



OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM
U.S.A.

EXECUTIVE ORDER NO. 2012-04

RELATIVE TO AMENDING EXECUTIVE ORDER NO. 2000-10 TO
PROMOTE ON-THE-JOB TRAINING AND THE HIRING APPRENTICES
FOR GOVERNMENT OF GUAM CONSTRUCTION PROJECTS

WHEREAS, on April 11, 2000, Executive Order No. 2000-10 *Relative to Enhancing the Apprentice Training Program Through Hiring of Apprentices for Government of Guam Construction projects* was enacted for the purpose of requiring the employment of apprentices to assist the Guam Department of Labor in encouraging the employment and training of local labor in the construction industry; and

WHEREAS, since the enactment of Executive Order No. 2000-10, other certified apprentice training programs, including programs supported by the Department of Public Works which offer on-the-job (OJT) training, have become available to supplement the existing programs offered by the Guam Contractors Association and the Guam Community College; and

WHEREAS, apprenticeship programs provide valuable local labor opportunities for individuals desiring to learn new skills and enter the construction industry, thus lowering unemployment levels and reducing dependency on alien workers; and

WHEREAS, it is in the best interest of the Territory to require the employment of apprentices on Government of Guam construction projects; and

NOW, THEREFORE, I, EDWARD J.B. CALVO, I Maga'lahaen Guåhan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby ORDER that Executive Order No. 2000-10 is amended and re-enacted as follows:

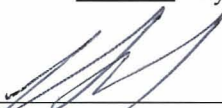
1. **Government Policy.** It is the policy of the Government of Guam that all construction projects funded in whole or in part by local or federal funds shall require the contractor to employ at least One (1) apprentice for every Ten (10) workers for the duration of each project, and not less than One (1) apprentice per project. This requirement may only be waived if the contracting agency certifies that no apprentice is available.
2. **Application to All Construction of Public Works Projects over One Hundred Thousand Dollars (\$100,000).** This Executive Order applies to all public works construction projects such as the erection, maintenance, rehabilitation, repair, or demolition of any public building, roadway, or any public facility as defined in




§50106 of Title 5, Guam Code Annotated, and applies to all departments, agencies, and public corporations within the Government of Guam, including autonomous agencies. It also applies only to projects over One Hundred Thousand Dollars (\$100,000).

3. **Qualification of Apprenticeship Programs.** Individuals enrolled in an apprenticeship program approved or sponsored by the Department of Public Works, including but not limited to any apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training, or the Guam Community College, or the Guam Contractors Association shall qualify as being eligible apprentices for purposes of this Executive Order.
4. **On-the-Job Training.** In lieu of persons enrolled in a formal apprenticeship program, a contracting agency may authorize contractors to employ individuals who will be supervised and engaged in on-the-job (OJT) training. The number of OJT apprentices employed in lieu of a single formal apprentice shall be determined by the contracting agency depending on the nature and size of the particular construction project.
5. **Monitoring and Enforcement.** The Procurement Officer of the contracting agency shall monitor and enforce compliance with this Executive Order.
6. **Part of any Invitation for Bid or Request for Proposal.** Every Government of Guam department, agency, or public corporation shall make compliance with this Executive Order a material part of any construction project solicitation and resulting contract.
7. **Guam Department of Labor to Inform Employers.** The Guam Department of Labor shall inform all employers applying for H-2 alien labor certification that to qualify for Government of Guam construction projects, all conditions of this Executive Order must be met.

SIGNED AND PROMULGATED at Hagåtña, Guam this 17th day of February, 2012.


EDWARD J. B. CALVO
I Maga'lahaen Guåhan
Governor of Guam

COUNTERSIGNED:


RAYMOND S. TENORIO
I Segunduna Maga'lahaen Guåhan
Lieutenant Governor of Guam

