

U.S. Department of Labor

**Employment and Training Administration
Sam Nunn Atlanta Federal Center
Room 6M12 - 61 Forsyth Street, S.W.
Atlanta, Georgia 30303**



January 16, 2003

SWA ISSUANCE NO. 03-07

SUBJECT: Coast Guard Request Concerning Availability of Qualified United States Workers in Accordance with 33 CFR 141.20

1. Purpose. To request information concerning the availability of United States workers for job opportunities located on the Outer Continental Shelf.
2. Background. Coast Guard regulations implementing the Outer Continental Shelf Lands Act Amendments of 1978 include a requirement that United States-owned units engaged in Outer Continental Shelf activities be manned by U.S. citizens and resident aliens unless qualified U. S. workers are not available (33 CFR 141.15).

The Coast Guard regulations also provide (at 33 CFR 142.20) for waiver of the restrictions on employment if the employer believes there are not a sufficient number of U.S. citizens or resident aliens qualified and available for the work. Upon receipt of a request for such a waiver, the Coast Guard:

“[shall seek] information from the Department of Labor concerning whether there are citizens in the United States or resident aliens qualified and available for work. If information is provided that citizens or the United States or resident aliens are qualified and available, the employer may be required to seek their employment before the request is approved.”

The Department of Labor’s (DOL’s) certification regulations at 20 CFR 656 and 20 CFR 621 are not applicable to requests made to DOL pursuant to the Coast Guard’s regulations. The Department, however, has agreed to furnish general labor information to the Coast Guard to use as it deems appropriate.

Attached is a recent request received from the Coast Guard pursuant to its regulations at 33 CFR 141.20. The employer, Rowan Companies, Inc., is requesting an exemption for several positions listed in the attachment in the Gulf of Mexico.

3. Action. You are requested to have appropriate staff conduct a thorough review of your applicant files to determine whether any U.S. workers may be available to fill the positions listed in the employer’s request. You are also encouraged to recommend unions and other possible sources of recruitment in addition to your own resources. However, other recruitment sources should not be recommended unless state agency staff has discussed the employer’s positions with the additional recruitment sources that have indicated they have available workers. Since the employer anticipates that the work will be performed in the Gulf of Mexico, Region 3 states should take special care in reviewing applicant files.

Information regarding the availability of U.S. workers to fill the positions listed in the Coast Guard's request should be mailed and faxed directly to the following address with a copy to the regional office by January 17, 2003. You may also email your response to Tracie Czwartacki at tczwartacki@doleta.gov.

Mr. Dale Zierler
Chief
Division of Foreign Labor Certification
U.S. Department of Labor
Employment and Training Administration
Room C4318
200 Constitution Avenue, NW
Washington, D.C. 20210

Fax Number: 202-693-2760

The name of the state agency office and contact person should also be included in the event the Coast Guard requires the employer to recruit U.S. workers by placing a job order with the state agency.

4. Contact. If you have questions or need additional information, contact Floyd Goodman at 404-562-2115.

5: Expiration Date. Indefinite.

Anna W. Goddard

ANNA W. GODDARD
Regional Administrator

Attachment

EMPLOYER REQUEST: ROWAN COMPANIES, INC.

<u>Occupation</u>	<u>DOT/O*Net Code</u>
Roustabout	869.684-046/47-2071.00
Floorhand/Shakerhand	931.684-026
Engineman	950.382-022
Crane Operator	921.663-022/53-7021.00
Derrickman	921.663-022
Asst. Driller	921.663-026
Driller	921.663-026/47-5012.00
Welder	819.384-010/51-4121.03
Barge Engineer	911.137.010
Electrician	823.131-010/49-2094.00
Mechanic	620.281-046/49-3042.00
Tool Pusher	930.130-010