://i94.cbp.dhs.gov/i94/#/home See “Get Most Recent I-94”
6. Cover Letter (if submitting multiple applications- pls list names being submitted on letter)

Employers must submit applications, in person, at the ALPCD office. Employer should bring filed copy to be stamp received as proof of filing.

After the application is received, the application will be reviewed and processed. Once approved, the employer will be contacted (typically via email) and advised of the registration fee as well as the date and time scheduled for ID picture taking.
201.3 ALPCD Internal Processing of Application

1) Once the Application for Registration meets all of the above requirements, the staff will immediately conduct research of the approved Temporary Labor Certification issued by GDOL and review the submitted documents. If no discrepancies are found, an ID number will be assigned and specifics on the application will be recorded into the ID register (log book) and on the electronic Registration Log file. The ID number, GES Job Order Number, Date Received, Date Processed, Importation/Extension, and ID expiration date are noted on the application.

2) The information is then data entered onto a Roster form which generates the fee schedule and computes prorating. After completion of this step, the roster is transmitted to the ALPCD Administrator for review and approval.

3) The employer will then be contacted via email for scheduling of photo taking for each worker's ID badge and the roster will be provided showing the amount of remittance of registration fee.

4) An annual fee of $2,091.00, or waived fee (see section 203.2), is due for each registered worker upon picture taking. This fee is non-refundable and must come in a form of either a, Bank Cashier's Check or Postal Money Order, payable to the Treasurer of Guam. A waiver of $1,000.00 of the $2,091.00 fee may be obtained by an employer if 100% of their projects are civilian projects, or were signed/bid prior to 05/15/18. The employer must submit an Affidavit and other documents for verification prior to being granted a waiver.

5) Employers are required to remit all payments to DOL through ALPCD. ALPCD will indicate “Paid” on the roster and issue a receipt to the employer. Staff will ensure that the payment received matches the amount due on the roster. Any changes to the roster must be approved by the Administrator.

6) ID Badges will not be issued to the EMPLOYER unless proper payment has been made and processed.

7) In the event the processing of ID Badges is delayed, a Temporary Identification may be issued by ALPCD. This Certificate is temporary and must be in the worker's possession at all times with a photo copy of their passport. In cases of extensions, the worker must continue to display their expired ID card on the job site until a renewal ID is issued.

8) Issuance of a Temporary Certificate of Identification is valid for 30-90 days and is determined on a case by case basis by ALPCD.

201.4 Replacement ID Cards

1) In the event that a Temporary Worker's ID Badge is lost, misplaced, stolen or accidentally destroyed, such incident shall be reported immediately to ALPCD and the employer shall seek a replacement of the ID Badge. In line with this, a replacement fee of 10.00 will be assessed.

   a. Written request is required. Such request must indicate the name of the worker, their ID number and the reason for replacement (e.g. Lost stolen, destroyed).

Note: Processing of this application may normally take 3 to 5 business days.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 202

Procedure for: Temporary ID Cards

202.1 Temporary ID Card Issuance - Importation

In cases where the issuance of a regular H-2 ID card is delayed, ALPCD may issue temporary ID Cards.

The employer must submit the ID card application and fulfill all registration filing requirements. Temporary ID may be issued for durations as necessary based on backlog or other circumstances. The worker must have the card in his possession and a clear copy of the worker’s passport must be attached.

202.2 Temporary ID Card Issuance - Extensions / Renewals:

In cases where workers are being extended, the employer must obtain a Temporary ID card in order for the workers to continue working while their extension petition is pending. The employer must file for a petition for an extension of stay for the workers with USCIS in a timely manner. To obtain Temporary ID cards from ALPCD, the employer must submit a renewal Registration Application, for each worker, to the ALPCD office with a Police Clearance from the Guam Police Department that is no more than 60 days old and a copy of the worker’s passport. If there have been changes to the Employment Contract, then a copy of the revised contract must also be submitted. The employer should provide ALPCD their USCIS I-797 Receipt Notice as soon as it is received.

ALPCD will issue paper Temporary ID Cards that will be valid for no more than 90 days. The workers must continue to display their expired H-2B ID and keep the Temporary ID in their possession for inspection by DOL or government officials if requested at the job site.

Once the employer has received the USCIS form I-797 Notice of Approval, they must notify ALPCD immediately and provide a copy for DOL records. The employer will then be contacted and advised of any fees and picture taking schedule for the renewal ID cards.

If, after 90 days, the employer has not received an Approval Notice from USCIS, they will be advised to pay a non-refundable registration fee of $1,045.50 ($500.00 fee with waiver) covering 6 months of their labor certification period and ALPCD will issue a provisional ID which expires 6 months from the beginning valid date of the employer’s labor certification.

If an employer receives an approval of the extension, they will be advised of the prorated fee based on the expiration date issued by USCIS on their Approval Notice. (See chart at section 202.3) Prorating starts at the 7th month and ends on the I-797 expiration date.

If an employer receives a Denial from USCIS, they will be advised of the prorated fee due based on the date of their Denial Notice, and will be advised to submit Exit Clearances and repatriate the workers. Denial prorating starts at the 7th month and ends on the date of the Denial Notice.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 203

Procedure for: Fees and Transmittal

203.1 Fees and Transmittal of payment for ID Cards

Once fees have been determined by ALPCD for payment of Registration of workers, ALPCD staff will advise the employer of the fee and direct the employer to make a payment, in the form of a Cashier's Check or Postal Money Order payable to Treasurer of Guam. Payment is made at the ALPCD office and processed by GDOL Admin office. Designated ALPCD staff may process payments when Admin office staff are unavailable.

203.2 Prorating of Fees

Fees for newly imported workers may be prorated based on the period between their arrival date and their end of their authorized stay in Guam. The computation for prorating are as follows:

*EFFECTIVE FOR APPLICATIONS FILED AFTER 05/15/18

Per Worker Prorating

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Procedure:

1. On importation applications, determine the duration of registration by counting the number of months from the date of the ID application to the worker’s expiration date. Note the number of months on the bottom right hand corner of the application. Any fraction of a month shall be counted as a full month, even if only for 1 day.

2. Compute the fee for the individual worker by using the above scale and indicate the fee also on the bottom right hand corner of the application.

3. Verify the amount on the roster spreadsheet.

203.2 Exemptions / Waiver of the $2,091.00 fee:

P.L 34-98 allows for the employer to request exemptions or a waiver of the newly increased fee. If they meet certain conditions, a written request for the waiver or exemption should be submitted by the employer for record purposes.

WAIVER:

1. Employers whose workers that will be working exclusively on civilian projects.


Employers whose Project Summary Sheets indicate only civilian projects shall receive a $1,000.00 Waiver (or appropriated prorated amount). Staff shall obtain a statement from the employer assuring ALPCD that no additional projects shall be requested unless they are for civilian projects and that the employer understands that any additional project shall be closely scrutinized before being approved through an amendment of their Project Summary Sheet.

EXEMPTION:

1. Employers whose contracts were entered into and awarded prior to the enactment of P.L. 34-98 on 05/15/18.

2. Employers whose bids or proposals were submitted prior to, but awarded after the enactment of P.L. 34-98 on 05/15/18.

Fee Exemption Procedure:

1. Employer submits Affidavit
2. ALPCD staff reviews documents
3. Staff requests additional documentation, if necessary
4. Exemption must be approved by ALPCD Administrator

DOL will issue special color-coded ID cards indicating that waiver was applied.
Procedure for: **Filing and Record Keeping**

**204.1 ID Applications and Rosters**

1. Applications and Rosters are to be kept in Employer Profile folders.
   
   a) Documents are purged yearly.

   b) Files are kept in-house for a period of 3 years. After 3 years they will be transferred to GSA.

   c) Files are destroyed after 5 years.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 401

Procedure for: **Prevailing Wage Determination**

**401.1 Wage Determination Intake and Processing**

The Department of Labor, Bureau of Labor Statistics (BLS) has provided wage data collected under the Occupational Employment Statistics (OES) Program for use in the Foreign Labor Certification Process since 1998. Occupational wage data collected under this Program was available at the four wage levels required by the H-1B Visa Reform Act of 2004 for state and sub-state geographic areas, for the purpose of making prevailing wage determinations. The wage data was available on the Foreign Labor Certification Center On-Line Wage Library (OWL), found on the Division's website at http://www.flcdatacenter.com. Recent developments as a result of several court cases in the vacated the regulations for this system.

An interim Final Rule was published in 2013 which required the use of the OES Mean Wage in the absence of a CBA or DBA rate being in place. Rates are now found at [www.icert.doleta.gov](http://www.icert.doleta.gov).

**Step by step procedure for making a Prevailing Wage Determination (PWD):**

1. Scrutinize PWD application/request for:
   a) Title of the job in the offer of employment;
   b) The description of actual work to be performed in the job offered;
   c) Type of education/training required: the minimum diploma, degree or training required for a worker to satisfactorily perform the job described;
   d) Other special requirements: machines, equipment, tools, computer software used, foreign language requirements or any other special requirements;
   e) Visa Category;

   **Note:** All aforementioned criteria must be completed in order to make a determination.

2. Appropriately classify the occupation requested using the online Occupational Network (O*Net):
   a) Review job duties on application;
   b) Research and determine appropriate code and occupation using O*Net;
   c) Compare job duties on Prevailing Wage application to O*Net-SOC Classification;
   d) If job duties are similar in nature, you have properly classified the occupation; *(It is imperative to scrutinize job description of duties on the application to properly classify an occupation, otherwise you may misclassify the occupation, resulting with the wrong wage determination).*
   e) Print O*Net-SOC/Online Wage Library (OWL) page after properly classifying occupation.
3. Once the review is completed and you have made a determination, a prevailing wage determination letter must be drafted indicating the following:

   a) Employer's name and address (physical address);
   b) Occupational/O*Net/SOC Title & Code;
   c) OWL validity period;
   d) Wage level and hourly or annual rate;
   e) Employer's Requirements;
   f) Determination validity period;
   g) GDOL Tracking number.

4. Attachments to each determination are as follows:
   a) Determination Letter
   b) Prevailing Wage Application
   c) O*Net/OWL Classification
   d) Worksheet

Once the letter has been signed by the authorized signatory, it must be sent out to the requestor electronically or you may contact them to pick it up.
Procedure for: **Common Construction Prevailing Wages**

**403.1 Common Construction Prevailing Wage Rates Explained**

The Commissioner of Immigration must approve Common Construction Prevailing Wage rates every two years. DOL must submit a proposal to USCIS at least 8 weeks prior to the expiration of the rates.

Rates are determined using wage determination system currently approved by USDOL based on OES wage data.

See: 8 CFR 214.2(h)(6)(v)
Procedure for: **Filing and Record Keeping**

**403.1 Prevailing Wage Determination Files and Records**

1. Current determinations are:
   a) Kept in binders for a period of 3 years.
   b) Boxed at 4 years
   c) Destroyed at 5 years.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 501

Procedure for: Personnel – In Division

501.1 Divisional Structure

The Alien Labor Processing and Certification Division consists of four sections. As staffing increases, these sections may begin to specialize and staff sub-sections. The structure is as follows:

1. Administration Section
   a. Clerical Support Unit
   b. Planning & Statistics Unit

2. Certification Section
   a. Application Intake Unit
   b. Case Processing Unit

3. Compliance & Inspection Section
   a. Project Inspection Unit
   b. Investigations Unit
   c. Workforce Housing Inspection Unit

4. Registration
   a. Registration Intake & Processing Unit
   b. I.D. Processing Unit
   c. Data Processing Unit
Procedure for: **Records Management**

**502.1 Divisional Records Management Explained**

Records shall be managed in line with DOA and Departmental policies. Records are not to be shared or copied for transmittal to any outside party without prior authorization of the Administrator as custodian of divisional documents. Records shall be segregated in the following systems:

1. Active Labor Certifications
2. Inactive labor Certifications
3. Employer Profiles
4. Monthly Reports
5. Bond Releases
6. Admin Files
Procedure for: **Statistics**

**503.1 EWMR Monthly Summary**

The Registration Section shall compile information from the Employer’s Workplace Monthly Report and publish an EWMR Monthly Summary Report on a monthly basis. The deadline for this report is the 15th of each month. The report will be done in Excel format and is distributed to authorized persons in PDF format.

**503.2 Registration Weekly / Monthly Report**

The registration section shall maintain a weekly log of all registration collections. This weekly report shall be compiled into a monthly report and submitted to the ASO. This report is redundant with records maintained by fiscal, however, it was developed to be a second source of data independent from fiscal.

This report is due by the 5th of each month.

**503.3 Miscellaneous Statistical Reports**

ALPCD collects and compiles varies data as requested by management. The Administration Section is responsible for these miscellaneous reports.

**503.4 Visitor Sign In Sheet**

A sign in sheet shall be used to log all visitors to the division. Copies of the sign in sheets shall be tabulated and provided to appropriate staff for measuring workload.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 504

Procedure for: **Reporting Requirements**

504.1 **DHS Quarterly Report**

Pursuant to 8CFR 214.2(h)(6)(v) ALPCD must submit a statistical report on certification numbers on a quarterly basis. The Certification Section is responsible to compile this report. The report is currently sent to:

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security
kevin.cummings@dhs.gov

504.2 **Web Quarterly Report**

Pursuant to PL 31-124 ALPCD will publish information on labor certifications issued for the preceding quarter on the Guam DOL website.

The posting shall include the name, telephone number and physical address of the applicant; the position title for all H-2B position requested; the number of United States residents who applied; the number of qualified, willing and able applicants who applied; and the dates of application submission and approval.
Procedure for: **Standard Office Procedures**

**505.1 Phones**

All phones must be answered in a professional and courteous manner. There is no set greeting, but at a minimum, we should identify as "Department of Labor" when initially answering the call.

Any messages taken should be routed to appropriate staff and must contain, at a minimum:

- Person who the message is for
- Date
- Time
- Caller Name
- Message
- Initial of person who took the message

**505.2 Front Desk Coverage**

The front desk must be covered at all times. Staff will work amongst themselves to ensure that coverage is present at all times. If coverage cannot be maintained, the Administrator must be notified.

**505.3 Screening, Caseworker and Management Appointments**

The front desk staff shall be responsible for screening visitors. Only DOL employees are allowed behind the front desk without authorization and escort.

Case Workers and Division Administration may see walk in clients, however it is the policy of the division that clients should make appointments to be seen. Different issues take certain amounts of time to handle and often take extended amounts of time. With the appointment policy in place, staff can plan sufficient time to provide proper service to clients.

In the event that caseworkers or appropriate staff are unavailable, front desk staff should take the employer's name, and contact information and politely advise the employer that someone will contact them as soon as possible. Any individual who **insists** to be seen will be referred to the Administrator for handling.

It shall be at the discretion of each staff to decide on their scheduling availability and whether or not to take walk in clients.
505.4 Document Receipt and Routing

The front desk staff shall be responsible for reviewing and receiving documents for the division. The front desk staff should be trained to identify vital documents so that staff may be alerted to the employer's presence in the department.

Documents that are received by ALPCD must be stamp received, dated and initialed by a staff member. The front desk shall always, provide the employer with some sort of received copy. This is vitally important because if we search for a document and cannot find it, the employer must be able to prove that the document was filed by showing us a received copy. In the absence of a received copy from ALPCD, the division may take the stance that the document was never filed with the DOL.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 506

Procedure for: Official Vehicles & Transportation

506.1 Usage

Official vehicles will be used only for work related business in accordance with applicable government of Guam rules and regulations. Driver’s must submit a copy of their driver’s license to the Administrator before utilizing the vehicle.

Any accidents or damage to the vehicle must be immediately reported to Division administration for review and disposition.

506.2 Maintenance

The Compliance & Inspection Section shall be responsible for the division fleet. Maintenance schedules should be maintained and followed to ensure properly running vehicles.

506.3 Documentation

The Compliance & Inspection Section shall be responsible for ensuring that safety inspections and registration are maintained for the division fleet.

506.4 Usage of Private Vehicles & Mileage

Use of Privately Owned Vehicles (POV) is discouraged. Should it be necessary to use your POV on a regular basis to perform job duties, prior approval and set up is needed in order to claim mileage reimbursement under Government of Guam rules.
GUAM DEPARTMENT OF LABOR
Alien Labor Processing & Certification Division
ALPCD Policy & Procedures No: 507

Procedure for: Confidentiality Policy

507.1 ALPCD Confidentiality Policy

It is the employee's responsibility to treat all the information that he/she comes across in the Alien Labor Processing & Certification Division, pertaining to investigations, clients/ customers, or other issues in the organization itself, as private. Whatever an employee sees or hears at the workplace, should remain at the workplace and no information shall be given to any outside party, unless and until the employee has consulted and obtained permission from his/her supervisor regarding the same.

All employees should know what files or materials he/she is permitted to access in the office and should adhere to such. Under no circumstances should the materials in this Division be given to outside persons or entities. Additionally, employees should not discuss any sensitive business dealings with the clients, outside of the workplace. Should any employee do so, it shall be considered as a breach of the workplace Confidentiality Policy and the employee may be subject to disciplinary action.

Maintaining confidentiality in the workplace is very important. Failure to maintain confidentiality can have potentially negative repercussions, such as compromising current/ongoing investigations as well as have a negative impact on the reputation and integrity of the Guam Department of Labor/ Alien Labor Processing & Certification Division.

Investigation Confidentiality Agreement

I, ____________________________, understand that I am a party to investigations that may be conducted by the Guam Department of Labor/ Alien Labor Certification & Processing Division, and that all information disclosed to and by me is considered confidential under the division's confidentiality policy.

As stated in the confidentiality policy, internal company business is to be discussed with coworkers only on an as-needed basis and is not to be disclosed to any external parties, except as authorized by company officials or as required by law to governmental authorities.

Furthermore, I agree that I will:

1. Keep all research information shared with me confidential by not discussing or sharing the information in any form or format (e.g., emails, photos, disks, tapes, transcripts) with anyone other than the primary investigator;
2. Keep all research information in any form or format (e.g., emails, photos, disks, tapes, transcripts) secure while it is in my possession. This includes:
   - using closed headphones when transcribing audio-taped interviews;
   - keeping all transcript documents, files and digitized interviews in computer files;
   - closing any transcription programs and documents when temporarily away from the computer;
   - keeping any printed transcripts in a secure location such as a locked file cabinet; and
   - permanently deleting any e-mail communication containing the data;

3. Give all research information in any form or format (e.g., photos, disks, tapes, transcripts) to the primary investigator when I have completed the research tasks;

4. Erase or destroy all research information in any form or format that is not returnable to the primary investigator (e.g., information stored on my computer hard drive) upon completion of the research tasks.

I also understand that if I make any unauthorized disclosure of information on this investigation during my employment with the Guam Department of Labor, I may be subject to disciplinary action. If I disclose unauthorized information on any investigation after my employment ceases with the government, I understand that I may be held liable by individuals involved in this investigation.

__________________________________________  ____________
Signature of Employee                          Date

__________________________________________  ____________
Signature of ALPCD Administrator              Date
Revision Notes:

11-13-13:
* Amended Prevailing Wage determination process re: OES mean
* Included approved Use of Force Policy
* Updated Registration prorating chart with corrections

7/19/17
* Redacted investigations info for a web posting version
* Updated and edited typo and number inconsistencies
* Updated LTT section

06/07/18
* Updated Registration Procedures
* Inserted New Prorating Charts