

**ATTESTATION BY EMPLOYERS USING ALIEN CREWMEMBERS  
FOR LONGSHORE ACTIVITIES AT LOCATIONS  
IN THE STATE OF ALASKA**

**IMPORTANT: READ CAREFULLY BEFORE COMPLETING FORM**

Submit the completed original Form ETA 9033-A with accompanying documentation along with two copies of the form and accompanying documentation. Attestations must be received by the Department of Labor no later than 30 days prior to the first performance of the longshore activity (or anytime up to 24 hours before the first performance of the activity, upon a showing that the employer could not have reasonably anticipated the need to file an attestation for that location at the time). Attestations which are filed less than 30 days prior to the first performance of the longshore activity must include supporting documentation to show that the employer could not have reasonably anticipated the need to file an attestation for that location at that time. Attestations must be submitted to the ETA regional office at 1111 3rd Ave., Suite 900, Seattle, WA 98101.

To knowingly furnish any false information in the preparation of this form and any supporting documentation thereto, or to aid, abet or counsel another to do so is a felony, punishable by \$10,000 fine or five years in the penitentiary, or both (18 U.S.C. 1001). Other penalties apply as well to fraud and misuse of this Immigration document (18 U.S.C. 1546) and to perjury with respect to this form (18 U.S.C. 1546 and 1621).

Print legibly in ink or use a typewriter. Sign and date one form in original signature. Citations below to "regulations" are citations to the identical provisions at 20 CFR Part 655, Subparts F and G, and at 29 CFR Part 506, Subparts F and G.

**Item 1. Full Legal Name of Company.** Enter full legal name of business, firm or organization, or, if an individual, enter name used for legal purposes on documents.

**Item 2. Headquarters Address.** Self explanatory.

**Item 3. Telephone Number.** Include area code or international calling code.

**Item 4. Name of Chief Executive Officer.** Self explanatory.

**Item 5. Name of U.S. Agent.** Self explanatory.

**Item 6. U.S. Business Address of Agent.** This address must be in the U.S.

**Item 7. Telephone Number.** Include fax number, if available.

**Item 8. Employer Attestations.** An employer must attest to the conditions listed in elements (b) through (e). The attestation will only be accepted for filing if the required documentation supporting element 8(e) is attached to the Form ETA 9033-A. See § \_\_\_\_ .537 of the regulations for guidance on the documentation that must be attached to the Form ETA 9033-A to support element 8(e). The employer must check the appropriate box(es) 8(a)(i) through (iv) for each of the particular activities of longshore work to be performed.

**Item 8(b). Bona Fide Request for Dispatch of U.S. Longshore Workers.** The employer must attest that, before using alien crewmen to perform longshore work, he will make a bona fide request for U.S. longshore workers who are qualified and available in sufficient numbers to perform the activity at the particular times and locations specified. The request for dispatch must be directed to the parties to whom notice of filing is provided under attestation element 8(e)(ii) and (iii). Wherever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in attestation element 8(e)(i), the employer may request longshore workers from only one of such contract stevedoring company. A request for longshore workers to an operator of a private dock may be made only for longshore work to be performed at that dock and only if the operator meets the requirements of section 32 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 932). See § \_\_\_\_ .534 of the regulations for a detailed explanation of this attestation element.

**Item 8(c). Employment of all Qualified U.S. Longshore Workers Made Available in Sufficient Numbers.** The employer must attest that all U.S. longshore workers made available in response to the request for dispatch under the first attestation element, item 8(b), who are qualified and available in sufficient numbers and who are needed to perform the longshore activity at the particular times and locations specified will be employed to perform such activity. See § \_\_\_\_ .535 of the regulations for a detailed explanation of this attestation element.

**Item 8(d). No Intention or Design to Influence Bargaining Representative Election.** The employer must attest the use of alien crewmembers to perform longshore activities is not intended or designed to influence an election for a bargaining representative for longshore workers in the State of Alaska. See § \_\_\_\_ .536 of the regulations for a detailed explanation of this attestation element.

**Item 8(e). Notice of Filing.** The employer must attest that at the time of filing the attestation, notice of filing has been provided to labor organization which have been recognized as exclusive bargaining representatives of U.S. longshore workers and which make available or intend to make available workers to the particular locations where the longshore work is to be performed. Notice must also be provided to contract stevedoring companies which employ or intend to employ U.S. longshore workers at those locations, and to operators of private docks at which the employer will use longshore workers. See § \_\_\_\_ .537 of the regulations for a detailed explanation of this attestation element.

**Item 9. Declaration of Employer.** One copy of this form must bear the original signature of the chief executive officer (or the chief executive officer's U.S. agent or designated representative) unless filing by facsimile transmission. See § \_\_\_\_ .533(2) of the regulations if filing by facsimile transmission. By signing this form, the chief executive officer is attesting to the conditions listed in items 8(b) through (e) and to the accuracy of the information provided elsewhere on the form and in the supporting documentation. False statements are subject to Federal criminal penalties, as stated above.

If the attestation bears the necessary entries of information and documentation, the Department of Labor may accept the attestation for filing and shall document such acceptance on each of the three Form ETA 9033-A's submitted. A copy of the attestation form indicating the Department's acceptance, or notification of nonacceptance, will be returned to the employer. A copy of this attestation, along with accompanying documentation, will be available for public inspection at the Division of Foreign Labor Certifications, United States Employment Service, Room N-4456, 200 Constitution Avenue, N.W., Washington, D.C. 20210.