

TRAINING AND EMPLOYMENT NOTICE	NO. 23-18
	DATE March 29, 2019

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD EXECUTIVE DIRECTORS
AMERICAN JOB CENTER DIRECTORS

FROM: MOLLY E. CONWAY 
Acting Assistant Secretary

SUBJECT: Updated Contractor Recruitment Standards for Guam Military Base Realignment Projects

1. **Purpose.** To notify the workforce system of jobs available on Guam and that the Employment and Training Administration (ETA) has updated the Contractor Recruitment Standards (CRS) that guide the recruitment efforts of selected contractors performing construction work related to the Guam military base realignment. These standards are mandated by the National Defense Authorization Act (NDAA) for Fiscal Year 2010 (Public Law 111-84, enacted October 28, 2009).
2. **Action Requested.** State and local workforce development boards, state workforce agencies, and other workforce partners are encouraged to consider referring individuals to these employment opportunities, as appropriate.
3. **Summary and Background.** The NDAA requires an expanded effort to recruit U.S. and other eligible workers for employment on Guam military base realignment construction projects. Department of Defense contractors are hiring workers for positions in Guam now and will be recruiting workers for the next several years to complete military base realignment construction efforts. ETA has revised the Guam military base realignment CRS by requiring a contractor to recruit nationwide instead of in only five U.S. states along the west coast (Alaska, Hawaii, Washington, Oregon, and California), as well as Guam and the American Samoa. Available jobs will be posted at www.hireguam.com and the National Labor Exchange to offer these job opportunities to U.S. workers from anywhere in the country. The information collection request necessitated by these standards has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act under OMB Control Number 1205-0484 and will expire on December 31, 2021.
4. **Guam Military Base Realignment Contractor Recruitment Standards.** Guam military base realignment contractors must take the following actions to recruit U.S. workers from across the country.

1. At least 60 days before the start date of workers under a base realignment contract, contractors must:
 - a. Submit a job posting via a completed Job Order (Guam Employment Service [GES] Form 514) in person at the Guam Employment Service office, which is open Monday through Friday (except holidays) 8 a.m. to 5 p.m., at 710 Marine Corps Drive, Suite 301, Bell Tower Plaza, Hagatna (for assistance please call (671) 475-7000). The job posting must be posted on the Guam Department of Labor Job Bank for at least 21 consecutive days and be accessible throughout the U.S. and its territories.
 - b. Submit a job posting with the state workforce agency's internet job boards for the Commonwealth of the Northern Mariana Islands (CNMI) at <https://marianaslabor.net/employer.asp> and Guam's online employment portal at www.hireguam.com. Functionality permitting, contractors may bypass posting on the internet job boards for the CNMI if they post with a National Labor Exchange (NLx) jobsite that serves the CNMI. For contractors needing assistance with job postings, additional contact information and a link to the required Guam form GES 514 are listed at www.jobbankinfo.org.
 - c. Post a help-wanted ad in the local newspaper for American Samoa and have a notice posted in the American Samoa Human Resources agency office. If available, contractors may also comply using online job boards that serve the American Samoa, including those linked with the NLx. For assistance with these tasks, please see the American Samoa Human Resource agency contacts listed at www.jobbankinfo.org. For contractors needing assistance with job postings, additional contact information and a link to the required Guam form GES 514 are listed at www.jobbankinfo.org.
 - d. Where the occupation or industry is customarily unionized, contact the local union in Guam, as well as the national offices of national unions who represent workers in the industry, stating:
 - i. The existence of a nationally accessible job posting at www.hireguam.com or that the posting is in compliance with these Contractor Recruitment Standards;
 - ii. Job post opening and closing dates;
 - iii. Direction to interested applicants on how to apply; and
 - iv. That the job opportunity is with an "Open Shop," as Guam is a "Right-to-Work" jurisdiction.
2. Each job posting must be posted for no less than 21 consecutive days, be accessible to residents of all U.S. states and territories, and include, at a minimum, the following information:
 - a. The contractor's name and appropriate contact information for applicants to inquire about the job opportunity or to send applications and/or resumes directly to the employer;
 - b. The geographic area of employment, with enough specificity to apprise applicants of any travel requirements, as well as where applicants will likely have to reside to perform the services or labor;
 - c. A statement indicating whether the employer will pay for the worker's transportation to Guam;

- d. A statement indicating whether daily transportation to and from the worksite(s) will be provided by the employer;
- e. A description of the job opportunity with sufficient information to apprise U.S. workers of the services or labor to be performed, including the duties, the minimum education and experience requirements, the work hours and days, and the anticipated start and end dates of the job opportunity;
- f. If the employer makes On-the-Job Training available, include a statement that it will be provided to the worker;
- g. A statement indicating whether overtime will be available to the worker and the wage offer for working any overtime hours;
- h. The wage offer and the benefits, if any, offered;
- i. A statement that the position is temporary;
- j. The total number of job openings the employer intends to fill; and
- k. If the employer provides the worker with the option of board, lodging, or other facilities, including fringe benefits, or intends to assist workers to secure such lodging, a statement disclosing the provision and cost of the board, lodging, or other facilities, including fringe benefits or assistance offered.

3. During the 28-day recruitment period, which begins on the earliest job posting date, contractors must interview all qualified and available Guam and U.S. construction workers who have applied for the employment opportunity.

4. After the close of the recruitment period and no later than 30 days before the start date of workers under a contract, the contractor must provide a report including the following information via email to the Guam Department of Labor (GDOL) at ndaa.recruitment@dol.guam.gov, documenting its efforts to recruit U.S. workers from the U.S. and all U.S. territories. The report should include:

- a. All the recruitment approaches used to recruit workers nationally, including an identification of the internet job banks where the postings occurred, the occupation or trade, a description of wages and other terms and conditions of employment, the dates of each posting, and the job order or requisition number;
- b. A copy of each job posting; and
- c. How each job posting and response was handled, including:
 - i. The number of job applications received;
 - ii. The name of each applicant;
 - iii. The position applied for;
 - iv. The final employment determination for each applicant or job candidate; and
 - v. For each U.S. job applicant 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.

Contractors may provide much of this information in the form of a table or spreadsheet, so that, instead of a narrative style, the contractor need only check an appropriate box or provide a phrase, number, or date (e.g., to indicate whether an individual reported for an interview or not or lacked specific qualifications).

5. **Inquiries.** Please direct questions concerning this Training and Employment Notice to the appropriate regional office.
6. **References.**
 - Contractor Recruitment Standards
 - Public Law 111-84
7. **Attachment(s).** Not Applicable.