#### U.S. Department of Labor Attestation by Employers Using Alien Crewmembers for Longshore Activities **Employment and Training Administration** U.S. Employment Service at Locations in the State of Alaska OMB Approval No 1205-0352 5. Name of U.S. Agent 1. Full Legal Name of Company Expires: ALASKA MARITIME AGENCIES EIMSKIP JAPAN CO., LTD. 08/31/2008 6. U.S. Business Address of Agent 2. Headquarters Address (No., St., City, State, ZIP Code) (No., St., City, Town, State, ZIP Code, Country) 21905 - 64th Ave. W., Suite 301A IWAMOTO CHO SY BLDG., 6TH FL; 3-9-4 IWAMOTO-CHO; CHIYODA-KU Mountiake Terrace, WA 98043 TOKYO 101-0032 JAPAN 7. Telephone (Area Code and Number) 3. Telephone (Area Code and Number) 425-329-1000 +81 (3) 5833-6763 Fax (Area Code and Number) 425-329-1009 Name of Chief Executive Officer Mr. Yoshito OYANAGI (Managing Director) EMPLOYER ATTESTATION (Use attachment if additional space is needed or multiple locations are covered.) (a) It is anticipated that longshore activities will be performed at the following times and locations in the State of Alaska (Check appropriate box(es) below for each activity of longshore work to be performed): Location (name of port, city, or other geographical reference point) First Performance of Activity (Month/Day/Year) SEE ATTACHED LIST OF ALASKA LOCATIONS MARCH 17, 2012 区 (ii) Unloading cargo 区 (i) Loading cargo Handling of mooring lines 区 (iii) Operation of cargo-related equipment ☐ (iv) \*\*\*\*\* SEE ATTACHED "8(a) ADDITIONAL INFORMATION SHEET" \*\*\*\*\* Before using alien crewmen to perform any longshore activity, a bona fide request will be made to the parties to whom notice has been provided under Item 8(e)(ii) and (iii) below, for United States longshore workers who are qualified and available in sufficient numbers to perform the longshore activity at the particular time and location, except that: (i) wherever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in 8(e)(i) below, the request for longshore workers may be made to only one such contract stevedoring company, and (ii) 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. All United States longshore workers who are made available in response to the request for dispatch as attested at item 8(b) above and who

are qualified, available in sufficient numbers, and needed to perform the longshore activity at the particular time and location, will be employed to perform such activity.

The use of alien crewmembers in my 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.

As of this date, notice of this attestation has been provided to (include copies of actual notices): M

(i) Labor organizations which have been recognized as exclusive bargaining representatives of United States longshore workers and which make available or intend to make available longshore workers to the particular location(s) where the longshore work is be performed;

(ii) Contract stevedoring companies which employ or intend to employ United States longshore workers at the particular location(s) where the longshore work is to be performed; and

(iii) Operators of private docks at which workers in my employ will perform any longshore activity.

9. DECLARATION OF EMPLOYER: Pursuant to 28 U.S.C. 1746, I declare under penalty accompanying documentation is true and correct. In addition, I declare that I will comp program and, in particular, that I will make this attestation, supporting documentation, an of the Department uppn such official's request, during any investigation under this attestation.	ily with the Department of Labor regulations governing this and other records, files and documents available to officials
(Vincent Addington-Ferris)	JANUARY 20, 2012
Signature of Chief Executive Officer (or U.S. Agent or Representative)	Date
FOR U.S. GOVERNMENT AGENCY USE ONLY: By virtue of my signature below, I acknowledge of the longshore activities at locations in the longshore activities at locations at locatio	months from beginning date).
Signature of Authorized DOL Official	H00045 ETA Case No.
Subsequent DOL action: Suspended Invalidated	Withdrawn

The Department of Labor is not the guarantor of the accuracy, truthfulness or adequacy of an attestation accepted for filing. 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 (PL 103-206, 107 Stat. 2419, INA, Section 258). Put lic reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send 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, U.S. Employment Service, Room N-4456, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0309).

#### ATTESTATION BY EMPLOYERS USING ALIEN CREWMEMBERS FOR LONGSHORE ACTIVITIES AT LOCATIONS IN THE STATE OF ALASKA

IMPORTANT: READ CAREFULLY BEFORE COMPLETING FORM

Submit the completed original Form ETA 9033-A with accompanying documentation along with two copies of the form and accompanying documentation. Attestations 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 of 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 an attestation for that location at that time. Attestations must be submitted to the ETA regional office at 1111 3rd Ave., Suite

To knowingly furnish any false information in the preparation of this form and any supporting documentation thereto, or to aid, abet or counsel another to do so is a felony, punishable by \$10,000 fine or five years in the penitentiary, or both (18 U.S.C. 1001). Other penalties apply as well to fraud and misuse of this immigration document (18 U.S.C. 1546) and to perjury with respect to this form (18 U.S.C. 1546 and 1621).

Print legibly in ink or use a typewriter. Sign and date one form in original signature. Citations below to "regulations" are citations to 20 CFR Part 655, Subparts F and G.

- Item 1. Full Legal Name of Company. Enter full legal name of business, firm or organization, or, if an individual, enter name used for legal purposes on documents.
- Item 2. Headquarters Address. Self-explanatory.
- Item 3. Telephone Number. Include area code or international calling code.
- Item 4. Name of Chief Executive Officer. Self-explanatory.
- Item 5. Name of U.S. Agent. Self-explanatory.
- Item 6. U.S. Business Address of Agent. This address must be in the U.S.
- Item 7. Telephone Number. Include fax number, if available.
- Item 8. Employer Attestations. An employer must attest to the conditions listed in elements (b) through (e). The attestation will only be accepted for filling if the required documentation supporting elements 8(e) is attached to the Form ETA 9033-A. See § 655.537 of the regulations for guidance on the documentation that must be attached to the Form ETA 9033-A to support element 8(e). The employer must check the appropriate box(es) 8(a)(i) through (iv) for each of the particular activities of longshore work to be performed.
- Item 8(a). Bona Fide Request for Dispatch of U.S. Longshore Workers. The employer must attest that, before using alien crewmen to perform longshore work, he will make a bona fide request for 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 8(e)(ii) and (iii). Wherever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in attestation element 8(e)(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.

- Item 8(b). Employment of all Qualified U.S. Longshore Workers Made Available in Sufficient Numbers. 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 8(b), who are qualified and available in sufficient numbers 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.
- Representative Election. The employer must attest the 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 a detailed explanation of this attestation element.
- Item 8(d). 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. See § 655.537 of the regulations for a detailed explanation of this attestation element.
- Item 9. Declaration of Employer. One copy of this form must bear the original signature of the chief executive officer (or the chief executive officer's U.S. agent or designated representative) unless filing by facsimile transmission. See § 655.533(2)(a) of the regulations if filing by facsimile transmission. By signing this form, the chief executive officer is attesting to the conditional listed in items 8(b) through (e) and to the accuracy of the information provided elsewhere on the form and in the supporting documentation. False statements are subject to Federal criminal penalties, as stated above.

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If the attestation bears the necessary entries of information and documentation, the Department of Labor may accept the attestation for filing and shall document such acceptance on each of the three Form ETA 9033-A's submitted. A copy of the attestation form indicating the Department's acceptance, or notification of nonacceptance, will be returned to the employer. A copy of this attestation, along with accompanying documentation, will be available for public inspection at the Division of Foreign Labor Certifications, United States Employment Service, Room N-4456, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

### ALASKA EXCEPTION "LOCATIONS" LIST (2 Pages)

Attestor: Eimskip Japan Co., Ltd..

Date: January 20, 2012

First Performance of Activity: March 17, 2012---All locations Activity: (i) Loading Cargo; (ii) Unloading Cargo; (iii) Operation of

cargo-related equipment.---All locations

Location: See list below

## PRINCE WILLIAM SOUND, ALASKA LOCATIONS

Cordova

Fox Farm (Shelter Bay; east of Evans Island)

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)

Tatitlik Narrows

Thumb Bay (Knight Island)

Two Moon Bay

Unakwik Inlet

Valdez

Zaikof Bay (Montague Island)

# SOUTH CENTRAL/COOK INLET ALASKA LOCATIONS

Anchorage

Eldred Passage (Kenai Peninsula)

Halibut Cove (Kenai Peninsula near Homer)

Homer

Iniskin Bay (West side of Cook Inlet)

Kamishak Bay (West side of Cook Inlet)

Kasitsna Bay (Kenai Peninsula)

Peterson Bay (Kenai Peninsula)

Port Graham

Sadie Cove (Kenai Peninsula)

Attestor: Eimskip Japan Co., Ltd..

Date: January 20, 2012

First Performance of Activity: March 17, 2012---All locations Activity: (i) Loading Cargo; (ii) Unloading Cargo; (iii) Operation of

cargo-related equipment.---All locations

Location: See list below

#### COOK INLET ALASKA LOCATIONS (CONT.)

Seldovia

Seward

Tutka Bay (Kenai Peninsula)

#### KODIAK/AFOGNAK ISLANDS & ALASKA PENINSULA LOCATIONS

Afognak Bay (Afognak Island)

Alitak Bay (South end of Kodiak Is.)

Dry Spruce Bay (Kodiak Island)

Izhut Bay (SE side of Afognak)

Kazakof Bay (Afognak Island)

Kiliuda Bay (East side Kodiak)

Kizhuyak Bay (North side, Kodiak Is.)

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 Harbor (East side of Kodiak Is.)

Paramanof Bay (Afognak Island)

Perenosa Bay (Afognak Island)

Port Bailey (Dry Spruce Bay; north end of Kodiak Is.)

Red Fox Bay (Afognak Island)

Seal Bay (Afognak Island)

Spiridon Bay (Afognak Island)

Tonki Bay (Afognak Island)

Uganik Bay (NW side of Kodiak Is.)

Uyak Bay (West side of Kodiak Island)

Viekoda Bay (NW side of Kodiak Island)

Zachar Bay (West side of Kodiak Island)

END