



## **Permanent Labor Certification Program Backlog Processing Frequently Asked Questions**

### **Case Processing**

**Question: During the public briefings, the Department indicated that there will be 2 processing tracks—Reduction in Recruitment (RIR) and Traditional Recruitment (TR). As to the First in-First out (FIFO) principle, does this mean RIR cases will be separated or distinguished from permanent TR cases?**

- ☞ Yes, there will be two processing tracks—RIR and TR. Each track will have a separate FIFO queue. At the centers we will allocate resources so that RIR and TR cases receive equitable treatment in processing

**Question: Will the Backlog Processing Centers (BPC) maintain separate tracks for a) traditional filings; b) RIR filings; and c) special handling filings? If not, why not?**

- ☞ The Centers will maintain separate tracks for traditional filings and RIR filings. At this point, all cases identified as special handling will be forwarded to on-site federal staff for processing. As an enhancement to the operating system, we are investigating how these cases can be electronically expedited.

**Question: How is the 2 track system going to work, that is the RIR and TR streams? What resources will be allocated to each? What is the time period for each? Will the resources be allocated such that the last TR case and RIR case will be adjudicated together at the end of the 24-30 months?**

- ☞ At this time we are not able to answer questions which are this specific other than to say that it is our goal to treat RIR and TR cases in an equitable manner.

**Question: Does the 24-30 month processing projection apply to both RIR and TR cases or will the RIR queue get some preference?**

- ☞ No queue will automatically get preference. We plan to allocate resources based on the number of cases in each queue. However, we anticipate that the processing time for RIR cases will be shorter than that for TR cases.

**Question: Are cases being assigned a new case number or is the current SWA or Regional Office number being retained for tracking purposes?**

- ☞ All cases are being assigned new case numbers once entered into the Permanent Backlog System (PBLs). Once a case has been entered into PBLs, the BPC will send the employer and attorney of record (if applicable) a letter with the new case number.

**Question: When will I receive my 45-day letter?**

- ☞ Due to the large volume of files transferred to the two Backlog Processing Centers, we cannot determine when your “45-day” Center Receipt Notification Letter (CRNL) will be mailed to you. As soon as your case is entered into the U.S. DOL Permanent Backlog System (PBLs), a “45-day” CRNL will be generated and sent to you and your attorney/agent of record, if one exists. Once you receive the “45-day” CRNL, all requested corrections, supporting documents, and the enclosed Selection of Continuation Option Letter must be returned to the appropriate Backlog Processing Center. In the designated space at the bottom of the Selection of Continuation Option Letter, please indicate your decision as to whether “I wish to withdraw this application” or “I wish to continue the processing of this application” with a check mark.

**Question: The alien has a child who is about to “age-out.” What can be done to expedite this application?**

- ☞ The policy of the U.S. DOL/ETA National Office prohibits the expediting of applications.

**Question: The employer has been acquired by another company. The new company still wants to hire the alien. What do we need to do?**

- ☞ The new employer must submit a copy of the employer’s articles of incorporation, business license, state registration, or other official documents that establish the employer as a *bona fide* business entity and establishes the legal buyout or “successor in interest” position. In addition, a new Form ETA 750 Part A and Part B must be provided to continue the permanent foreign labor certification process.

**Question: The message on my Corrections List states, “The Employer’s name/address is not the same on Form ETA 750 Part A and Part B.” What do I need to do?**

- ☞ Please refer to item 6 on Form ETA 750 Part A and item 8 on Form ETA 750 Part B. These items must match exactly on your application. Initial and date

any corrections you make on your application and return it to the appropriate Backlog Processing Center.

**Question: The message on my Corrections List states, “Basic Rate Per is a required entry.” The amount of pay is included on the application. What’s the problem?**

- ☞ Item 12a/b on Form ETA 750 Part A must include both a rate of pay (in dollars and cents) and a period (hourly, daily, weekly, bi-weekly, monthly, or annually). Please correct, initial, and date your application accordingly and return the application to the appropriate Backlog Processing Center.

**Question: Does the BPC case continuance letter need to be signed only by the employer or can the attorney of record sign?**

- ☞ The Selection of Continuation Option Letter may be signed and submitted by either the employer or the employer’s attorney/agent of record. We request, however, that employers and attorneys coordinate to determine who will submit the Selection of Continuation Option Letter to ensure that the appropriate Backlog Processing Center does not receive conflicting or duplicate responses. In the instance of conflicting responses, we will default to the employer’s response.

**Question: I am the attorney of record for a permanent foreign labor certification case. Our firm has moved and wishes to notify your office of this change. How do I do this?**

- ☞ Please send the appropriate Backlog Processing Center a letter that states the change requested and enclose a signed and dated [G-28](#) with the updated information. A separate [G-28](#) should be submitted for each case for which a change is requested. The form must be signed and dated by the employer and/or alien, depending on which party you represent. The attorney may send an individual letter for each case or a combined letter with the change of address and listing all affected cases (include name of employer and alien and the case number, if known).

**Question: Is there any centralized way to get an attorney’s current address into your system at the BPCs?**

- ☞ No, any correction or change must be sent to the appropriate Center following the instructions above.

**Question: I am a new attorney of record for a permanent foreign labor certification case. Our firm wishes to notify your office of this change. How do I do this?**

- ☞ Please send the appropriate Backlog Processing Center a letter stating the requested change and enclose a new signed and dated [G-28](#) with the updated information. A separate G-28 is required for each case for which you want to make a change. Each G-28 must be signed and dated by the employer and/or the alien, depending on which party you represent.

**Question: The message on my Corrections List states, “Failed Existence Check: Employer’s address/phone number does not reference back to employer’s name.” What should I do to resolve this problem?**

- ☞ You must submit a copy of the employer’s articles of incorporation, business license, state registration, or other official documents that establish the employer as a *bona fide* business entity at a specific address to the appropriate Backlog Processing Center.

**Question: The message on my Corrections List states that, “Consulate Location is a required entry.” The alien is currently in the U.S. and will apply for adjustment here. Why must I enter a consulate location?**

- ☞ Entries are needed in items 10a or 10b on Form ETA 750, Part B. Please mark the appropriate box with an (X) and enter a complete city and foreign country (10a) or city and state (10b) on the application. Initial and date any corrections made to your application and then return the application to the appropriate Backlog Processing Center.

**Question: The employer has moved to a new address. How should we notify the Backlog Processing Center of this change?**

- ☞ Please send the appropriate Backlog Processing Center a written request to return the original Form ETA 750 Part A and Part B. Make the appropriate change of address, date and initial the change, and return the Form ETA 750 Part A and Part B to the appropriate Backlog Processing Center. Employers who have already recruited for the position in a labor market are cautioned that a move to a new work location may require a new labor market test.

Please note that changes, additions, or deletions to the application must be initialed and dated by the employer on Part A and by the alien on Part B. It is unacceptable for the attorney representing the employer and/or alien to make amendments to the Form ETA 750.

**Question: The employer has changed names. Do we have to submit a new application or may we change the original application? How should this be done?**

☞ The employer must submit a copy of the employer's articles of incorporation, business license, state registration, or other official documents that establish the employer as a *bona fide* business entity. In addition, a new ETA 750 Part A and Part B must be provided to continue the permanent foreign labor certification process. If the Form ETA 750 Part A and Part B have been returned for correction, the changes may be made on those existing documents.

Please note that the new employer or entity must be connected to the old one (a successor-in-interest) and cannot be an entirely new employer.

**Question: Our office recently received a request for "corporate documents" from the BPC. The petition was for a housekeeper. Is this request sent in error or how do we respond?**

☞ If the application is for a domestic servant in a private household, the employer should provide a recent tax return and/or leases, utility bills, etc. that establish the domestic employer at the address on the application.

**Question: Are all cases filed between 1/1/05 and 3/28/05 to be processed by the BPC rather than the Atlanta or Chicago Processing Centers?**

☞ All cases filed between 1/1/05 and postmarked before 3/28/05 will be processed by the Backlog Processing Centers.

**Question: Many clients are anxious because we have not received the 45-day letters from the Backlog Processing Centers in connection with their application. How can we follow up on status of cases and at what point should we worry about not getting a letter?**

☞ Due to the large volume of files transferred to the two Backlog Processing Centers, we cannot determine when your "45-day" Center Receipt Notification Letter (CRNL) will be mailed to you. As soon as your case is entered into the U.S. DOL Permanent Backlog System (PBLs), a "45-day" CRNL will be generated and sent to you and your attorney/agent of record, if one exists. Once you receive the "45-day" CRNL, all requested corrections, supporting documents, and the enclosed Selection of Continuation Option Letter must be returned to the appropriate Backlog Processing Center within 45 days.

**Question: How will RIR and TR priority be handled over PERM cases?**

- ☞ Backlogged cases will be processed in Philadelphia and Dallas. PERM cases will be processed in Chicago and Atlanta.

**REDUCTION in RECRUITMENT (RIR)**

**Question: We are receiving letters from BPCs that are out of order from the dates that they were received by DOL in San Francisco. We have several RIR cases filed 4 months before other RIR cases that we have not received letters. Please explain given First In-First Out.**

- ☞ We are receiving large numbers of cases from numerous sources and data entering them as quickly as possible so it is possible that “newer” cases could be receiving the 45-day letter before “older” cases. When a full and complete response is received, the case is then put in the RIR or TR queue. These queues arrange cases automatically by order of filing date.

**Question: Will an RIR case that has been pending at the federal level for about 1 year be transferred to the Backlog Center, if there has been no decision or notice of finding issues?**

- ☞ Yes, all outstanding cases will be transferred to the Backlog Processing Centers.

**Question: We called EDD (CA) and heard they will be accepting RIR cases for “another month or so,” but we are not sure where do we send RIR cases after EDD cut off date but before 3/28/05?**

- ☞ The SWAs received and date stamped all cases with a postmark date of 3/27/05 or earlier. Cases received by a SWA after that postmarked date will be returned to the applicant for submission to the appropriate National Processing Center in either Chicago or Atlanta.

## TRADITIONAL RECRUITMENT (TR)

**Question: We have some long pending traditional cases that were transferred from Iowa to Chicago in October 2002 and beyond and are still pending. We have not received notice that the cases have been transferred. When do we start to worry?**

- ☞ All cases that were at the Chicago Regional Office have been shipped to the Dallas Backlog Processing Center. All cases that were at the Atlanta Regional Office have been shipped to the Philadelphia Backlog Processing Center. As soon as data entry is completed, a Center Receipt Notification Letter (CNRL) or 45-day letter will be sent out.

## TRANSFER OF CASES

**Question: How can we know where a case goes?**

- ☞ In terms of cases that were at the Regional Offices, the Philadelphia BPC will have all cases that were in Philadelphia and Atlanta Regional offices. The Dallas Backlog Processing Center will have all cases that were in Dallas and Chicago Regional Offices. Also approximately 20,000 cases from the San Francisco Regional Office were split evenly between Philadelphia and Dallas.

All SWAs have also been assigned to a Backlog Processing Center as follows:

Philadelphia Backlog Processing Center: Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Vermont, Virgin Islands, Virginia, Washington, DC, West Virginia

Dallas Backlog Processing Center: Alaska, Arizona, Arkansas, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming

**Question: When were state cases sent to the BPC?**

- ☞ All SWAs were instructed to make three shipments to the assigned Backlog Processing Centers:

Shipment 1 by 12/31/04--all unopened cases with filing dates of 12/31/02 and earlier

Shipment 2 by 3/31/05--all unopened cases with filing dates between 1/1/03 and 12/31/04

Shipment 3 by 4/22/05--all remaining cases (cases submitted between 1/1/05 to 3/27/05, processed cases, and cases opened but not completed)

**Question: Are “unopened” cases from the SWA also being transferred or just “unopened” cases that have reached the DOL Regional Offices?**

☞ All SWA cases are being transferred according to the schedule described above. By 4/22/05, there should be no cases left in SWAs. All cases will be at one of the Backlog Processing Centers.

**Question: How do you know if any cases transferred from San Francisco Regional Office to the BPCs were lost?**

☞ The Backlog Processing Centers perform a reconciliation of the contents of each box with the manifest provided by the sender whether it is a Regional Office or a SWA. There have not been any lost cases.

**Question: Can we assume that if our Region’s cases have already been moved to a BPC, then these cases are among the earlier filing dates and we can expect them to be processed soon according to FIFO?**

☞ All cases, regardless of whether they were in a Regional Office or a SWA, will be processed according to FIFO, once entered into PBLs.

## **TIMING and ACCESS to INFORMATION on CASE STATUS**

**Question: Are all backlogged cases expected to be entered in the database by 3/28/05 so that employers can check status on-line?**

☞ We are not able to enter all cases into the database by 3/28/05. We are currently exploring steps that may be taken to accommodate inquiries regarding case status.

**Question: When do you expect the BPC will begin adjudicating cases?**

☞ The Backlog Processing Centers have begun to process cases from the Regional Offices that have been completely entered into PBLs and for which the Backlog Processing Center has received a response to the Notification Receipt letter.

**Question: In order for attorneys to be able to make a decision as to withdrawing a current case and refiling it as PERM, it is necessary to know (approximately) what the backlog is (or the priority date) of cases that are being handled at the BPC. Will something like this be made available?**

☞ We are currently exploring how we can inform the public of estimated processing time at a BPC.

**Question: What will happen to SWA opened cases if a SWA fails to complete the processing by 3/28/05? Will they go to the national processing queue for processing?**

☞ No, these cases will be forwarded to the Backlog Processing Centers. As noted earlier, by 4/22/05 all backlog cases will be at the Centers in Dallas and Philadelphia.

**Question: When will a public case information system be up and how will we access it?**

☞ We will be posting dates the Regional Offices and SWA shipped files to the BPCs on the home page of the Division of Foreign Labor Certification which is <http://workforcesecurity.doleta.gov/foreign/contacts.asp>.

**Question: Once the 45-day letter is received by a backlog center, approximately how soon will labor certification determinations be made?**

☞ We are unable to provide an exact timeframe for processing cases after the response to the 45-day letter is received. The processing of a case is dependent upon the timely and complete response of the applicant to all issues and to the FIFO status of a case.

## **REGIONAL OFFICES**

**Question: Regarding RIR cases sent from Atlanta: a) which BPC has them; b) how can we get an idea of processing times, and c) where we have a situation with children who are aging out in July, who can we contact?**

☞ Philadelphia will have all Atlanta cases and you should contact that Center, but please note that both BPCs operate under a “no expedite” policy.

**Question: How many Regional Offices are there now?**

☞ There are two Backlog Processing Centers (Philadelphia and Dallas), two National Processing Centers (Atlanta and Chicago), and three satellite offices (New York, Boston, and San Francisco).

***Question: Since Atlanta and Chicago are the only national processing centers, what are the functions of all other Regional Offices other than Dallas and Philadelphia?***

- ☞ All Division of Foreign Labor Certification (DFLC) field staff now report to the Chief of DFCLC and are responsible for processing both temporary and permanent labor certification applications. Staffs in Philadelphia, Dallas, San Francisco, Boston and New York are involved with the backlogged permanent labor applications and as of 3/28/05 staff in Atlanta and Chicago will process applications filed under the new PERM regulation.

U.S. Department of Labor

Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210



**MEMORANDUM TO:** State Workforce Agency Administrators

**FROM:**

William Carlson  
Chief, Division of Foreign Labor Certification

**SUBJECT:**

Technical Instructions for Shipping Unprocessed Permanent Foreign Labor Certification Cases from State Workforce Agencies (SWAs) to Backlog Processing Centers

**DATE:**

December 3, 2004

On September 29, 2004, Employment and Training Administration (ETA) Assistant Secretary, Emily Stover DeRocco provided you with our FY 2005 Foreign Labor Certification Transition Guidance which included ETA's plan to transfer unprocessed permanent labor certification cases from SWAs to the two newly opened Backlog Processing Centers in Philadelphia and Dallas. This memorandum provides SWAs with specific instructions regarding the schedule and logistics of this transfer.

The basic principle guiding the scheduling of the transfers is first-in, first-out (FIFO). ETA's Division of Foreign Labor Certification (DFLC) is committed to processing the oldest cases first in our backlog. For this reason, we have planned two shipments of unprocessed cases from the SWAs to the Backlog Processing Centers.

In the first shipment, SWAs must send all unopened cases in their system **with receipt dates prior to 2003**. This shipment must be received at each SWA's assigned Backlog Processing Center (see Attachment No. 1) no later than December 31, 2004. The second shipment, scheduled for receipt by your Backlog Processing Center by March 31, 2005, will include all remaining cases not in process at the state level by January 1, 2005. For cases open in your office past this date, we will provide additional guidance for the shipping of these cases.

Attachment No.1 identifies which Backlog Processing Center is assigned to receive and process cases from each SWA. Attachment No. 2 contains detailed shipping instructions prepared by our contractor, Team Exceed. These instructions specifically describe the steps to take to transfer cases from each SWA to the Backlog Processing Centers. As noted in the instructions, the contractor is responsible for providing shipping supplies and will pay for shipping costs through direct billing from UPS.

We are requesting that within **ten days** of the receipt of this memorandum, each SWA provide Team Exceed with the information requested in the shipping instructions (see Attachment No. 2, item IV).

Thank you for your cooperation and assistance in our joint efforts to re-engineer the permanent labor certification program. Please feel free to contact me at 202-693-3010 or Carole McCarthy at 202-693-3918.

cc: Jack Rapport, Administrator, Office of Field Operations  
Regional Administrators  
DFLC Center Directors

Attachments

***Employment and Training Administration***  
**Division of Foreign Labor Certification**  
Backlog Processing Centers  
and  
Corresponding State Workforce Agencies

**Philadelphia Backlog Processing Center**  
**One Belmont Avenue, Suite 220**  
**Bala Cynwyd, PA 19004**  
**Telephone (484) 270-1500**  
**Fax (484) 270-1600**

Alabama	Connecticut	Delaware	Florida
Georgia	Kentucky	Maine	Maryland
Massachusetts	Mississippi	New Hampshire	New Jersey
New York	North Carolina	Pennsylvania	Puerto Rico
Rhode Island	South Carolina	Tennessee	Vermont
Virgin Islands	Virginia	Washington, DC	West Virginia

**Dallas Backlog Processing Center**  
**700 North Pearl Street, Suite 400N**  
**Dallas, TX 75201**  
**Telephone (214) 237-9111**  
**Fax (214) 237-9115**

Alaska	Arizona	Arkansas	California
Colorado	Guam	Hawaii	Idaho
Illinois	Indiana	Iowa	Kansas
Louisiana	Michigan	Minnesota	Missouri
Montana	Nebraska	Nevada	New Mexico
North Dakota	Ohio	Oklahoma	Oregon
South Dakota	Texas	Utah	Washington
Wisconsin	Wyoming		

***Employment and Training Administration***  
**Division of Foreign Labor Certification**

Permanent Foreign Labor Certification Case Shipping Instructions from  
State Workforce Agencies to Backlog Processing Centers

**I. Purpose:** To provide State Workforce Agencies (SWAs) with shipping instructions for the transfer of unprocessed permanent foreign labor certification cases to the U.S. Department of Labor's (DOL) Dallas and Philadelphia Backlog Processing Centers.

**II. Overview:** This document outlines the steps and processes to be used by SWAs to prepare and ship permanent foreign labor certification cases to the Dallas or Philadelphia Backlog Processing Centers. DOL has instructed Team Exceed, the Backlog Processing Centers' contractor, to enter cases received by the centers using the first-in, first-out (FIFO) method. With FIFO, all cases will be prioritized by the date the case was first received by the SWA or local office. Accordingly, to assure FIFO processing, it is important that all cases be organized and shipped in compliance with these instructions.

**III. Points of Contact (see Exhibit A for contact information):** Mr. Charles Daniels is the initial point of contact for all coordination between SWAs and Team Exceed. Mr. Daniels will also serve as the point of contact for coordinating all SWA shipments destined to the Dallas Backlog Processing Center. Mr. Bill McIntire will serve as the back up-point of contact in Dallas.

Ms. Brenda Hunt will serve as the point of contact for coordinating all SWA shipments destined to the Philadelphia Backlog Processing Center. Mr. Bob Brabson will serve as the back-up point of contact in Philadelphia.

Questions about the specific steps and processes should be referred to Team Exceed at a Backlog Processing Center or to the Division of Foreign Labor Certification (DFLC), attention TATC Consulting, at the DOL National Office in Washington, DC.

**IV. Pre-Shipping Process:** Within **ten days** of receipt of these instructions, all SWAs must forward the following information to Charles Daniels so that shipping schedules can be fully coordinated (see Exhibit A for complete mailing address):

- a) SWA name and complete mailing address
- b) SWA Point of Contact (name, telephone number, and e-mail address)

- c) Approximate number of cases anticipated to be shipped as part of shipment 1 (i.e., cases with receipt dates prior to 2003) and shipment 2 (i.e., all remaining unopened cases)
- d) Approximate date range of cases to be shipped
- e) Preferred shipping date (s) and anticipated time required to complete all case shipments.

**V. Case Organization:** These instructions require cases to be organized, boxed, tracked and shipped in a manner that maintains the SWA local office date order and integrity. The instructions presume that any number sequencing of cases by the local office date order will be maintained within the boxing, tracking and shipping process. Sending the cases in order by date will facilitate processing of cases using the FIFO method. If the SWA does not currently maintain cases by the date a case was first received by the SWA or local office, we are requesting that SWAs organize cases in this order prior to boxing and shipping.

The SWA must identify and separate the cases designated for transfer and shipment in accordance with these instructions:

- a) Boxing of Cases: Cases are to be packed in shipping boxes in SWA or local office date order using the FIFO method. TR and RIR cases should be placed in separate boxes. *Example:* If a shipment from a SWA involves 10 boxes of TR cases and 10 boxes of RIR cases, boxes 1-10 should contain TR cases ranging from the “oldest” cases in box 1 to the “newest” cases in box 10. Boxes 11-20 should contain the RIR cases ranging from the “oldest” cases in box 11 to the “newest” cases in box 20.
- b) Creation of a Case Transfer Manifest: A manifest must be completed for each box to be shipped (See Exhibit B). The manifest must include the following information:
  1. Name of State
  2. Name of SWA
  3. Date of shipment
  4. The sequence number of the box (e.g. box 5 of 22)
  5. Date of receipt range: from\_\_\_\_to\_\_\_\_\_
  6. The number of cases in the box
  7. Type of cases (RIR or TR)
  8. The page number of the manifest (e.g., 1 of 2 if the box contains more than one manifest)
  9. A listing of the cases included in the box, by local office case number, local office date and SWA case number (if any)

10. Signatures of two SWA staff members as discussed below

Note: The information required in 9 above may be provided via a computer printout if the SWA uses this method of tracking cases and if this method is more feasible than creating a manual manifest. Please discuss this option with the assigned representative of Team Exceed.

- c) Audit of Shipping Box: Once a box is packed and a manifest is completed, an audit of each box should be performed that verifies the information contained on the manifest. Two SWA staff members should complete this audit and attest to it by signing the appropriate line on the manifest. Two Team Exceed staff members will attest to receipt of the material as described on the manifest.

**VI. Distribution of Manifests:** Upon completion of the Case Transfer Manifest, copies shall be made and a copy must be:

- a) Inserted into the respective box for inclusion in the shipment
- b) Retained by the SWA (This copy enables the SWA to identify the status of each case and the respective “box location” when answering inquiries)
- c) Transmitted to the appropriate Backlog Processing Center point of contact (see Exhibit A) via overnight delivery
- d) Transmitted to DFRC: attention TATC Consulting, in the DOL National Office (see Exhibit A) via overnight delivery.

**VII. Labeling of Box (see Exhibit C):** The box must be sealed and prepared for shipping. Preparation includes affixing the pre-printed shipping label supplied by Team Exceed and writing the following information on the exterior of the box with indelible ink:

- a) Date of shipment
- b) State Name
- c) SWA Name
- d) SWA Point of Contact
- e) Phone number
- f) Box Sequence (e.g., 6 of 18)
- g) Date range of cases included

h) Type of cases included- RIR or TR.

**VIII. Shipping of Boxes:** All boxes will be shipped from SWAs to either the Dallas or Philadelphia Backlog Processing Center using a shipping account number which Team Exceed will provide. The Dallas Processing Center, as soon as reconciliations are satisfactorily completed with the shipping company, will pay for services received.

### Shipping Process

Team Exceed will coordinate with each SWA point of contact to establish an acceptable case transfer timetable, consistent with the December 31, 2004 and March 31, 2005 dates required by this memorandum. Acceptable shipping schedule considerations with SWAs include:

- a) The total number of cases to be transferred
- b) The number of cases required by the Backlog Processing Centers to maintain an acceptable production level
- c) The ability of each Backlog Processing Center to receive a finite number of boxes each day.

As case shipment date ranges are agreed to between Team Exceed and the SWAs, Team Exceed will work with the shipping company's account representative to provide SWAs with the following:

- a) A local SWA shipping company account representative to create and manage box pickup requirements as SWAs pack boxes for shipment
- b) Boxes and adhesive tape for SWAs to pack cases for shipment
- c) Pre-printed shipping labels addressed to either the Dallas or the Philadelphia Backlog Processing Center
- d) Pre-addressed overnight envelopes for SWAs to forward manifests of each shipment to the respective centers.

As shipment plans are executed, Team Exceed will verify that the Backlog Processing Centers are receiving copies of manifests for each shipment. Team Exceed will also insure that reporting of boxes shipped by SWAs is being completed as requested.

After a SWA has completed shipping all cases, Team Exceed will advise the Department of Labor that the particular state has completed its case transfer.

## **Exhibit A**

### **Points of Contact**

**U.S. Department of Labor  
Division of Foreign Labor Certification  
Attention: TATC Consulting**

Point of Contact: Carole McCarthy  
Address: 200 Constitution Ave., N.W., Room C4311  
Washington, DC 20210  
Phone: 202-693-3918  
E-mail: mccarthy.carole@dol.gov

**Backlog Processing Center Contractor: Team Exceed in Dallas**

Point of Contact: Charles Daniels  
Address: 700 North Pearl St., Suite 400N  
Dallas, TX 75201  
Phone: 214-237-9123  
E-mail: Cdaniels@DAL.DFLC.US

Back-up POC: Bill McIntire  
Address: 700 North Pearl St., Suite 400N  
Dallas, TX 75201  
Phone: 214-237-9122  
E-mail: Bmcintire@DAL.DFLC.US

**Backlog Processing Center Contractor: Team Exceed in Philadelphia**

Point of Contact: Brenda Hunt  
Address: One Belmont Ave., Suite 220  
Bala Cynwyd, PA 19004  
Phone: 484-270-1561  
E-mail: Bhunt@PHI.DFLC.US

Back-up POC: Bob Brabson  
Address: One Belmont Ave., Suite 220  
Bala Cynwyd, PA 19004  
Phone: 484-270-1503

E-mail:

Bbrabson@PHI.DFLC.US

## Exhibit B

### Case Transfer Manifest

State Name: \_\_\_\_\_

SWA Sending Cases: \_\_\_\_\_

Date of Shipment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Box Number: \_\_\_\_\_ of \_\_\_\_\_

Date of Receipt Range: From \_\_\_\_\_ to \_\_\_\_\_

Number of Cases Included: \_\_\_\_\_

Type of Cases (RIR or TR) \_\_\_\_\_

Manifest: Page: \_\_\_\_\_ of \_\_\_\_\_

Signatures:

SWA

1. \_\_\_\_\_ 2. \_\_\_\_\_

Team Exceed

1. \_\_\_\_\_ 2. \_\_\_\_\_

Local Office Case # In box	Local Office Date of Case	SWA Case # (if any)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

**Exhibit C****Example of Supplementary Data to be placed on Boxes in  
Addition to the Shipping Company Label**

Date of Shipment:

State Name:

SWA Name:

SWA Point of Contact:

Phone Number:

Box Sequence (e.g., 6 of 18):

Date Range of Cases:

RIR or TR: