

# Filipino Reporter

**FAIR, FEARLESS, FACTUAL**

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## Requirements for job certifications listed

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In applying for a labor certification, there are specific requirements imposed for certain jobs. These jobs are: college or university teacher, live-in household domestic service worker, and performing artist.

In the cases of a college or university teacher, and performing artist documentation should prove that the employer selected the alien pursuant to a competitive recruitment and selection process through which the alien was found to be more qualified than any of the US workers who applied for the job.

In the case of a performing artist, the employer, in addition, should present the following:

• Documents testifying to the current widespread acclaim and international recognition accorded to the alien, receipt of internationally recognized prizes or awards of excellence;

• Documents showing the alien's work experience during the past year did require exceptional ability and the alien's intended work in the United States will require exceptional ability;

• Published material by or about the alien such as critical reviews in major news-

papers, periodicals and trade journals. The title, date and author of such materials should be indicated;

• Documentary evidence of earnings commensurate with the claimed level of ability;

• Playbills and star billings;

• Documents attesting to the outstanding reputation of theaters, concert halls, night clubs and other establishments in which the alien has appeared or is scheduled to appear; and/or

• Documents attesting to the outstanding reputation of repertory companies, ballet groups, orchestras or other organizations with which the alien has performed during the past year in a leading or starring capacity.

If the application for labor certification involves a job offer as a live-in household domestic service worker, it must be accompanied by 1) a statement describing the household living accommodations; 2) two copies of the employment contract, each signed and dated by both the employer and the alien; and 3) documentation of the alien's paid experience.

The contract must clearly state: a) the

wages to be paid on an hourly and weekly basis; b) total hours of employment per week, and exact hours of daily employment; c) that the alien is free to leave the employer's premises during all non-work hours except that the alien may work overtime at no less than the legally required hourly rate; d) that the alien will reside on the employer's premises; e) complete details of the duties to be performed by the alien; f) the total amount of any money to be advanced by the employer with details of specific items, and the terms of repayment by the alien of any such advance by the employer;

g) that in no event shall the alien be required to give more than two weeks' notice of intent to leave the employment contracted for and that the employer must give the alien at least two weeks' notice before terminating employment; h) that a duplicate contract has been furnished to the alien; i) that room and board will be provided at no cost to the worker; and j) any other agreement or conditions.

Documentation of the live-in domestic's experience should include past and present employment. It should set forth the dates her employment started and ended, hours of work per day, number of days worked per week, place where the alien worked, detailed statement of duties performed on the job, equipment and appliances used, and the amount of wages paid per week or month. The total paid experience must be equal to one full year's employment on a full-time basis.