

U. S. Department of Labor Employment and Training Administration Washington, D.C. 20210	CLASSIFICATION ES
	CORRESPONDENCE SYMBOL TEES
	DATE May 11, 1999

DIRECTIVE : GENERAL ADMINISTRATION LETTER NO. 1-97,
 CHANGE 1

TO : ALL STATE EMPLOYMENT SECURITY AGENCIES

FROM : DAVID HENSON *David Henson*
 Director
 Office of Regional Management

SUBJECT : Measures for Increasing Efficiency
 in the Permanent Labor Certification
 Process

1. Purpose. To modify previously provided procedural guidance for increasing efficiency in the permanent labor certification process under current regulations in order to handle increasing workloads with declining staff resources.

2. References. 20 CFR Part 656, Technical Assistance Guide (TAG) No. 656 Labor Certifications, and General Administration Letter (GAL) No. 15-95.

3. Background. GAL 1-97 was originally issued in October 1996. The goal of GAL 1-97 was to increase efficiency in the permanent labor certification process. To accomplish this goal, the GAL promulgated several measures which were intended to allow speedier, more efficient processing of permanent cases within current regulations.

In the more than two years of experience under GAL 1-97 the evidence indicates that, in general, the measures put forth in the GAL have been effective. In the past two years, in spite of declining staff, the States and Regional Offices have completed action on more cases than in past years when more staff were available. However, as

RESCISSIONS	EXPIRATION DATE June 30, 2001
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a result of the settlement agreement in Lauretta V. Herman, March 5, 1999, the efficiency measure of having unduly restrictive job requirements adjudicated prior to allowing advertisements to be published is being removed. This change to GAL 1-97 is to remove that requirement and reemphasize the other measures stated in that GAL.

This GAL should be interpreted in a manner consistent with the labor certification provisions of the Immigration and Nationality Act, Department of Labor regulations promulgated thereunder, and Board of Alien Labor Certification Appeals (BALCA) case law. No Notice of Findings (NOF) shall be issued and no labor certification denied based solely upon this GAL, as this GAL is not intended to substantively change the Department's regulations or BALCA case law for the adjudication of applications for labor certification.

4. Action Required. Administrators are requested to:

A. Provide the attached policy and procedural guidance to appropriate staff.

B. Instruct alien labor certification staff to implement the measures for increasing efficiency and follow the procedures in processing permanent labor certification applications.

C. Apply these procedures to applications when processing begins on or after the effective date of this GAL.

5. Inquiries. Direct questions to the appropriate Regional Certifying Officer.

6. Attachment. Increasing Efficiency in the Permanent Labor Certification Process