

**Employers' Attestation to Use Alien Crewmembers for
 Longshore Activities in the State of Alaska
 Form ETA 9033-A
 U.S. Department of Labor**



A. Employer Information

1. Legal business name Alaska Reefer Management LLC		
2. Trade name/Doing Business As (DBA), if applicable		
3. Address 1 2025 First Avenue, Suite 1020		
4. Address 2		
5. City Seattle	6. State WA	7. Postal code 98121
8. Country USA	9. Province	
10. Telephone number, including area code (206) 727-2750	11. E-mail address jennifer@alaskareefer.com	
12. Employer point of contact name Jennifer Adamski	13. Contact's job title Director of Operations and Logistics	

B. Employer's U.S. Agent or Representative Information

Complete this section if the application is filed by employer's U.S. agent or representative.

1. Name of U.S. Agent or Representative		
2. U.S. Business Address		
3. City	4. State	5. Postal code
6. Telephone number	7. Extension	8. E-Mail address

C. Location(s) and Job Information at Location(s) in the State of Alaska

Complete this section for each location in the State of Alaska. Use attachments if additional space is needed or multiple locations are covered.

1. Name of Port and City See attached list of Alaska locations	
2. Begin date of performance of the first activity by the alien crewmember (mm/dd/yyyy) 05/15/2017	3. Is the employer submitting this form less than 30 days from the first date of need? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If "Yes", include documentation to show that employer could not have reasonably anticipated the need to file an attestation for location in C.1. at that time.)
4. Total number of crewmembers being requested	20
5. Identify the longshore activities to be performed by alien crewmembers: (Choose all that apply)	
<input checked="" type="checkbox"/> a. Loading cargo <input checked="" type="checkbox"/> b. Unloading cargo <input type="checkbox"/> c. Handling of mooring lines <input checked="" type="checkbox"/> d. Operation of cargo-related equipment	
6. Enter job qualifications required to perform each activity identified in C.5 Provide Forklifts, pallet jacks, batteries, chargers and other cargo handling equipment for palletized transshipment operation. All personnel to be skilled in sorting, handling and stowing frozen seafood; capable of lifting 80~100 lbs and certified to operate forklifts, hydraulic boom cranes and cable type cranes.	

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D. Employer Attestation

- 1. Before using alien crewmen to perform any longshore activity, the employer will make a bona fide request to the parties to whom notice has been provided under Item 4(ii) and (iii) below, for U.S. longshore workers who are qualified and available in sufficient numbers to perform the longshore activities at the particular time and location, except that:
 - (i) whenever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in Item 4(i) below, the request for longshore workers may be made to only one such stevedoring company, and
 - (ii) a request for longshore workers to any 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.
- 2. During the validity period of this attestation, the employer will employ all U.S. longshore workers made available in response to the request for dispatch as attested in Item 1 above and who are qualified, available in sufficient numbers, and are needed to perform the longshore activity at the particular time and location.
- 3. The employer's use of alien crewmembers in any employ to perform any longshore activity is not intended or designed to influence an election of a bargaining representative for workers in the State of Alaska.
- 4. As of this date, the employer has provided notice of this attestation in compliance with 20 CFR 655.537(a)(1) to (include copies of notices):
 - (i) Labor organizations which have been recognized as exclusive bargaining representatives of the U.S. longshore workers and which make available or intend to make available longshore workers to the particular location(s) where the longshore work is to be performed;
 - (ii) Contract stevedoring companies which employ or intend to employ U.S. longshore workers at the particular location(s) where the longshore work is to be performed; and
 - (iii) Operators of private docks at which workers will perform any longshore activity.

E. Declaration of Employer

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the information provided on this form and accompanying documentation is true and correct. In addition, I declare that I will comply with the Department of Labor regulations governing this program and, in particular, that I will make this attestation, supporting documentation, and other records, files and documents available to official's request, during any investigation under this attestation or the Immigration and Nationality Act.

[Signature]
Employer Signature (or employer's U.S. agent or representative)

04/06/2017
Date

F. FOR U.S. GOVERNMENT AGENCY USE ONLY

By virtue of the signature below, the Department of Labor hereby acknowledges that this program attestation for the longshore activities is accepted for filing. The Department of Labor is not the guarantor of the accuracy, truthfulness or adequacy of an attestation accepted for filing.

This attestation is valid from May 15, 2017 to May 14, 2018

Certifying Officer
Department of Labor, Office of Foreign Labor Certification
400064
Case number

4/21/17
Acceptance Date (date signed)
certified
Case Status

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GENERAL INSTRUCTIONS

IMPORTANT: Please read these instructions carefully before completing the form. These instructions contain full explanations of the questions and attestations that make up the Form ETA 9033-A. *In accordance with Federal Regulations, incomplete or obviously inaccurate applications will not be accepted by the Department of Labor.*

Submit the completed original Form ETA 9033-A with accompanying documentation along with two copies of the form and accompanying documentation. Attestation 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 on 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 attestation for that location at that time. Attestations must be submitted to the Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 11 West Quincy Court, Chicago, IL 60604-2105. An employer may file a single attestation for multiple locations in the State of Alaska.

Anyone, who knowingly and willingly furnishes any false information in the preparation of Form ETA 9033-A and any supporting documentation, or aids, abets, or counsels another to do so is committing a federal offense, punishable by fine or imprisonment up to five years or both (18 U.S.C. §§ 2, 1001). Other penalties apply as well to fraud or misuse of this immigration document and to perjury with respect to this form (18 U.S.C. §§ 1546, 1621).

Section A. Employer Information

1. Enter the full legal name of a business, firm or organization, or if an individual, enter name used for legal purposes on documents.
2. Enter the full trade name or "Doing Business As" (DBA) name, if applicable, of the business, person, association, firm, corporation, or organization, i.e., the employer filing this application.
3. Enter the street address of the employer's principal place of business.
4. If additional space is needed for the street address, use this line to complete the employer's street address.
5. Enter the city of the employer's principal place of business. If the city and country are the same, the name must still be entered in both fields.
6. Enter the state of the employer's principal place of business.
7. Enter the postal (zip) code of the employer's principal place of business.
8. Enter the country of the employer's principal place of business.
9. Enter the province of the employer's principal place of business, if applicable.
10. Enter the area code and telephone number for the employer's principal place of business. Include country code, if applicable.
11. Enter the e-mail address of the employer point of contact in the format name@emailaddress.top-level domain.
12. Enter name of the employer point of contact. An employer point of contact is an employee of the employer whose position authorizes the employee to provide information and supporting documentation concerning this Employer's Attestation to Use Alien Crewmembers for Longshore Activities in the State of Alaska and to communicate with the Department of Labor on behalf of the employer. The employer point of contact should be the individual most familiar with the content of this application and circumstances of the foreign worker's employment.
13. Enter the job title of the employer point of contact.

Section B. Employer's U.S. Agent or Representative Information (if applicable)

Note: The U.S. agent/representative information in this Section, specifically the name, telephone number, and e-mail address, must be different from the employer point of contact information in Section A.

1. Enter the full name of the agent/representative.
2. Enter the street address of the attorney/agent (address must be a U.S. address).
3. Enter the city of the attorney/agent.
4. Enter the state of the attorney/agent.
5. Enter the postal (zip) code of the attorney/agent.
6. Enter the area code and telephone number of the attorney/agent.
7. Enter the extension of the telephone number of the attorney/agent, if applicable.
8. Enter the e-mail address of the attorney/agent in the format name@emailaddress.top-level domain.

Section C. Location(s) and Job Information in State of Alaska

Employer may file a single Form ETA 9033-A for multiple locations in the State of Alaska. Use attachments if additional space is needed.

1. Enter the name of the port(s), and the city(ies) in the State of Alaska in which the port is located.
2. Enter the date of the first performance of the longshore activity.
3. Check appropriate box if claiming an unanticipated need.
4. Enter an estimate of the total number of crewmembers that the employer anticipates requesting for the activity specified for this attestation.
5. Longshore work is defined as activity relating to (1) loading of cargo, (2) unloading of cargo, (3) operation of cargo-related equipment, and (4) handling of mooring lines on the dock when a vessel is made fast or let go. The employer must check each activity it intends to perform.
6. Provide the qualifications required to perform each of the job(s) identified in C.5.

Section D. Employer Attestation

See 20 CFR § 655.534 through 655.537 of the regulations for guidance on the documentation that must be developed and maintained to meet the employer's burden of proof under the attestation elements.

1. Bona Fide Request for Dispatch of U.S. Longshore Workers.
The employer must attest that, before using alien crewmen to perform longshore work, it will make a bona fide request for the 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 D.4 (i) and (ii). Wherever two and more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in attestation element D.1 (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 § 655.534 of the regulations for a detailed explanation of this attestation element.
2. Employment of U.S. Longshore Workers. 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 D.1, who are qualified and available in sufficient number and who are needed to perform the longshore activity at the particular times and locations specified will be employed to perform such activity. See § 655.535 of the regulations for a detailed explanation of this attestation element.

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3. No Intention or Design to Influence Bargaining Representative Election. The employer must attest that its 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 § 655.536 of the regulations for detailed explanation of this attestation element.
4. Notice of Filing. The employer must attest that at the time of filing the attestation, notice of filing has been provided to labor organizations 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. The copy of such notices must be submitted to ETA along with the Form ETA 9033-A. The notice must comply with 20 CFR 655.537(a)(2).

Section E. Declaration of Employer

One copy of this form must bear the original signature of employer or the employer's designated agent or representative unless filing by facsimile transmission. See §655.532(a) of the regulations if filing by facsimile transmission. By signing this form, the chief executive officer is attesting to the conditions listed in item D, 1 through 4 and to the accuracy of the information provided elsewhere on the form and in supporting documentation. False statements are subject to federal criminal penalties, as stated above.

If the attestation bears the necessary entries of information and includes required supporting documentation, the Department of Labor will accept the attestation for filing and shall document such acceptance on each of the three Form ETA 9033-A submitted. The Department will provide a copy of the accepted attestation to the Department of Homeland Security office having jurisdiction over the port where the longshore work will be performed by alien crewmen. A copy of the attestation indicating the Department's acceptance will be provided to the employer. The employer may then use alien crewmembers for longshore work at the port for which this attestation has been accepted in accordance with the Department of Homeland Security regulations, unless the Department subsequently acts to suspend or invalidate the attestation. If the employer's attestation is not accepted because it is incomplete or inaccurate, the Department will return the attestation to the employer.

A copy of this attestation, along with accompanying documentation, will be available for public inspection at the Office of Foreign Labor Certification, 200 Constitution Avenue, N.W., Room C4312, Washington, D.C. 20210 or OFLC website at <http://www.foreignlaborcert.dolleta.gov>.

OMB Public Burden Statement - Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. Respondents' obligation to reply to these reporting requirements are required to obtain or retain benefits (8 U.S.C. 1101 et seq.). Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Foreign Labor Certification, Box 12-200, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (OMB control Number 1205-0309).

**C.1 LIST OF ALASKA LOCATIONS
(AT WHICH LONGSHORE ACTIVITIES MAY BE PERFORMED)**

WEST COASTALASKA AND OFFSHORE LOCATIONS:

Besboro Island (Norton Sound)
Bethel
Black Rock (Norton Sound)
Cape Avinof
Cape Denbigh (Norton Sound)
Cape Romanzof
Egg Island (Norton Sound Near St. Michael)
Emmonak (Yukon River)
Goodnews Bay (Near Platinum)
Klikitarik (Norton Sound)
Kokechik Bay (Near Cape Romanzof)
Mekoryuk (Nunivak Island)
Port Clarence (Seward Peninsula)
St. George Island (Pribilof Islands)
St. Michael (Norton Sound)
St. Paul Island (Pribilof Islands)
Security Cove (South of Goodnews Bay)
Tanunuk (Nelson Island)
Toksook Bay (Nelson Island)
Unalakleet Bay (Norton Sound)

ALASKA PENINSULA SOUTH SIDE LOCATIONS:

Alinchak Bay
Balboa Bay (North of Unga Island)
Belkofski Bay
Big Koniuji Island
Chignik Bay
Cold Bay
Dolgoi Harbor
Dorenoi Bay
East Anchor Cove (Near False Pass)
Grosvold Bay (Korovin Island)
Ikatan Bay
Ivanof Bay
Kinak Bay
King Cove
Kuiukta Bay
Kujulik Bay
Kukak Bay
Little Koniuji Island
Morzhovoi Bay

Nagai Island
Pavlof Bay
Port Bailey
Sanak Island
Sand Point (Popof Island)
Simeonof Island
Squaw Harbor (Unga Island)
Stepovak Bay
Volcano Bay (Between Pavlof Bay and Belkofski Bay)
West Anchor Cove (Near False Pass)
Zachary Bay (Unga Island)

SOUTHWEST – BRISTOL BAY ALASKA LOCATIONS:

Anchor Point
Clark's Point (including Ekuk)
Crooked Island (near Togiak)
Egegik Bay
Hagemeister Strait
Kvichak Bak
Nunavachak Bay
Nushagak Bay
Port Heiden
Port Moller
Summit Island (near Togiak)
Togiak Bay
Ugashik Bay

ALEUTIAN ISLANDS ALASKA LOCATIONS:

Adak (Including Sweeper Cove and Adak Island)
Adak Bight (East Side and Adak Island)
Akutan Bay (Akutan Island)
Alimuda Bay (Unalaska Island)
Amchitka Island
Amlia Island
Aspid Bay (Unalaska Island)
Attu Island
Banner Bay (Atka Island)
Bay of Waterfalls (Adak Island)
Beaver Bay (Atka Island)
Beaver Inlet (Unalaska Island)
Bechevin Bay (Atka Island)
Blind Cove (Adak Island)
Blue Berry Bay (Unalaska Island)
Boot Bay (Unalaska Island)
Broad Bay (Unalaska Island)
Chernofski Harbor (Unalaska Island)

Dutch Harbor (Including Captains Bay and Summers Bay)
Eagle Bay (Unalaska Island)
Egg Bay (Atka Island)
English Bay (Unalaska Island)
Explorer Bay (Atka Island)
Finger Bay (Adak Island)
Gusty Bay (Tanaja Island)
Hive Bay (Unalaska Island)
Inanudak Bay (Umnak Island)
Kagalaska Island (East of Adak Island)
Kalekta Bay (Unalaska Island)
Kashega Bay (Unalaska Island)
Kiska Island
Kismaliuk Bay (Unalaska Island)
Kobakof Bay (Atka Island)
Korovin Bay (Atka Island)
Kuliliak Bay (Unalaska Island)
Kuluk Bay (Adak Island)
Little Sitkin Island
Little Tanaga Island
Lost Harbor (Akun Island)
Makushin Bay (Unalaska Island)
Nazan Bay (Atka Island)
Open Bay (Unalaska Island)
Protection Bay (Unalaska Island)
Pumicestone Bay (Unalaska Island)
Raven Bay (Unalaska Island)
Russian Bay (Umnak Island)
Scabbard Bay (Adak Island)
Sedanka Island (Beaver Inlet;Unalaska Island)
Semisopochnoi Island
Sergief Bay (Atka Island)
Skan Bay (Unalaska Island)
Staraya Bay (Unalaska Island)
Station Bay (Unalaska Island)
Sweeper Cove
Tanaga Bay (Tanaga Island)
Three Arm Bay (Adak Island)
Three Island Bay (Unalaska Island)
Ulak Island
Umak Island
Usof Bay (Unalaska Island)
Wall Bay (Atka Island)
Wide Bay (Unalaska Island)

SOUTHWEST/SOUTHCENTRAL ALASKA – KODIAK ISLAND

LOCATIONS:

Alitak Bay (Kodiak Island)
Old Harbor (Kodiak Island)

SOUTHCENTRAL – PRINCE WILLIAM SOUND ALASKA

LOCATIONS:

Sawmill Bay (Evans Island)
Sawbill Bay (Port Valdez)
Stockdale Harbor (Montague Island)
Tatitlik Narrows
Thumb Bay (Knight Island)
Two Moon Bay
Unakwik Inlet
Valdez
Zaikof Bay (Montague Island)

SOUTHCENTRAL/COOK INLET, ALASKA LOCATIONS

Anchorage
Homer
Iniskin Bay (West side of Cook Inlet)
Kamishak Bay (West side of Cook Inlet)
Port Graham
Seldovia
Seward

SOUTHEAST ALASKA LOCATIONS:

Annette Bay (Annette Island)
Bay of Pillars (West side of Kuiu Island)
Bemers Bay (East side of Lynn Canal)
Blank Inlet (Gravina Island near Ketchikan)
Boca De Quadra
Bold Island (Revillagigedo Chanel near Ketchikan)
Bostwek Inlet (Gravina Island across from Metlakatla)
Carroll Inlet (Revillagigedo Island)
Cholmondeley Sound (Prince of Wales Island)
Clover Bay (Prince of Wales Island)
Craig (Prince of Wales Island, west side)
Ebenkof Bay (Kuiu Island)
Excursion Inlet (North of Icy Strait)
Favorite Channel (South end of Lynn Canal)
Fresh Water Bay (East side of Prince of Wales Island)
Fresh Water Bay (East side of Chichagof Island)
Neets Bay (in Revillagigedo Island)
Nutkwa Inlet (West of Prince of Wales Island; North of Long Island)
Pelican
Petersburg

Port Camden (East side of Kuiu Island)
Port Conclusion (East side of Baranof Island)
Port Estrella (Prince of Wales Island; SW of Craig)
Port San Antonio (Baker Island opposite Cape Chirikof)
Port Santa Cruz (Suemez Island; SW of Port Estrella)
Rowan Bay (West side of Kuiu Island)
Saginaw Bay (North side of Kuiu Island on Frederick Sound)
Security Bay (North side of Kuiu Island)
Shelter Island (Lynn Canal)
Shipley Bay (Kosciusko Island, east of Kuiu Island)
Sitka
Smeaton Bay
Steamboat Bay (West of Noyes Island)
George Inlet (Revillagigedo Island)
Hamilton Bay (West side of Kupreanof Island)
Hoonah
Juneau
Kake (West side of Kupreanof Island)
Kasaan Bay (East side Prince of Wales Island)
Keku Strait (Between Kuiu Island and Kupreanof Island)
Kell Bay (East side of Kuiu Island)
Ketchikan
Klawok (Prince of Wales Island, west side)
Lincoln Island (Lynn Canal)
Metlakatla (Annette Island)
Moir Sound (including North Arm Niblack Anchorage, West Arm, &
South Arm; Prince of Wales Island)
St. James Bay (West side of Lynn Canal)
Tamgas Harbor (Annette Island)
Thorne Arm (Revillagigedo Island)
Trocadero Bay (Prince of Wales Island, SE of Craig)
Warmchuck Bay (Heceta Island; west of Prince of Wales Island)
Waterfall (Ulloa Channel between Prince of Wales and Suemez Island)
Yakutat

PRINCE WILLIAM SOUND, ALASKA LOCATIONS:

Cordova
Fox Farm (Shelter Bay; east of Evans Is.)
Galena Bay
Jack Bay
Macleod Harbor (Montague Island)
McPhearson Passage (Naked Island)
Port Chalmers (Montague Island)
Port Etches (Hinchenbrook Island)
Port Fidalgo
Rocky Bay (Montague Island)

Sawmill Bay (Evans Island)
Sawmill Bay (Port Valdez)
Stockdale Harbor (Montague Island)
Tatilik Narrows
Thumb Bay (Knight Island)
Two Moon Bay
Unakwik Inlet
Valdez
Zaikof Bay (Montague Island)

KODIAK/AFOGNAK ISLANDS & ALASKA PENINSULA LOCATIONS

Afognak Bay (Afognak Island)
Alitak Bay (South end of Kodiak Island)
Dry Spruce Bay (Kodiak Island)
Izhut Bay (SE side of Afognak)
Kazakof Bay (Afognak Island)
Kiliuda Bay (East side of Kodiak)
Kizhuyak Bay (North side, Kodiak Island)
Kukak Bay (SE Side, Alaska Peninsula)
Kodiak City
Larsen Bay (West side of Kodiak Island)
Malina Bay (Afognak Island)
Monashka Bay (North side of Kodiak Island)
Old Habror (East side of Kodiak Island)
Paramanof Bay (Afognak Island)
Perenosa Bay (Afognak Island)
Port Bailey (Dry Spruce Bay; north end of Kodiak Island)
Red Fox Bay (Afognak Island)
Seal Bay (Afognak Island)
Spiridon Bay (Afognak Island)
Tonki Bay (Afognak Island)
Uganik Bay (NW side of Kodiak Island)
Uyak Bay (West side of Kodiak Island)
Viekoda Bay (NW side of Kodiak Island)
Zachar Bay (West side of Kodiak Island)