

Labor Organization Certification

Legal Applicant Organization: _____
Program Name: _____

Instructions: Carefully consider the three options on the Labor Organization Form and check all the boxes that apply to your program. An applicant must check at least one box. The form must be signed by an authorized applicant representative and include the required supporting documentation.

Definitions:

Service Sponsor: According to SEC. 101(25) [42 USC 12511(25)], the term “service sponsor” means an organization, or other entity, that has been selected to provide a placement for a participant.

Program Applicant: For the purposes of this section, the Corporation’s definition for “program applicant” includes any applicant to the Corporation or a State Commission, as well as any entity applying for assistance or approved national service positions through a Corporation grantee or subgrantee.

[1] Labor Organization Concurrence Required and Obtained. The program applicant is serving as the service sponsor, and has obtained the written concurrence of any local labor organization representing employees of the service sponsor who are engaged in the same or substantially similar work as that proposed to be carried out. Concurrence(s) are submitted with this certification. (42 U.S.C. § 12582(f)(1).) Written concurrence can be in the form of a letter or email from the local union leadership.

[2] Labor Organization Consultation Required. Prior to the placement of participants, program applicant has consulted with the appropriate local labor organizations, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program to ensure compliance with the federal nondisplacement requirements, as set forth at 42 U.S.C. section 12637. (42 U.S.C. § 12583(c)(2).) Documentation showing such consultation is kept on file with program applicant and is available for review upon request.

Written description must be submitted with this certification describing how the applicant will ensure that:

- a) AmeriCorps members won’t be placed in positions that were recently occupied by paid staff; and
- b) No AmeriCorps member will be placed into a position for which a recently resigned or discharged employee has recall rights as a result of a collective bargaining agreement, from which a recently resigned or discharged employee was removed as a result of a reduction in force, or from which a recently resigned/discharged employee is on leave or strike.

[3] Neither Labor Organization Concurrence Nor Labor Organization Consultation Required. The program applicant is not required to obtain labor organization concurrence, because there are no local labor organizations representing employees of the service sponsor who are engaged in the same or substantially similar work as that proposed to be carried out *and* the program applicant is also not required to consult with labor organizations, because there are no appropriate local labor organizations representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by the program applicant. Written justification is submitted with this certification.

Signature of Authorized Legal Applicant

Date

Print Name

Title of Person Signing