|  | CLASSIFICATION <br> EMPLOYMENT AND TRAINING <br> ADMINISTRATION ADVISORY SYSTEM <br> U.S. DEPARTMENT OF LABOR <br> Washington, D.C. 20210 |
| :---: | :--- |
|  | Coreign Labor Certification |
|  | OFLC |
|  | DATE <br> Apri1 <br> ApONDENCE SYMBOL 2012 |

## ADVISORY: <br> TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 24-11

TO:
STATE WORKFORCE AGENCY ADMINISTRATORS

## FROM:

SUBJECT: - Fiscal Year (FY) 2012 Foreign Labor Certification (FLC) Grant Planning Guidance

1. Purpose. To provide guidance for the funding and management of FY 2012 annual grant allocations in order to perform FLC program activities.
2. References.

- Immigration and Nationality Act (INA), as amended, 8 U.S.C. 1101(a), 1182(a)(5)(A), ( n ), and ( t$), 1184(\mathrm{c})$, and 1188;
- Approval of Covenant to Establish a Commonwealth of the Northern Mariana Islands, 48 U.S.C. 1801;
- Northern Mariana Islands Covenant Implementation Act, Pub. L. 94-241, Section 302;
- Consolidated Natural Resources Act, Pub. L. 110-229, 122 Stat. 865, Title VII - Northern Mariana Islands, Subtitle A-Immigration, Security, and Labor;
- Wagner-Peyser Act, 29 U.S.C. $49 \mathrm{f}(\mathrm{d})$;
- Consolidated Appropriations Act, 2012, Division F, Pub. L. 112-74;
- U.S. Citizenship and Immigration Services regulations at 8 CFR Part 214;
- 20 CFR Parts 655-subparts A \& B , 656 and 658;
- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87);
- OMB Circular No. A-102, Grants and Cooperative Agreements with State and Local Governments;
- Employment and Training Administration (ETA) Handbook No. 385, Wage Finding Process, August, 1981
- Guide for Employment Service Reimbursable Grant Activities;
- ETA H-2A Handbook No. 398, January 1988; and
- Training and Employment Guidance Letter (TEGL) No. 04-06, Plans to Phase out Penalty Mail Costs for "Employment Security" Programs and Availability of Supplemental Budget Funds for Conversion to Commercial Mail Methods.

| RESCISSIONS | EXPIRATION DATE <br> None |
| :--- | :--- |

3. Background. The purpose of this TEGL is to provide State Workforce Agencies (SWAs) with programmatic guidance and financial planning figures for FY 2012 allocated to support FLC activities.
4. Action Requested. SWA Administrators are requested to immediately provide copies of this planning guidance to all staff involved in the preparation and submission of the annual grant plan for FY 2012. Absent receiving an approved extension from the Office of Foreign Labor Certification (OFLC) National Office, a completed grant application package must be submitted by the SWA to OFLC within 30 calendar days. In addition, Administrators are requested to share this information within their respective State structure in order to insure the public workforce system is fully aware of these various activities.
5. Inquiries. Questions from SWA staff should be directed to the OFLC National Office at FLC.Grant@dol.gov.

## 6. Attachments.

Attachment 1 - Program Planning Guidance and Information Package
Attachment 2 - Fiscal Year (FY) 2012 Annual Plan
Attachment 3 - Annual Plan Certification
Attachment 4 - FY 2012 Funding Level

## Program Planning Guidance and Information Package

## I. Introduction

The Immigration and Nationality Act (INA) entrusts specific responsibilities to the U.S. Secretary of Labor for the administration of certain employment-based immigration programs that require a labor certification. These statutory responsibilities include determining whether there are able, willing, and qualified U.S. workers for a requested position for which certification is requested and whether there would be any adverse impact on similarly employed U.S. workers should labor certification be granted. Accordingly, statutory and regulatory provisions require all employers seeking a labor certification for either permanent or temporary nonimmigrant labor to first apply to the Secretary of Labor for certification. The Secretary has delegated these responsibilities to Office of Foreign Labor Certification (OFLC) of the Employment and Training Administration (ETA).

Under the State Unemployment Insurance and Employment Service Operations (SUIESO) account, Congress appropriates funding for State activities supporting foreign labor certification and the Federal administration of foreign labor certification programs as two separate activities. Federal Administration activity funds Federal program functions, such as the full Federal program costs of OFLC to receive and process employer-filed applications for permanent and temporary labor certification.

The State Grants activity funds State employment services supporting the Federal foreign labor certification programs including the review and clearance of job orders, inspection of employer-provided housing, and conduct of prevailing wage and practice surveys. ETA, through OFLC, distributes these funds annually to State Workforce Agencies (SWAs) as fiscal year (FY) formula grants in accordance with approved State plans. This document provides the necessary guidelines to be used by SWAs to update annual plans and request funds in order to carry out their foreign labor certification program responsibilities for a performance period of 12 months that began on October 1, 2011, and continues through September 30, 2012.

## II. Grant Procedures

A. Grant Application. The SWA grant application must be developed in accordance with instructions contained in this Training and Employment Guidance Letter. The grant application package submitted by the SWA to OFLC should consist of: (1) a transmittal letter and (2) one original and two copies of the following documents:

Application for Federal Assistance (SF-424), Expiration Date 3/31/2012, Office of Management and Budget (OMB) Approval 4040.0004. (Grants.gov) http://apply07.grants.gov/apply/FormLinks?family=15

Annual Budget and Quarterly Funding Plan (SF-424A (section D only), Expiration Date 7/31/2012, OMB Approval 4040.0006 (Grants.gov)

Important Note: Submit a listing and all documentation explaining and justifying any proposed equipment purchases of $\$ 5,000$ or more and any contracts/subcontracts the SWA intends to execute to carry out the grant activities.
$\square$ FY 2012 Annual Plan
$\square$ Foreign Labor Certification Workload (section A)
$\square \quad$ H-2B Program Activities (response to section B)
$\square \quad \mathrm{H}-2 \mathrm{~A}$ Program Activities (responses to section C)
$\square$ Cost of H-2A and H-2B Temporary Labor Certification Activities (section D)
$\square$ Permanent Labor Certification Activities (section E)
$\square$ Grantee Contact Information (section F)
Certifications and Assurances (signed and dated)
B. Grant Submission. Absent receiving an approved written extension from the OFLC National Office, a completed grant application package must be submitted by the SWA to OFLC within 30 calendar days using the following address:
U.S. Department of Labor

Employment and Training Administration
Office of Foreign Labor Certification
200 Constitution Avenue, NW, Room C-4312
Washington, D.C. 20210
Attn: Ms. Anna Kasior
To expedite review of your grant application package, the SWA may also send a Word or PDF copy using electronic mail (e-mail) to FLC.Grant@)dol.gov and include "FY 2012 SWA Grant Plan" in the subject line of the e-mail.
C. Grant Approval. Within 30 calendar days of receipt, OFLC will review the grant application package and inform the SWA in writing of any concerns or deficiencies which will prevent the grant application package from being approved. The OFLC Administrator will review the grant application package and recommend approval to the ETA Grant Officer. The ETA Grant Officer will issue the grant, including the approved grant package, and a Notice of Obligation to the SWA after receiving the approved grant application package from the OFLC Administrator.
D. Grant Modifications. The grantee and the ETA Grant Officer, at the recommendation of the OFLC Administrator, may jointly modify the FY 2012 SWA Annual Plan including negotiated changes in program activities (e.g., review of job orders, wage or prevailing practice surveys) and funding levels during the grant period of performance. The OFLC Administrator has the authority to recommend funding adjustments to the ETA Grant Officer when overall grant expenditures are substantially below forecasted or actual spending levels. Any grant plan modification request must include a transmittal letter, written narrative of the proposed modification(s), revised annual budget and quarterly spending plan.

In the event that the Secretary of Labor is required by future legislation, regulatory action, or a court order to carry out responsibilities related to the administration of foreign labor certification programs not currently anticipated, each SWA will be notified by the OFLC Administrator to submit to the ETA Grant Officer appropriate modifications to its approved grant plan in order to fully carry out such responsibilities.

## III. Grant Reporting Procedures

As a condition of receiving grant funds under the SUIESO account, SWAs agree to carry out responsibilities supporting the Federal administration of foreign labor certification programs in accordance with all applicable regulations, policies, procedures, handbooks, manuals, and other directives. Financial and programmatic reporting by SWAs enables OFLC to report key information to its stakeholders regarding the use of grant funds. Accurate reporting of financial and program management data provides vital information to support future OFLC funding levels and ensuring appropriate management of grant funds.

OFLC is responsible for the continuous monitoring of the cost reimbursable grants. This includes review and recommendation for approval of the grant plan application, analysis of expenditure and performance data, execution of programmatic plan modifications, timely and accurate submission of all required reports, and on-site reviews. OFLC advises SWAs on how to administer the plan in accordance with the approved plan and the terms and conditions of their Wagner-Peyser Annual Funding Agreement.

SWAs will report financial and program management information using the following required reports:
A. Financial Status Report. ETA requires all grant recipients to submit the ETA Form 9130, Financial Report (OMB Approval No. 1205-0461, Expiration 11/30/2012) on a quarterly basis providing detailed expenditure information on the grant award activities. The ETA 9130 report is due $\mathbf{4 5}$ calendar days after the end of each quarter and must be submitted online through ETA's Enterprise Business Support System. A copy of the ETA Form 9130 can be obtained at the following Web site: http://www.doleta.gov/grants/docs/ETA-9130-ESandUI.pdf.

| Fiscal Year | Reporting <br> Months | Report <br> Due Date* |
| :---: | :---: | :---: |
| $1^{\text {st }}$ Quarter | October - December | February $15^{\text {th }}$ |
| $2^{\text {th }}$ Quarter | January - March | May $15^{\text {th }}$ |
| $3^{\text {rd }}$ Quarter | April - June | August $15^{\text {th }}$ |
| $4^{\text {th }}$ Quarter | July - September | November $15^{\text {th }}$ |

* If the $15^{\text {th }}$ day falls on a weekend (Saturday or Sunday), then the report is due the previous business day.

If the SWA experiences any technical issues submitting the report, please contact the E-Grants Helpdesk via e-mail at e-grants.help@dol.gov or phone at (202) 693-2682.

## Important Notes on Allowable Costs:

- Costs incurred under the grant may only be attributed to activities supporting the direct administration of foreign labor certification programs; and
- Costs can include staff resources, travel expenditures, other direct administrative costs, and indirect/overhead support (where an approved indirect cost plan is in place).
B. Program Activity Report. To account for work performed under the grant, SWAs must submit the ETA Form 9127, Quarterly Activity Report (OMB Approval No. 1205-0457, Expiration $5 / 31 / 2012$ ) on a quarterly basis providing detailed information on $\mathrm{H}-2 \mathrm{~A}$ and H-2B program activities, and Permanent Labor Certification Program job order postings. The ETA Form 9127 report is due within 2 weeks after the end of each quarter and may be submitted electronically directly to OFLC at FLC.Grant(a)dol.gov. OFLC will promptly review the report for completeness and notify the SWA of any inaccuracies or deficiencies requiring correction. A copy of the ETA Form 9127 can be obtained at the following Web site:
http://www.foreignlaborcert.doleta.gov/pdf/9127Instructions_Final.pdf

| Fiscal Year | Reporting <br> Months | Report <br> Due Date ${ }^{*}$ |
| :---: | :---: | :---: |
| $1^{\text {st }}$ Quarter | October - December | January $15^{\text {th }}$ |
| $2^{\text {nd }}$ Quarter | January - March | April $15^{\text {th }}$ |
| $3^{\text {rd }}$ Quarter | April - June | July $15^{\text {th }}$ |
| $4^{\text {th }}$ Quarter | July - September | October $15^{\text {th }}$ |

*If the $15^{\text {th }}$ day falls on a weekend (Saturday or Sunday), then the report is due the previous business
day

If the SWA experiences any difficulties submitting the report, please contact Ms. Valerie Massey, OFLC Federal Project Officer, via e-mail at FLC.Grant@), dol.gov or phone at (202) 693-3010.
C. Agricultural Prevailing Wage Survey Reports. A critical component of OFLC's ability to grant a labor certification under the $\mathrm{H}-2 \mathrm{~A}$ temporary agricultural program is a finding that the wages of U.S. workers similarly employed are not adversely impacted by the admission of a temporary foreign worker. SWAs collect and provide vital information to OFLC with respect to whether a prevailing hourly wage or piece rate exists for the occupation or crop in the area of intended employment (also see 20 Code of Federal Register (CFR) 653.501(d)(4)). These employer wage results are collected through survey instruments designed by the SWA, conducted in accordance with the ETA Handbook No. 385, and transmitted to OFLC as soon as the wage results are completed (based on the SWA's wage survey plan) using the following standard forms:

ETA Form 232, Domestic Agricultural In-Season Wage Report
(OMB Approval No. 1205-0017, Expiration 07/31/2013)
http://www.foreignlaborcert.doleta.gov/pdf/in_season.pdf
ETA Form 232A, Wage Survey Interview Record
(OMB Approval No. 1205-0017, Expiration 07/31/2013)
http://www.foreignlaborcert.doleta.gov/pdf/wage.pdf
The ETA Forms 232 and 232A may be submitted electronically directly to OFLC at agwage.surveys@dol.gov or mailed to the following address:
U.S. Department of Labor

Employment and Training Administration
Office of Foreign Labor Certification
200 Constitution Avenue, NW, Room C-4312
Washington, D.C. 20210
Attn: H-2A Prevailing Wage Surveys
If the SWA experiences any technical issues conducting or submitting the prevailing wage results, please contact Mr. Ben Orona, OFLC Temporary Programs Team, via e-mail agwage.surveys@dol.gov or phone at (202) 293-3010.
D. Agricultural Employment Practice Survey Reports. The Department of Labor (Department) regulations at 20 CFR 655.122(b) require that each job qualification and requirement listed in the employer's job offer must be bona fide and consistent with the normal and accepted qualifications required by employers that do not use $\mathrm{H}-2 \mathrm{~A}$ workers in the same or comparable occupation and crops. Additionally, Department regulations also allow for certain terms of employment, provided that those terms constitute prevailing practice. In making a determination as to whether a job offer contains normal and accepted qualifications and requirements or whether a term of employment would be considered prevailing practice, OFLC may rely on any
information or data collected through State-conducted surveys (OMB Approval No. 1205-0457). The SWA is responsible for designing the survey instruments to collect the data and transmitting in summary form to the Chicago National Processing Center (NPC) the survey results as soon as the employment practice results are completed. Absent employment practice survey results, the SWA will be required to conduct ad hoc surveys.

The prevailing, normal or common practice survey results may be submitted electronically directly to the Chicago NPC at H2ASWA.Chicago@dol.gov or mailed to the following address:

U.S. Department of Labor<br>Employment and Training Administration<br>Office of Foreign Labor Certification<br>Chicago National Processing Center<br>536 South Clark Street, 9th floor<br>Chicago, Illinois 60605-1509<br>Attn: H-2A Prevailing Practice Surveys

If the SWA experiences any technical issues conducting or submitting the employment practice results, please contact the Chicago NPC, via e-mail at H2ASWA.Chicago@dol.gov or phone at (312) 886-8000.

The Department requires the SWAs to submit a quarterly report on their workloads related to the activities described above through the ETA Form 9127, Foreign Labor Certification Quarterly Activity Report (OMB Control Number 1205-0457, Expiration $05 / 31 / 2012$ ). The data required by the ETA Form 9127 are available to the SWAs as part of their routine processing of requests from employers and are currently maintained by the SWAs. Details regarding the information collection burden for prevailing practice and normal and accepted surveys are being submitted to OMB as part of the information collection for the ETA Form 9127.

## FISCAL YEAR (FY) 2012 ANNUAL PLAN

(Insert SWA Name) has prepared the following plan and statement of assurances for delivering services during FY 2012 (October 1, 2011 through September 30,2012) to support the Federal administration of foreign labor certification (FLC) programs in accordance with all applicable regulations, policies, procedures, handbooks, manuals, and other directives.

## A. Foreign Labor Certification Workload

| Category of OFLC Program <br> Services/Activities | FY 2012 <br> Workload <br> Completed | FY 2012 <br> Workload <br> To be Processed | TOTAL FY 2012 <br> Workload <br> add previous columns |
| :--- | :--- | :--- | :--- |
| A. Number of job orders related to H-2A <br> temporary labor certification <br> applications processed and expected <br> to be processed. |  |  |  |
| B. Number of prevailing wage surveys <br> conducted and expected to be <br> conducted in agricultural activities. |  |  |  |
| C. Number of prevailing practice <br> surveys conducted and expected to be <br> conducted in agricultural activities. |  |  |  |
| D. Number of housing inspections <br> conducted and expected to be <br> conducted in anticipation of H-2A <br> orders. |  |  |  |
| E. Number of job orders related to H-2B <br> temporary labor certification <br> applications processed and expected <br> to be processed. |  |  |  |
| F. Number of Full Time Equivalent <br> (FTE) staff funded by this grant. |  |  |  |

(1) Workload includes actual OFLC program services/activities provided or services/activities planned for the period between October 1, 2011 and September 30, 2012.

## B. H-2B Temporary Nonagricultural Program Activities

The SWA agrees to carry out all State activities in support of the Secretary of Labor's responsibilities under 8 U.S.C. 1101 (a)(15)(H)(ii)(b) and 20 CFR 655, to certify, upon application by a U.S. employer intending to petition Department of Homeland Security (DHS) to admit H-2B workers, that there are not enough able and qualified U.S. workers available for the position sought to be filled and that the employment of the foreign worker(s) will not adversely affect the wages and working conditions of similarly employed U.S. workers. This section of the plan describes how the SWA will receive job orders to be placed in connection with future $\mathrm{H}-2 \mathrm{~B}$ applications, process job orders in compliance with all applicable regulatory requirements, and manage referrals of qualified U.S. workers to the job opportunity.
a. Description of the process by which employers, desiring to hire foreign workers in temporary nonagricultural employment, can submit a job order to the SWA and identify it as a job order to be placed in connection with a future application for $\mathrm{H}-2 \mathrm{~B}$ workers.

## [SWA narrative inserted here]

b. Description of the process by which the SWA, upon receipt of a nonagricultural job order covering multiple States (e.g., multiple States within the same area of intended employment, itinerant jobs in tree planting and reforestation), will promptly transmit, on behalf of the employer, a copy of the job order to all States listed in the application as anticipated worksites.
[SWA narrative inserted here]
c. Description of how the SWA will refer qualified U.S. workers to the job opportunity, particularly those requiring interstate referral, and maintain records of referrals in the event such records are requested by the Office of Foreign Labor Certification (OFLC) Certifying Officer in support of a final determination on a pending H-2B application or audit examination of a certified H-2B application.
[SWA narrative inserted here]

## C. H-2A Temporary Agricultural Program Activities

The SWA agrees to carry out all activities in support of the Secretary's responsibilities under 8 U.S.C. $1101(\mathrm{a})(15)(\mathrm{H})(\mathrm{ii})(\mathrm{a})$ and 1188 , and 20 CFR 655, to certify, upon application by a U.S. employer intending to petition DHS to admit H-2A workers, that there are not enough able and qualified U.S. workers available for the position sought to be filled and that the employment of the foreign worker(s) will not adversely affect the wages and working conditions of similarly employed U.S. workers.

This section of the plan describes how the SWA will receive job orders to be placed in connection with future $\mathrm{H}-2 \mathrm{~A}$ applications, review and process job orders in compliance with all applicable regulatory requirements, conduct agricultural surveys of prevailing wages, prevailing practices, and normal and accepted requirements, perform inspections of employer-provided housing, and manage referrals of qualified U.S. workers to the job opportunity.
a. Description of the process by which the SWA will review agricultural job orders (ETA Form 790, http://www.foreignlaborcert.doleta.gov/pdf/Revised ETA Form 790.pdf) being placed by employers in connection with a future application for H-2A workers, communicate and resolve any deficiencies with the employer and, where accepted, place a copy in its job bank system for intrastate clearance and commence recruitment of U.S. workers.

## [SWA narrative inserted here]

b. Description of how (i.e., what mechanisms or process) the SWA, upon receipt of a Notice of Acceptance from the OFLC Certifying Officer, will promptly transmit, on behalf of the employer, a copy of the job order to other States the OFLC Certifying Officer determines to be potential sources for recruiting U.S. workers, and how such interstate referrals of qualified U.S. workers from other States will be received and processed against the employer's job order.

## [SWA narrative inserted here]

c. Schedule of the agricultural prevailing wage surveys (including logging activities) the SWA plans to conduct during the performance period of the grant in accordance with the ETA Handbook No. 385, including anticipated survey timeframes by area (e.g., statewide, regional) and crops or other agricultural activities/commodities, and approximately when wage results are expected to be transmitted to the OFLC National Office (via the ETA Forms 232 and 232A) for review. The SWA's schedule of surveys may be based upon current and historical agricultural job order activities or other information about major crops/commodities within the State's agricultural sector.
[SWA schedule of wage survey inserted here and, if necessary, include attachments]
d. Schedule of the agricultural prevailing practice and normal and accepted requirement surveys (including logging activities) the SWA plans to conduct during the performance period of the grant in accordance with the ETA Handbook No. 398, including anticipated survey timeframes by area (e.g., statewide, regional) and crops or other agricultural activities/commodities, and approximately when employment practice results are expected to be transmitted to the OFLC Chicago National Processing Center (NPC) for review.

## [SWA schedule of wage survey inserted here and, if necessary, include attachments]

The SWA agrees to promptly submit all completed prevailing practice and normal and accepted requirement surveys to the OFLC Chicago NPC either electronically at H2ASWA.Chicago@dol.gov or mailed to the following address:
U.S. Department of Labor

Employment and Training Administration
Office of Foreign Labor Certification
Chicago National Processing Center
536 South Clark Street, $9^{\text {th }}$ floor
Chicago, IL 60605
Attn: H-2A Prevailing Practice Surveys
e. SWA will schedule and conduct pre-occupancy inspections of housing to be furnished to U.S. and H-2A workers who are not reasonably able to return to their place of residence the same day. Except in circumstances where the Department of Labor has promulgated special procedures, employer housing must meet the applicable local, State, or Federal standards, and be sufficient to house the number of workers requested in order for OFLC to grant a temporary labor certification. To the extent practicable, the SWA will plan to schedule housing inspections before the filing of the agricultural clearance order for those employers who regularly use the H-2A Program.

The SWA (check one) $\square \underline{\text { IS }} \square$ IS NOT requesting approval to use an alternative method(s) for conducting pre-occupancy housing inspections. Alternative methods include contracts, memoranda of understandings, or other cooperative agreements with State or local organizations to carry out inspections of housing (e.g., health departments, Occupational Safety and Health Administration).
[SWA narrative providing a detailed explanation and justification for use of alternative method(s) inserted here]

## D. Cost of H-2A and H-2B Temporary Labor Certification Activities

The information contained in the table below is to be taken from available FY 2011 expenditure data to estimate the cost of conducting State activities under the $\mathrm{H}-2 \mathrm{~A}$ and $\mathrm{H}-2 \mathrm{~B}$ temporary labor certification programs, including applications for logging.

## Costing Sheet (Including Logging)

| Activity | Total <br> Number | Total <br> Cost | Average <br> Cost $^{(5)}$ |
| :--- | :--- | :--- | :--- |
| H-2A Housing Inspections ${ }^{(1)}$ |  |  |  |
| H-2A Prevailing Wage Surveys ${ }^{(2)}$ |  |  |  |
| H-2A Prevailing Practice and Normal and <br> Accepted Requirement Surveys |  |  |  |
| H-2A Job Orders Processed ${ }^{(3)}$ |  |  |  |
| Total Cost of H-2A Activities ${ }^{(4)}$ |  |  |  |
| Staff Assisted H-2B Job Orders |  |  |  |

(1) H-2A Housing Inspections:

Include in the total cost estimate: travel time, inspection time, travel mileage, and completion of paperwork. Include in the total, all housing inspections started during the prior FY regardless of the final completion date.

- If housing inspections are done by another organization, estimate the cost that the $\mathrm{H}-2 \mathrm{~A}$ portion adds to their total cost and include this amount in the table.
(2) H-2A Prevailing Wage/Practice and Normal and Accepted Requirement Surveys:
- Include in the total cost estimate the development of the survey instrument, postage, collection of responses, collation of information, and publication of results.
- Include in the total, all surveys started during the prior fiscal year regardless of the final completion date.
(3) H-2A Job Orders Processed:
- Include in the total cost estimate the creation and maintenance of files, taking into account the cost associated with receiving and reviewing applications, referring applicants, and releasing orders into inter/intra-state job system.
(4) Total Cost of H-2A Activities:
- Total Cost of Housing Inspections + Total Cost of Prevailing Wage/Practice Surveys + Total Cost of Job Orders Processed.
(5) Average Cost:
- Total Cost of activity/ Total Number of activity.
(6) Staff Assisted H-2B Job Orders:
- Total number of job orders.
(7) Total Cost of H-2A and H-2B Activities
- Add cost of all activity


## E. Permanent Labor Certification Activities

The SWA is expected to perform labor exchange activities necessary to support the recruitment of U.S. workers under the permanent labor certification program. Such labor exchange activities include placing job orders serving the area of intended employment and receiving referrals of qualified applicants for consideration. Please note that these activities are covered by existing Wagner-Peyser formula grants and not by the FLC grants that are the subject of this Training and Employment Guidance Letter.

## F. Grantee Contact Information

 H-2A Program Point-of-Contact| Last (family) name | First (given) name |  |
| :--- | :--- | :--- |
| Job title |  |  |
| Address | State | Postal code |
| City | Fax number |  |
| Telephone number (including extension) |  |  |
| E-mail address |  |  |

## H-2B Program Point-of-Contact (if different than the contact listed above)

| Last (family) name | First (given) name |  |
| :--- | :--- | :--- |
| Job title | State | Postal code |
| Address |  |  |
| City | Fax number |  |
| Telephone number (including extension) |  |  |
| E-mail address |  |  |

## Fiscal Grant Point-of-Contact (if different than the contact listed above)

| Last (family) name | First (given) name |  |
| :--- | :--- | :--- |
| Job title | State | Postal code |
| Address |  |  |
| City | Fax number |  |
| Telephone number (including extension) |  |  |
| E-mail address |  |  |

## Attachment 3

## ANNUAL PLAN CERTIFICATION

(Insert SWA Name)
certifies that it will carry out all activities outlined in the fiscal year 2012 Annual Plan to support the Secretary of Labor's responsibilities under the Immigration and Nationality Act as well as all other standard certifications and assurances as a condition of receiving the federal grant funds. Per 29 Code of Federal Regulations, Part 97.42(e)(1), file documentation of grant activities and accomplishments will be available for examination by the Employment and Training Administration or other authorized Federal representatives.

[^0]Authorized Representative's Job Title

[^1]
## FY 2012 Funding Level

| Alabama | 78,879 | Nevada | 81,504 |
| :--- | ---: | :--- | ---: |
| Alaska | 72,121 | New Hampshire | 88,345 |
| Arizona | 270,164 | New Jersey | 611,335 |
| Arkansas | 83,385 | New Mexico | 83,385 |
| California | $2,244,795$ | New York | $1,391,624$ |
| Colorado | 234,841 | North Carolina | 205,476 |
| Connecticut | 263,097 | North Dakota | 92,275 |
| Delaware | 100,097 | Northern Mariana |  |
| Florida | 594,073 | Islands | 67,613 |
| Georgia | 552,683 | Ohio |  |
| Guam | 67,613 | Oklahoma | 206,969 |
| Hawaii | 67,613 | Oregon | 78,879 |
| Idaho | 214,760 | Pennsylvania | 87,700 |
| Illinois | 429,012 | Puerto Rico | 568,958 |
| Indiana | 72,120 | Rhode Island | 67,613 |
| lowa | 81,139 | South Carolina | 72,121 |
| Kansas | 121,361 | South Dakota | 90,828 |
| Kentucky | 332,111 | Tennessee | 81,139 |
| Louisiana | 164,882 | Texas | 169,174 |
| Maine | 295,312 | Utah | 954,949 |
| Maryland | 515,507 | Vermont | 100,161 |
| Massachusetts | 781,782 | Virgin Islands | 103,094 |
| Michigan | 299,597 | Virginia | 67,613 |
| Minnesota | 102,164 | Washington | 748,103 |
| Mississippi | 94,655 | Washington DC | 211,655 |
| Missouri | 126,087 | West Virginia | 119,026 |
| Montana | 76,625 | Wisconsin | 74,373 |
| Nebraska | 106,300 | Wyoming | 129,398 |
|  |  | 74,378 |  |

*The total SWA grant allocation is $\$ 15,070,463$.


[^0]:    Authorized Representative's Signature

[^1]:    Authorized Representative's Printed Name

