



Guam Department of Labor
Guidance on Complying with the

Guam Military Base Realignment Contractor Recruitment Standards (CRS)

12/31/18 Revision

Applicability: H-2B Temporary Labor Certifications filed after 12/31/18 for DPR1 construction projects only

Limitations & Deadlines: 120 days prior to start date – earliest process start
60 days prior to start date- latest process start

Process Flow:

1. Post compliant job offer on Guam's Job Bank via hireguam.com for at least 21 days. Job offer must be uploaded to the National Labor Exchange (NLX) to make jobs visible nationally.



If NLX functionality is unavailable in CNMI & American Samoa, then a posting on CNMI's Job Bank & Posting on online job boards or print advertisement in A.S. local newspaper is required.



2. Employer must review all responses and must interview any qualified & available U.S. workers. Any rejections of qualified U.S. workers must be based on a job related reason.



3. Employer submits report of all recruitment to ALPCD and recruitment is reviewed and scrutinized by Case Manager to ensure compliance.



4. If all standards are met, Director of Labor will certify for the Secretary of Labor and the Governor will certify to the Secretary of Defense on GDOL 750 form.

Highlights of Changes:

- National Labor Exchange (NLX) replaces individual western states job bank postings (except CNMI & American Samoa).
- Union notification required if job or industry is customarily unionized in Guam.
- 21 day posting period & recruitment report provisions remains unchanged.

Steps:

Numbering consistent with new CRS numbering

WHERE NOTICES MUST BE POSTED:

- 1.a. Submit GES 514 & proposed posting verbiage to GDOL at ALPCD for review and approval. When instructed, post an unsuppressed job order on hireguam.com with specific instructions to apply with the employer and how to apply for the job.
- GES 514 is submitted with the Application for Temporary Labor Certification at ALPCD- Separate visit to GES not necessary.
 - ALPCD will review all documents prior to posting so that all documents in labor certification sync with posting & advertisements. This process catches any errors and prevents costly corrections or re-advertising.

Pro Tip: Do not start any advertising or job postings until instructed to do so by ALPCD Case Managers.

- 1.b CNMI
Post with CNMI Job Bank
Website: <http://marianalabor.net/employer.asp>
The employer has to register with their website, wait for approval, then email the posting information to:

James Ulloa
(670) 664-3196
julloalabor@gmail.com

Pro Tip: Once you have registered with the CNMI website, immediately contact Mr. Ulloa. Make several attempts until successful. Waiting to verify that the posting is accomplished may delay the beginning of your 21 day posting and cause unnecessary headache.

Alternative:

When 'hiremarianas' VOS is functional, NLX is acceptable.

- 1.c. AMERICAN SAMOA
Place help wanted ad in an American Samoa local newspaper

Samoa News- <http://www.samoanews.com/SN-Rate%20Sheet.jpg>

or
Samoa Observer- www.samoobserver.ws
and
Post a notice in the American Samoa Human Resources Agency Office

Alternative:

Post a notice in online job boards that serve American Samoa
One alternative is the **American Samoa Government Job Listing Board**
(<https://www.americansamoa.gov/asg>)

To post, email your request to post and the approved draft posting to:
americansamoagovernment@gmail.com

The point of contact is:

Doug Smith
(684) 633-4485
(684) 633-5667 - FAX

You may also post on national job boards that serve American Samoa (e.g. Indeed, Monster.com)
When 'hireamericansamoa' Virtual One Stop is functional, the NLX may serve in place of the
methods above.

- 1.d. If the occupation or industry is customarily unionized on Guam, the employer must contact the local and national union offices via a notice which contains:
 - a. That a nationally accessible job order exists at hireguam.com in compliance with the CRS.
 - b. The posting opening & closing dates
 - c. Where applicants can apply
 - d. That the job opportunity is with an "Open Shop" as Guam is a "Right-to-Work" jurisdiction.

Since construction is very rarely unionized on Guam, this will be a rare occurrence. Contractors who are dealing with collective bargaining agreements should consult with ALPCD staff for further review and guidance.

SPECIFICS OF A JOB POSTING:

2. Posting must be up for at least 21 consecutive days
 - a. State company name and where to apply
 - b. State that the job is "...in the U.S. Territory of Guam, an island 6,000 miles from the U.S. West Coast."
 - c. State that round trip airfare is paid by employer
 - d. State that local transportation to/from employer housing will be provided
 - e. State the job duties, education & experience requirements, work days & hours, and anticipated start & ends dates of employment and any job related special requirements (e.g. ability to obtain military base access).
 - f. If OJT is available, state so.

- g. If overtime will be available, state so and the overtime rate.
- h. State the offered wage and any benefits (aside from transportation mentioned in c. & d. above)
- i. State that the job is temporary
- j. The total number of job openings
- k. State if the employer will provide board and lodging and if so, what the cost will be.

Sample Posting Which Complies:

Notice of Temporary Job Opportunity for Eligible U.S. Workers

Name of Contactor: _____
 To be considered, send resumes to: (Mailing address) _____
 Email: (A dedicated email address for recruitment process is recommended) _____
 Contact number: (671) _____

Area of intended employment: Guam (U.S. Territory – an island 6,000 miles from the U.S. West Coast)

Work schedule: Monday – Friday from 8am to 5pm (Evening hours and weekends, as needed)

Anticipated start/end dates: March 15, 2018 to March 14, 2019

10 – Electrician
Minimum requirements: Experience: Two (2) years as an Electrician
Education: 12th grade
Wage rate: \$17.94 per hour; Overtime as necessary at: \$26.91 per hr.
Duties: Prepare and review blue prints drawing for construction underground distribution with a full coordination to Electrical Project Engineer in charge to familiarize the scope of works on the project. Replaces and installs medium voltage overhead and underground electrical circuits and terminations; including Substation, Switchgear, transformers, circuit interrupters, reclosers, capacitors, voltage systems, regulators, medium voltage switches, utility poles, and supporting hardware; Lay out and install Conduit, Pull Cable and Splice underground high voltage at the Electrical manhole. Fabricates and installs a variety of components including but not limited to duct banks, cable runs, concrete pads for electrical equipment, risers, transformer banks, and low voltage electrical panels. Operates various components on the medium and high voltage distribution electrical system including isolation switches, interrupters, capacitor banks, transformers, overhead fused cutouts, and voltage regulators; isolates and clears sections of the system for maintenance, installation and load shedding. Inspects overhead and underground distribution systems, tests, and documents findings. Directs the work of unskilled and semi-skilled helpers assisting in projects, assuring that proper safety practices are followed. Operates a variety of testing, calibration and repair devices, tools and equipment including voltmeters, ammeters, ohmmeters, insulation resistance testers, high potential test sets, circuit breaker testers, etc. Coordinates work assignment preparation and completion with other workers.

Benefits: Paid round-trip airfare for off-island hire; Board and lodging provided @ \$80.00 per week; local transportation from employer's designated lodging facility to/from jobsite.

Employer/employee-paid commercial medical insurance provided.

Special Requirements: Off island hires must complete a health screening prior to working in Guam. Successful applicant must and be able to obtain military base access.

Yellow shading indicates typical variable text

3. During the 28 day recruitment period, employer must interview all qualified and available U.S. workers.

4. After the close of the period and no later than 30 days before the employer's start date on (GDOL 750-MIL, #18a) the employer must submit a report via email to ndaa.recruitment@dol.guam.gov. Report must state:

- a. All recruitment approaches used and identifying sites where postings occurred, the wage offered, the occupation, term & conditions, the dates of the postings, and the job order or requisition number.

b. Copy of each posting

c. The number of applicants, name of each applicant, what position the applicant applied for, what the employment decision was, and for those not hired- what was the job related reason including a comparison of the applicant's qualifications versus those in the posting.

Sample Report Format Which Complies:

SAMPLE RECRUITMENT REPORT SEPARATED BY OCCUPATION				
DATE	January 14, 2019			
Email to:	ndaa.recruitment@dol.guam.gov			
From:	(Name of employer)			
Subject:	Guam Military Realignment Contractor Recruitment Period Report			
3 – CARPENTER				
Minimum requirements: Experience: One (1) year as a Carpenter; Education: 12th grade				
Wage rate: \$14.51 per hour; Overtime: \$21.77 per hr.				
Duties: Construct, erect, install, or repair structures and fixtures made of wood such as concrete forms or chutes for pouring concrete. Study specifications in blueprints, sketches, or building plans to prepare project layout and determine dimensions and materials required. Measure and mark cutting lines on materials, using a ruler, pencil, chalk, and marking gauge. Shape or cut materials to specified measurements, using hand tools, machines, or power saws. Verify trueness of structure, using plumb bob and level.				
Benefits: Paid round-trip airfare for off-island hire; Board and lodging provided @ \$80.00 per week; local transportation from employer's designated lodging facility to/from jobsite. Employer/employee-paid commercial medical insurance provided.				
Off island hires must complete a health screening prior to working in Guam.				
Successful applicant must be able to obtain military base access.				
Posting/Advertising Dates:	November 1 to 21, 2018			
Number of job applications received:	1			
Responses were as follows:				
Name of Applicant	APPLICANT SOURCE			Employment Determination <small>(For U.S. applicants not hired, a description of the specific, lawful, job-related reason for rejecting the applicant for employment, which includes a comparison of the job applicant's skills and experience against the terms listed in the original job posting)</small>
	Internet Job Bank/ Advertising Source	Job order or requisition number:	State/ Territory	
Jake Keller	Hireguam.com	5872	Guam	Applicant was not hired: did not meet minimum one-year experience required by the job offer.

The employer's special recruitment is considered with the regular recruitment (suppressed job order) that is done in connection with the Temporary Labor Certification Labor market testing. ALPCD Case Managers will scrutinize the employer's recruitment report and may conduct fact finding or ask for clarifying information. In all cases, this must be finalized no later than 30 days before the employers stated start date on the GDOL 750- MIL form.

Certification of compliance with the CRS is typically contained on the GDOL 750-MIL but may also be provided in letter form at the Department's discretion.

Please direct questions and inquiries to the Casework Section at the GDOL Alien Labor Processing & Certification Division.