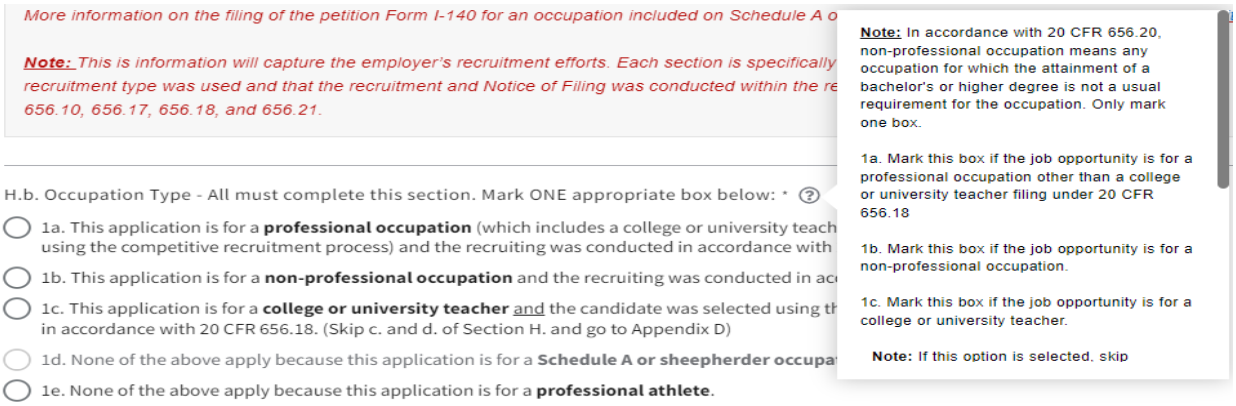
FLAG.DOL.GOV

*FLAG has been optimized to work with Google Chrome, Safari, and Mozilla Firefox.

Note: This document does not replace the OMB approved form instructions. Please reference the OMB approved form instructions for further details in completing the form.

General Instructions:

- Your response to preliminary questions will determine the mandatory fields and/or appendices that you will be required to complete.
- Each question in the form will feature a question mark symbol. Placing your cursor over this symbol will provide further details as documented in the 9089 form instructions.

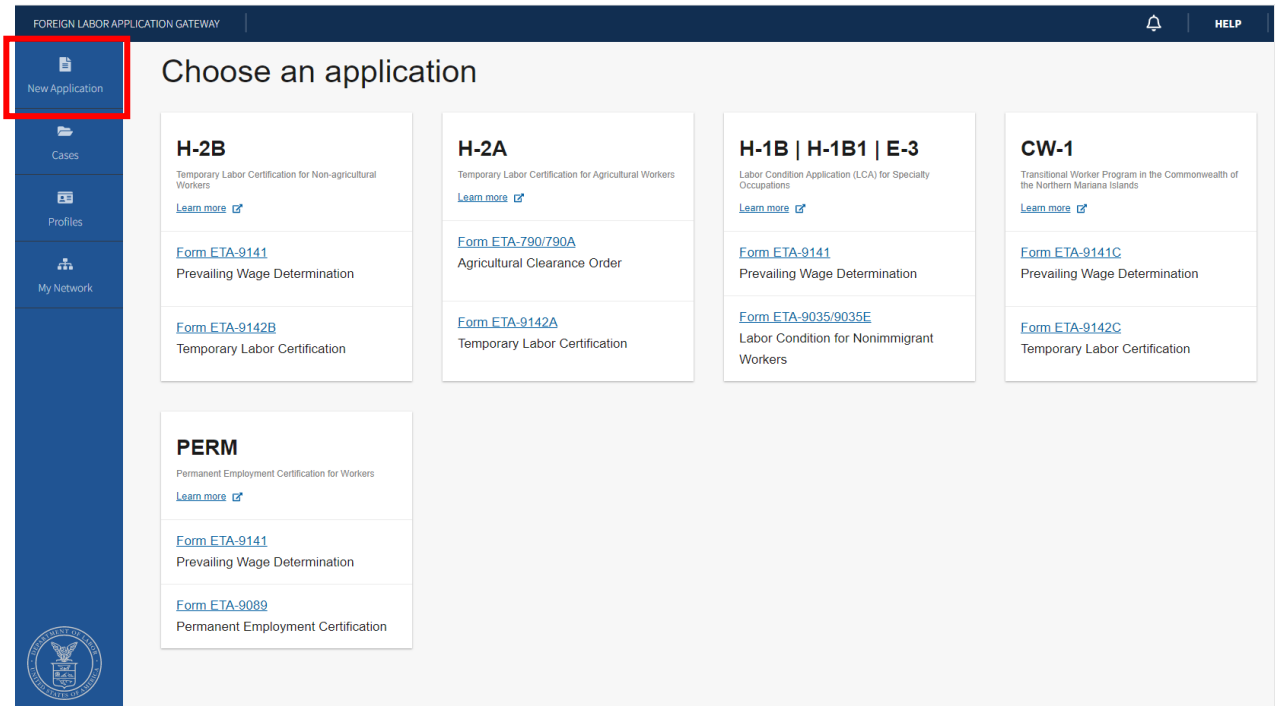


- To upload files in FLAG, select "browse" and select the file you wish to upload. Please note that the file types are limited to pdf, doc, docs, txt, xls, and xlsx. The maximum file size is 30MB.

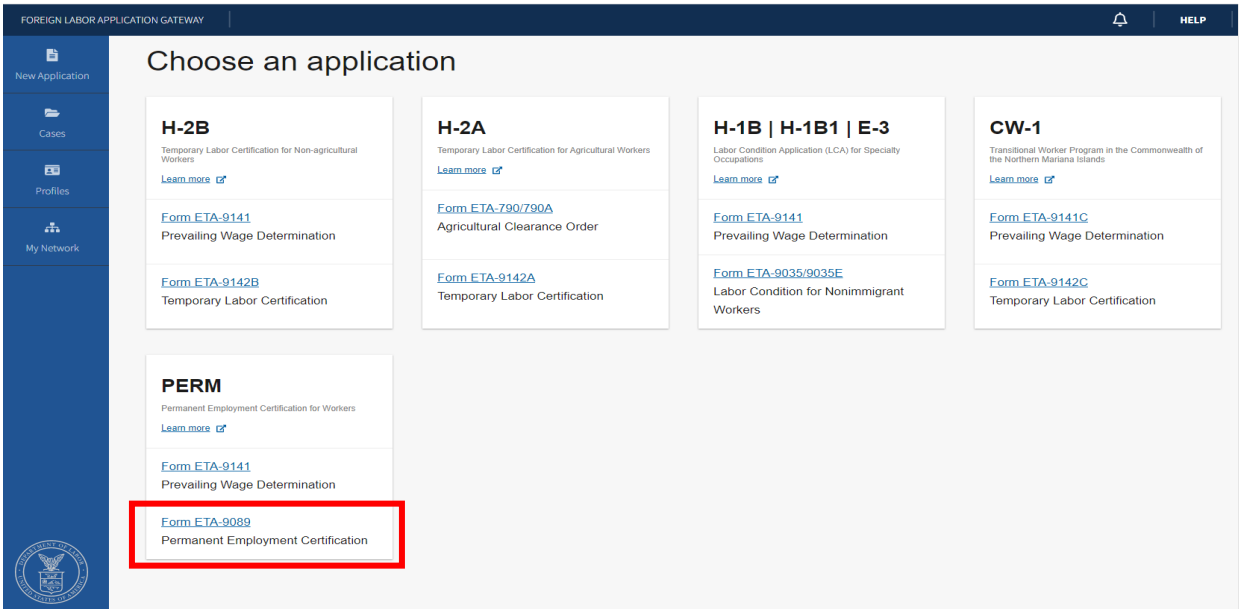
HOW TO SUBMIT AN ETA-9089 APPLICATION IN FLAG.DOL.GOV

1. Ensure that you have created an account using Login.gov. Please use your Login.gov credentials to access Foreign Labor Application Gateway.

2. Once logged in, the "New Application" tab will automatically launch. The "New Application" tab is used to begin the application process.



3. Select “Form ETA-9089" under “PERM” to begin filling out an ETA-9089 application.



4. **Preliminary Questions**: Select the occupation type (H.b.) for your application by selecting the appropriate radio button.

H.b. Occupation Type - All must complete this section. Mark ONE appropriate box below: * Clear

- (●) 1a. This application is for a **professional occupation** (which includes a college or university teacher not selected using the competitive recruitment process) and the recruiting was conducted in accordance with 20 CFR 656.17(e)(1).
- ( ) 1b. This application is for a **non-professional occupation** and the recruiting was conducted in accordance with 20 CFR 656.17(e)(2).
- ( ) 1c. This application is for a **college or university teacher** and the candidate was selected using the **competitive recruitment process** in accordance with 20 CFR 656.18. (Skip c. and d. of Section H. and go to Appendix D)
- ( ) 1d. None of the above apply because this application is for a **Schedule A or sheepherder occupation**.
- ( ) 1e. None of the above apply because this application is for a **professional athlete**.

H.a. Is the employer required, by notice from a Certifying Officer, to currently undergo supervised recruitment in accordance with 20 CFR 656.21? *

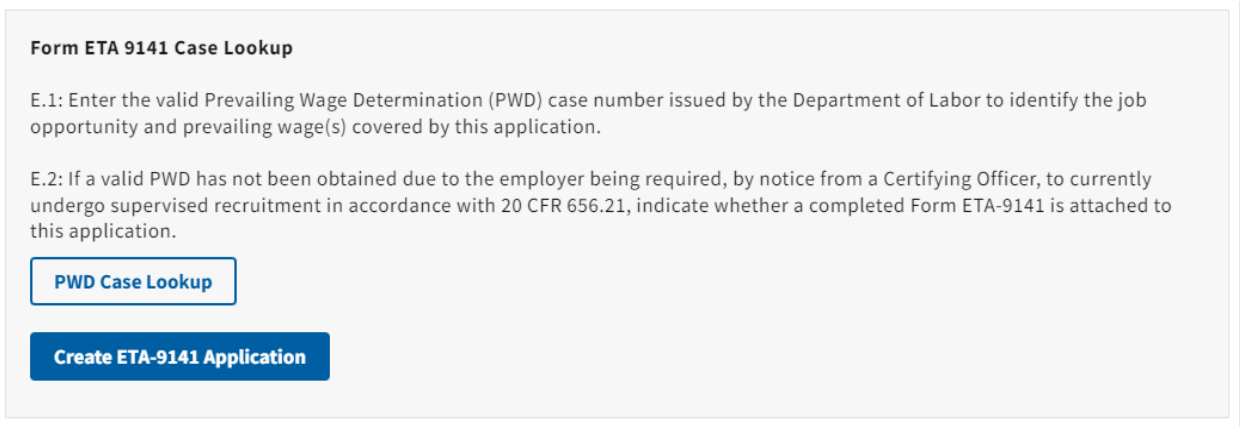
- ( ) Yes
- ( ) No

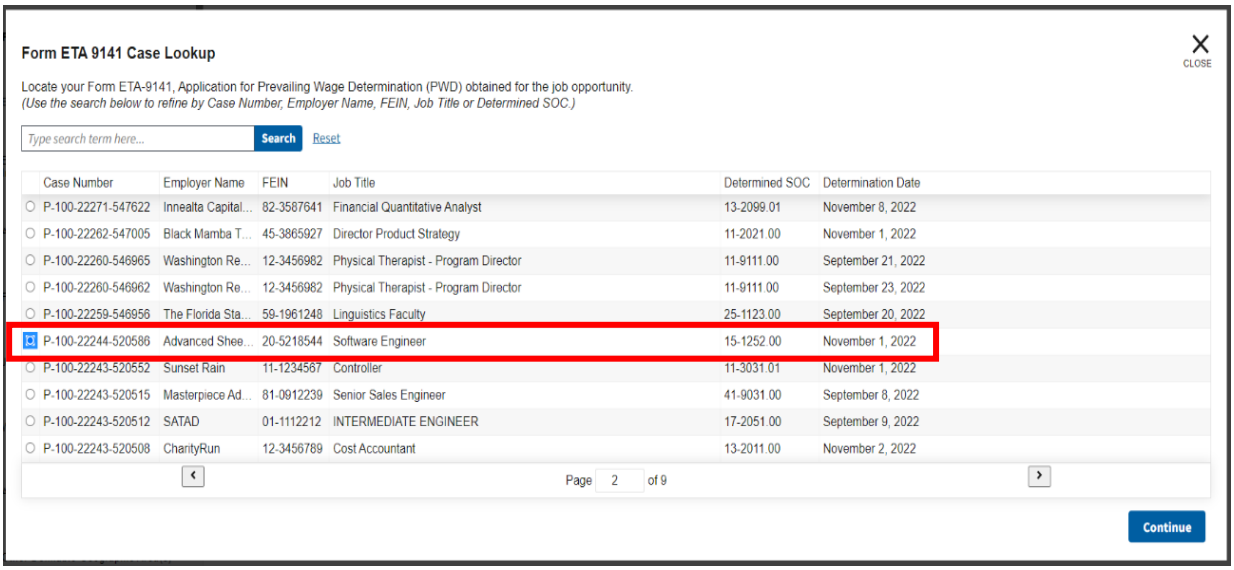
5. For question H.a., select “No” if you’re not subject to supervised recruitment; otherwise select “Yes” and upload the Notice of Supervised Recruitment (NSR).

How to link a Prevailing Wage Determination (PWD) to your ETA-9089 application

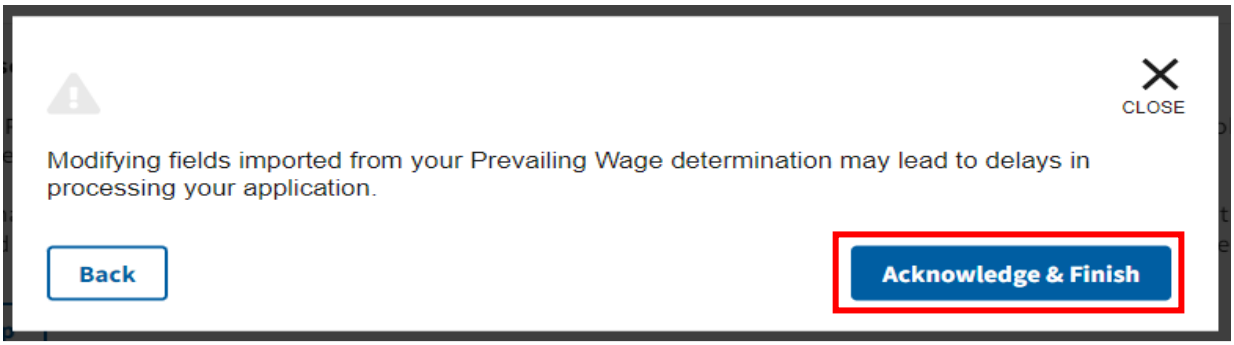
1. To link a PWD, select "PWD Case Lookup". This will bring up a pop-up window where you can select the appropriate PWD. Select the correct PWD and click "Continue".

2. If no PWD has been created, click on "Create ETA-9141 Application".

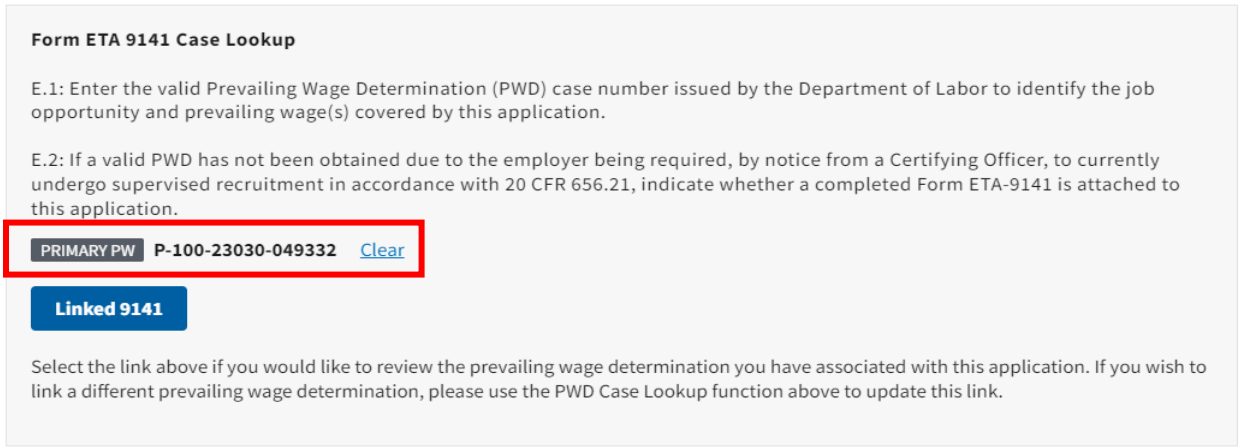




3. The user will receive a notification. Click “Acknowledge & Finish”.

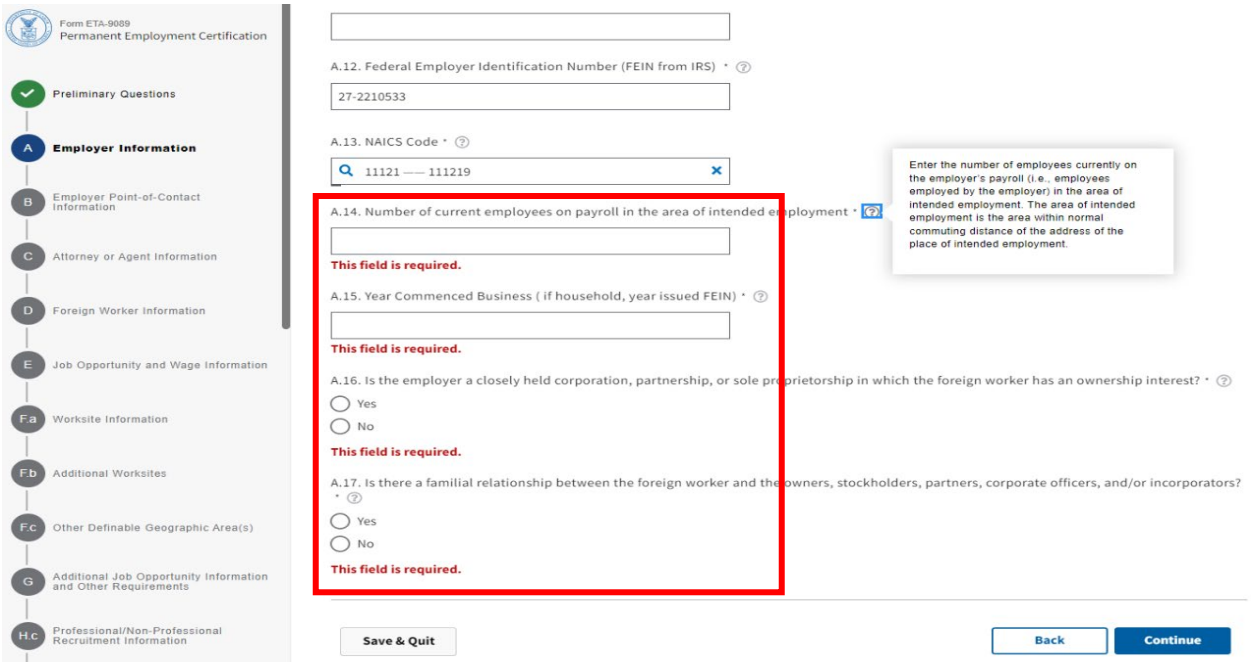


4. Once your PWD is linked to the application you will find the PWD identification number as listed in the example below. You may click the link to see the PWD or click “Clear” to remove the Primary PW. When ready, please click “Continue”.



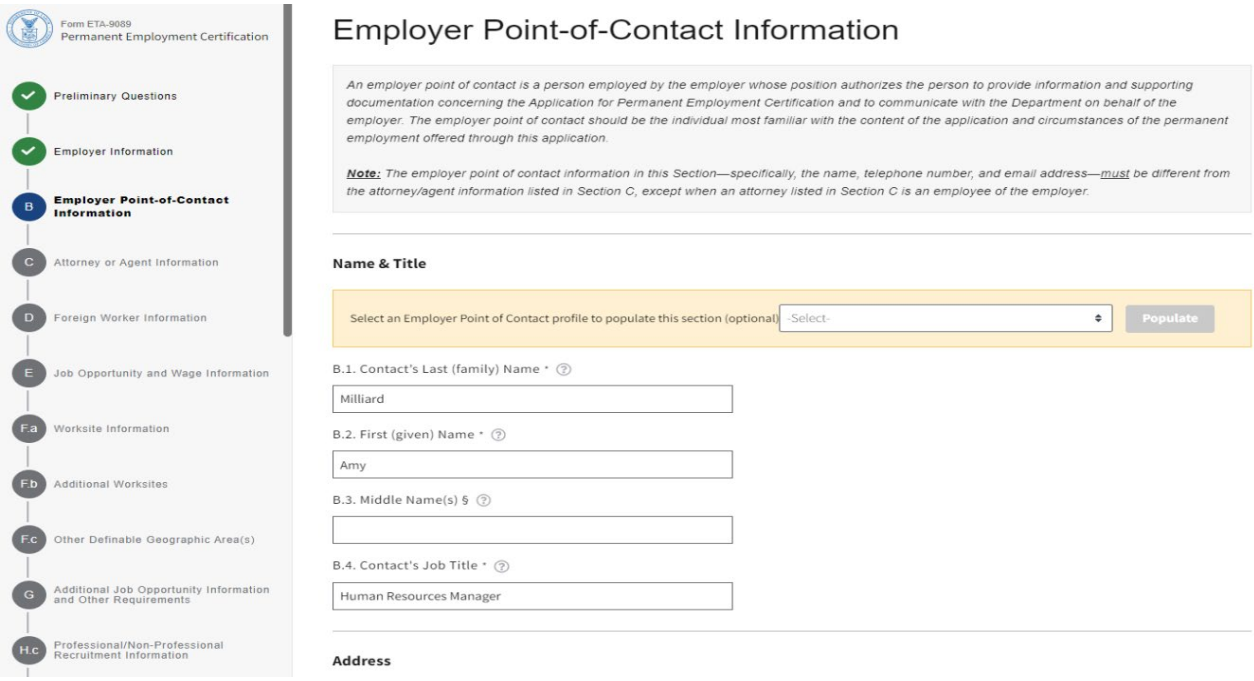
Employer Information

1. Fields in this section will be pre-populated from your PWD. Verify information is correct and complete mandatory fields.



Employer Point-of-Contact Information

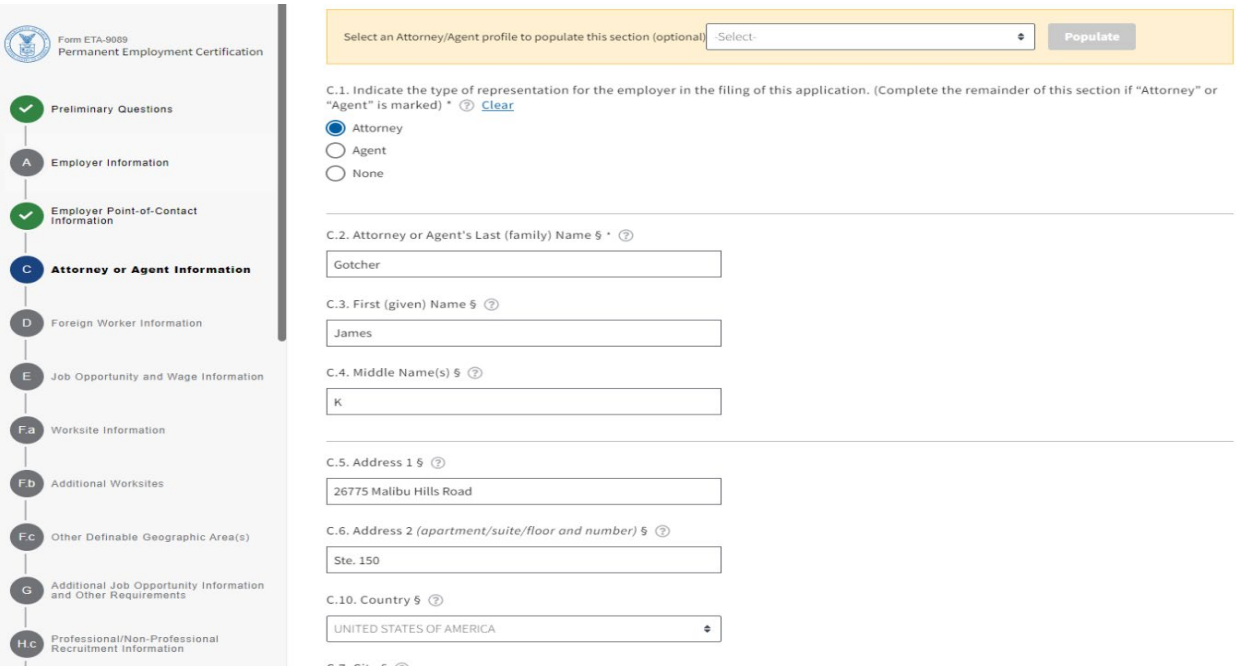
1. Fields in this section will be pre-populated from your PWD. Verify information is correct and complete mandatory fields.



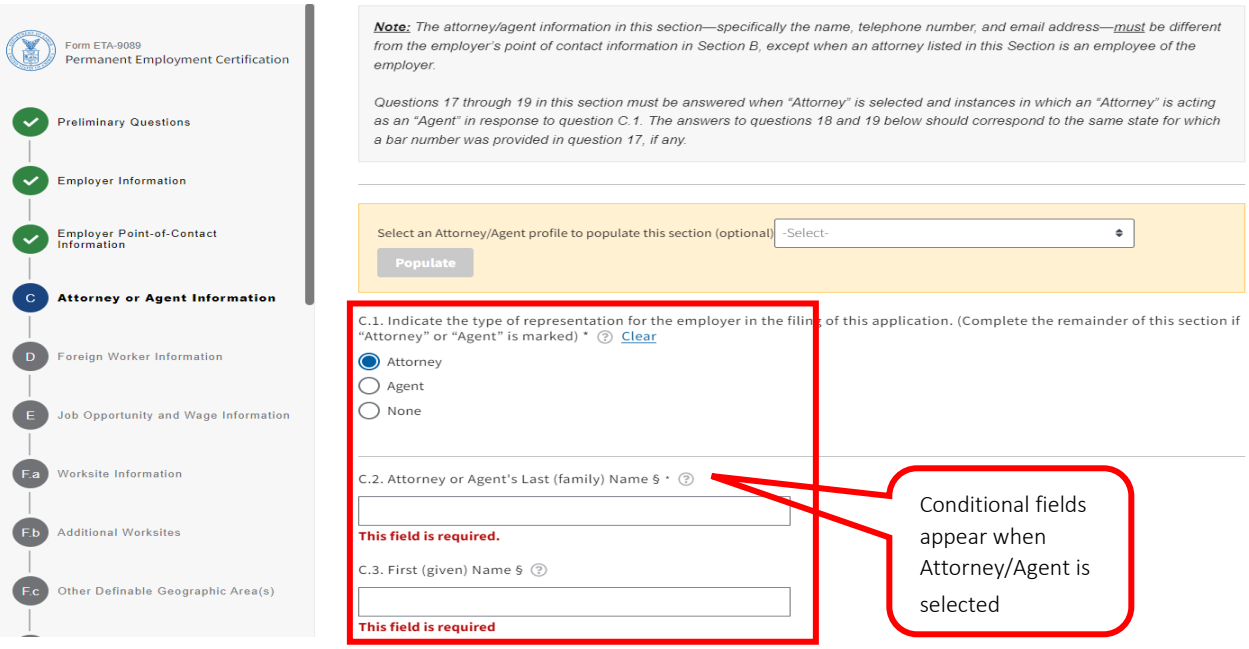
Attorney or Agent Information

1. Fields in this section will be pre-populated from your PWD.

2. For question C.1., select the Employer's type of representation.



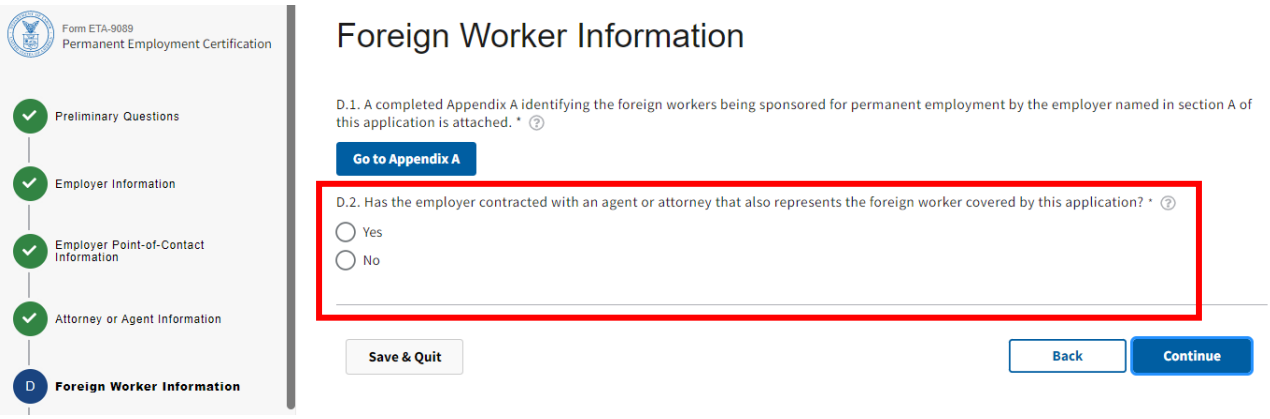
3. Otherwise, you may select an attorney/agent from your profiles to populate this section or manually enter the information. If unrepresented, select "None." Click "Continue."



Foreign Worker Information

1. The foreign worker section ties into Appendix A, where information is collected about the Foreign Worker and their education, qualifications, skills, and experience.

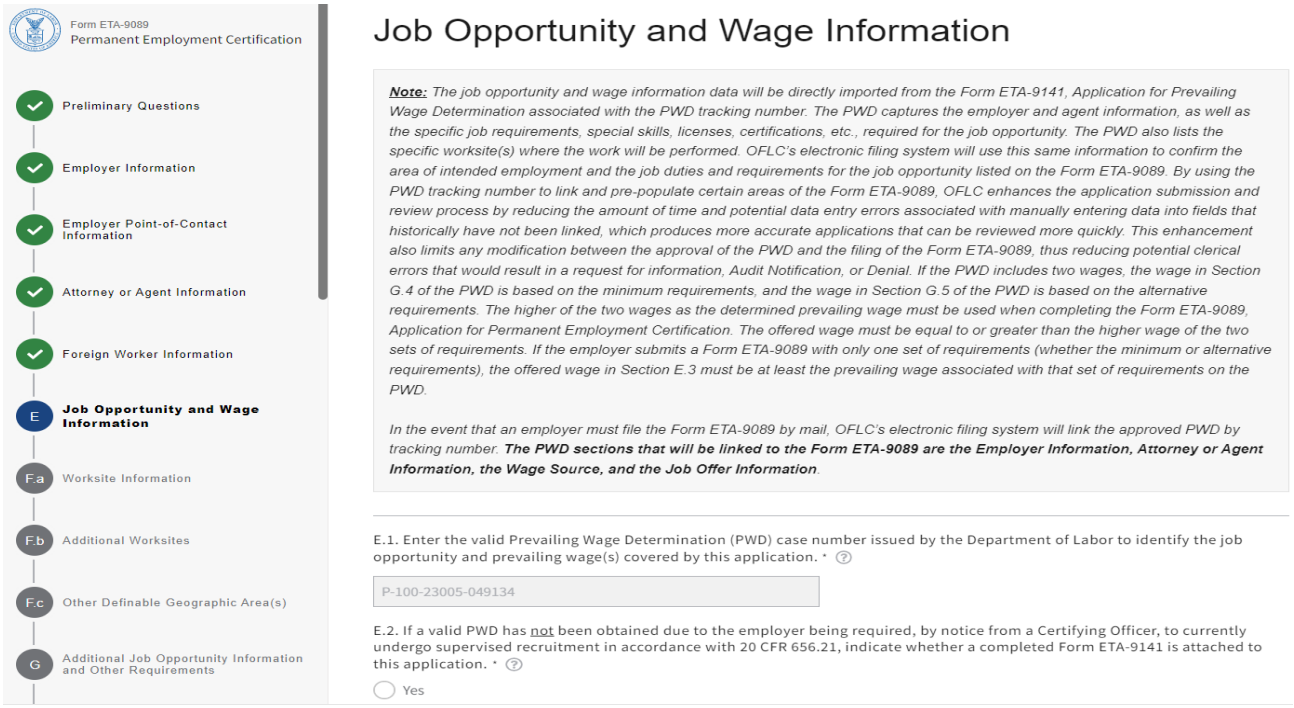
2. Choose the appropriate answer for question D.2.



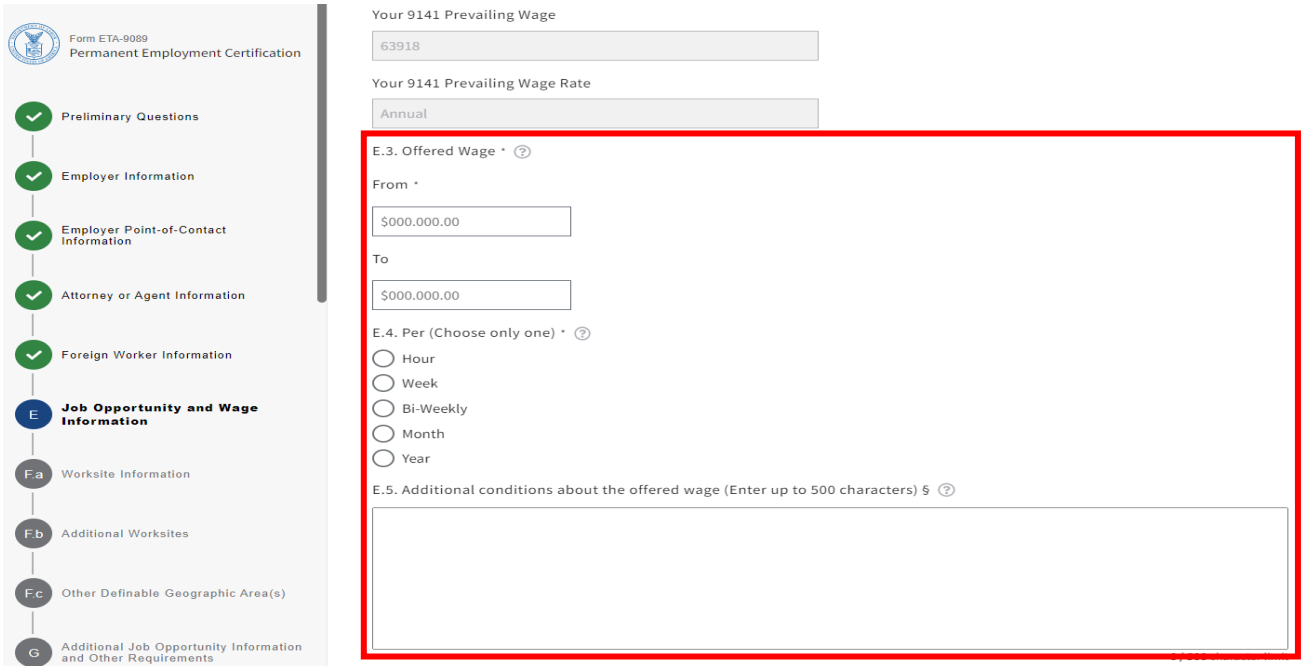
Link to Appendix A section of User Guide.

Job Opportunity and Wage Information

1. Under Job Opportunity and Wage Information, fields E.1 and E.2 were pre-populated by the linked PWD. Note that these fields are grayed out and cannot be edited.

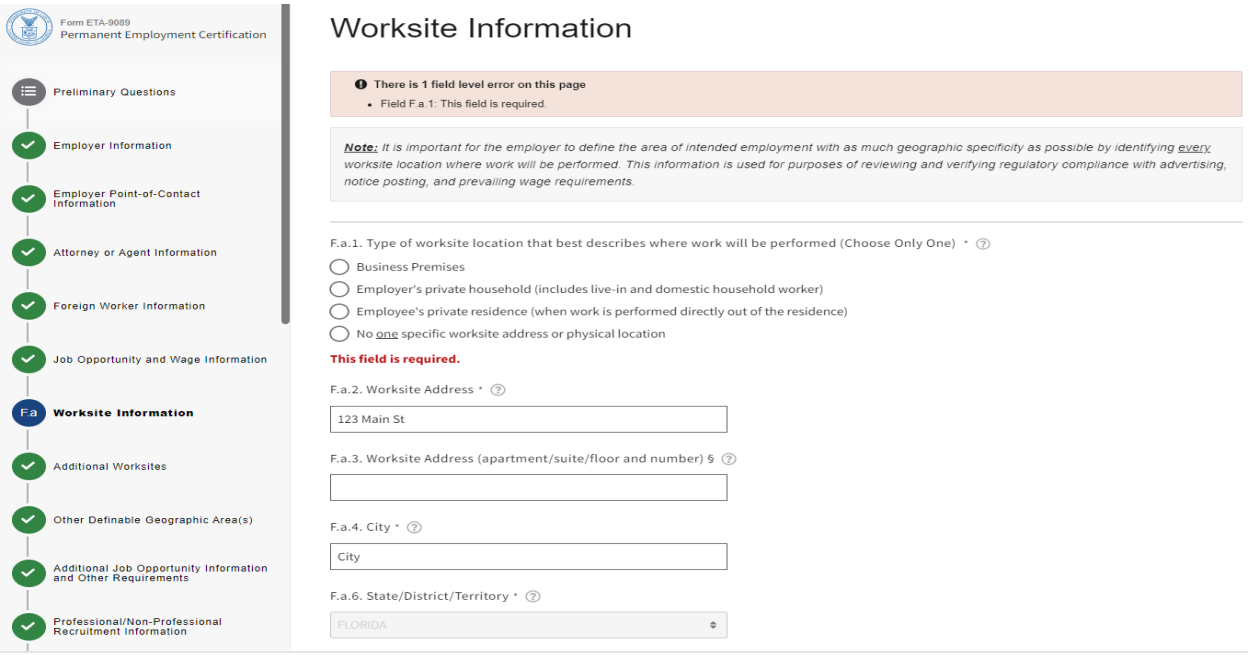


2. Enter the wage data into the Offered Wage fields (E.3. – E.5.) and click "Continue".

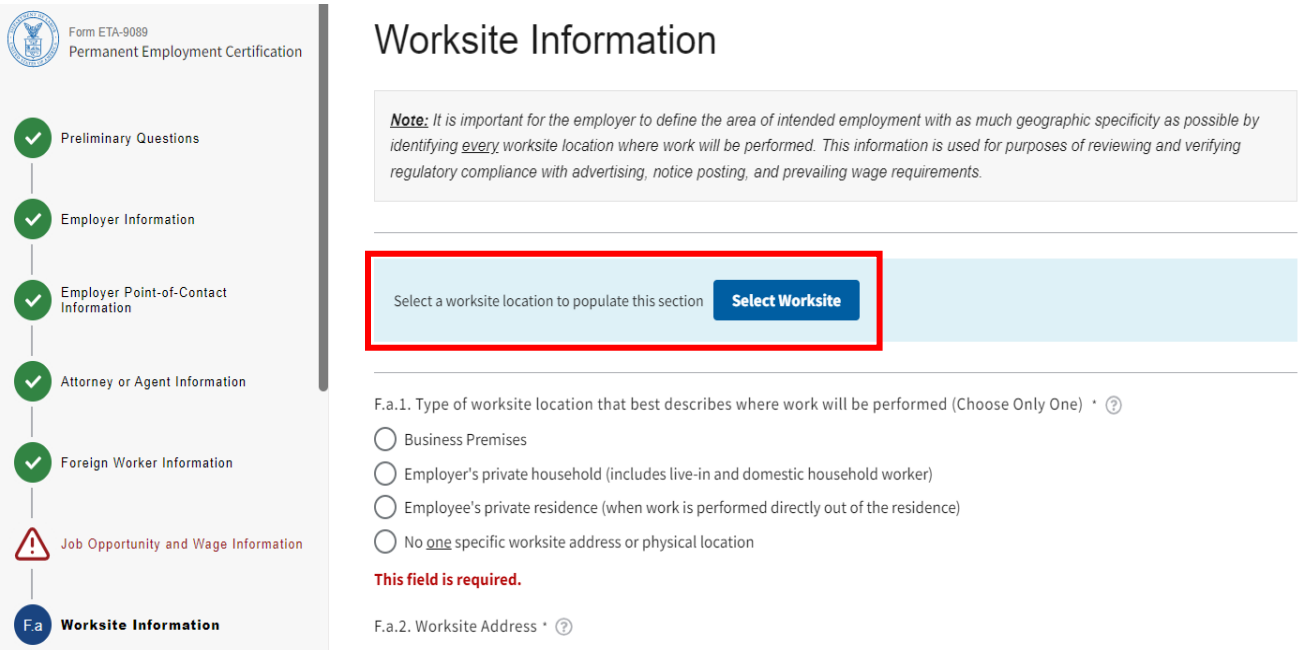


Worksite Information

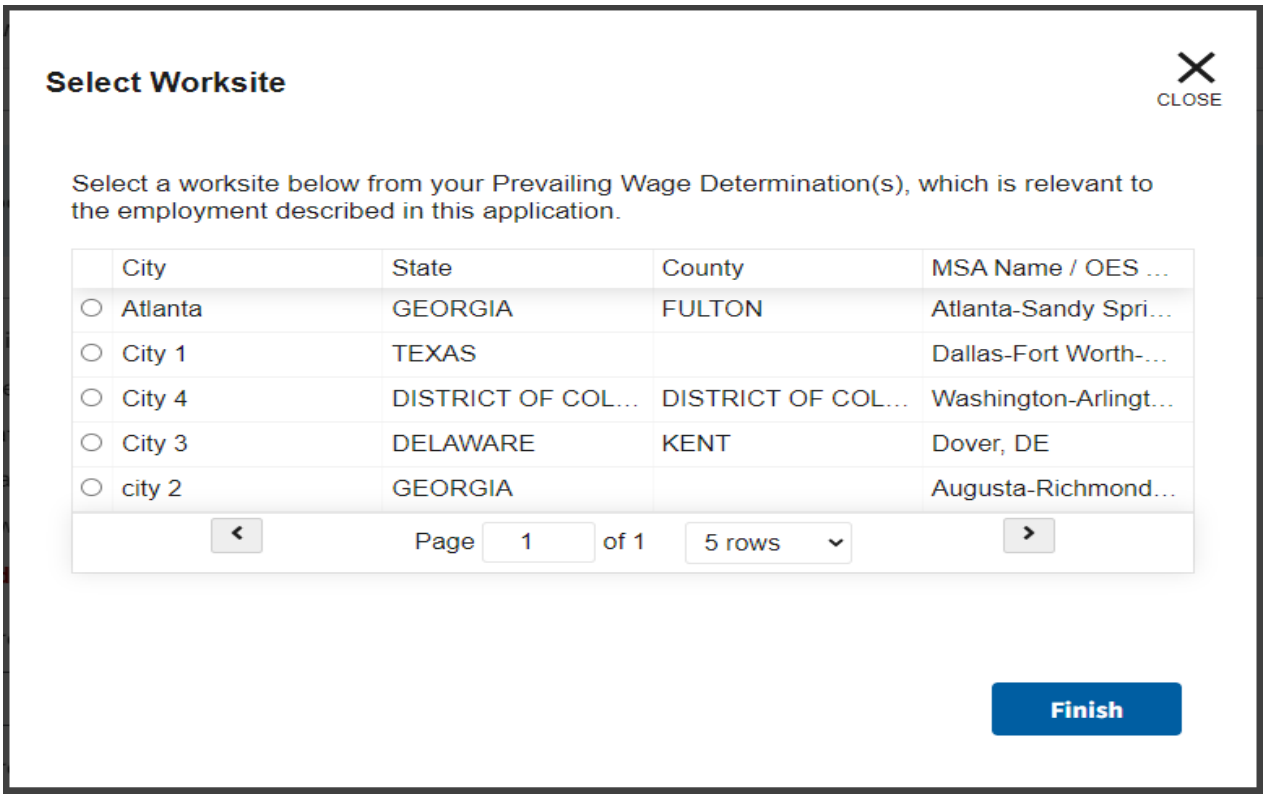
1. If your PWD has one worksite identified, the worksite information from your PWD should be pre-populated for you. Enter the appropriate response to question F.a.1. Click Continue.



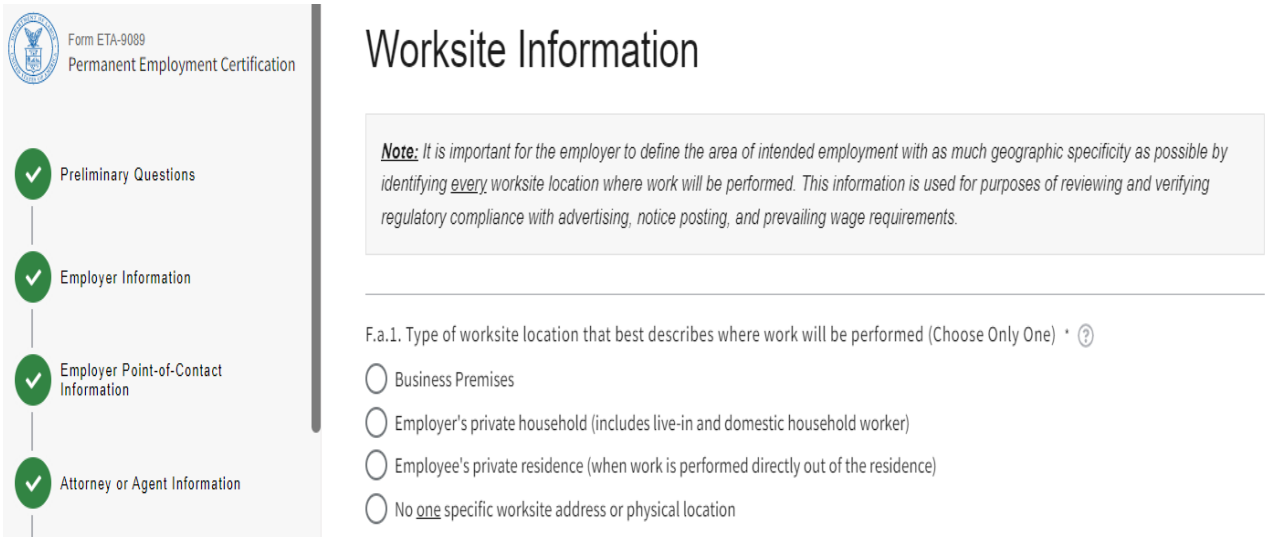
2. If your PWD has multiple worksites identified, you will see a blue bar as shown below with button “Select Worksite”. Click “Select Worksite”.



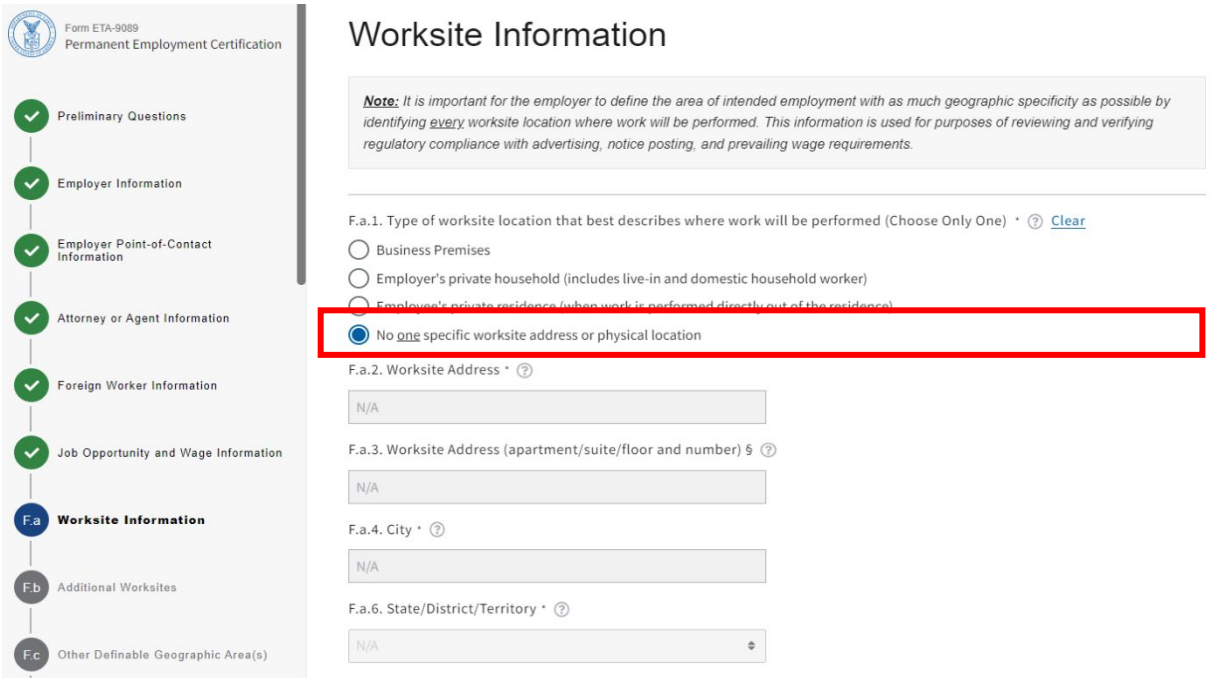
3. Select the worksite you want and click “Finish”. The worksite information from your PWD should be pre-populated for you. To add additional worksites, select Yes in Section F.b.1.



4. Complete field F.a.1 to indicate the type of worksite location. Click Continue.

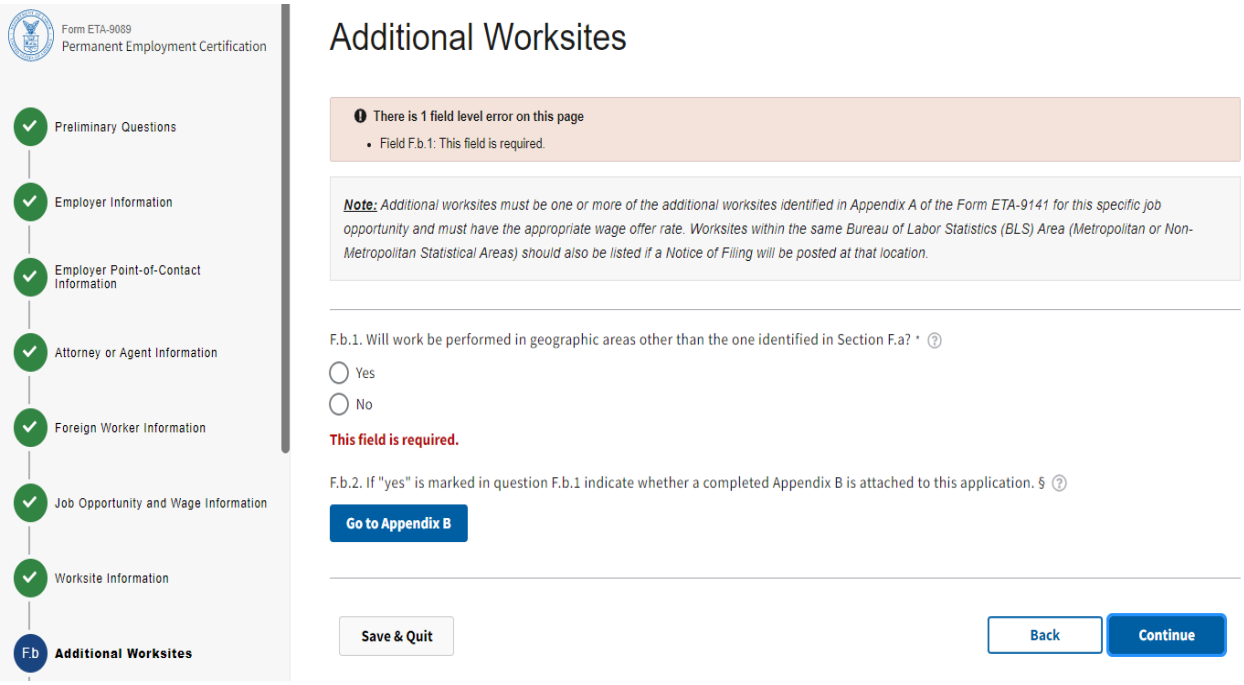


5. If you choose “No one specific worksite address or physical location” the other fields will be marked N/A and you will skip to section F.b. Additional Worksites. Click “Continue”.



Additional Worksites

1. If you have multiple worksites, they should have been identified in your Appendix A of your PWD. If you have multiple worksites, select "Yes" to question F.b.1. You will also have to complete Appendix B.

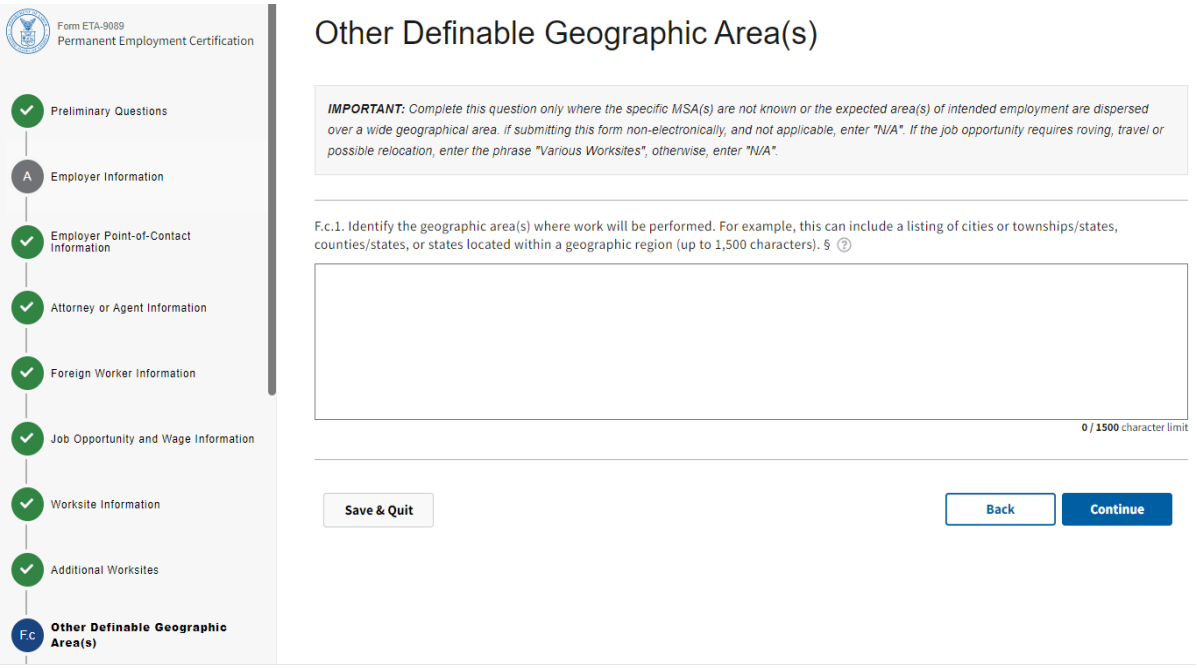


Note: if you selected "No one specific worksite address or physical location" in question F.a.1, the system automatically puts in a "Yes" in question F.b.1 and the "No" response is grayed out.

Link to Appendix B section of this user guide.

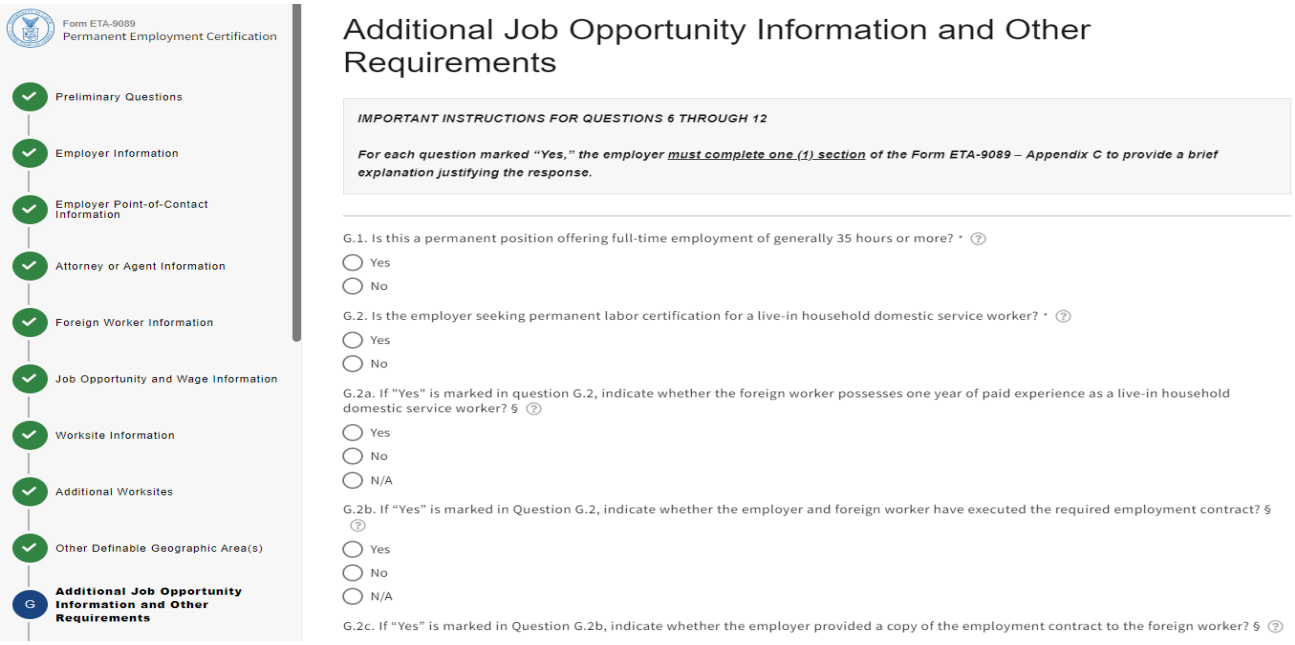
Other Definable Geographic Area(s)

1. In question F.c.1., enter the geographic area(s) where work will be performed.

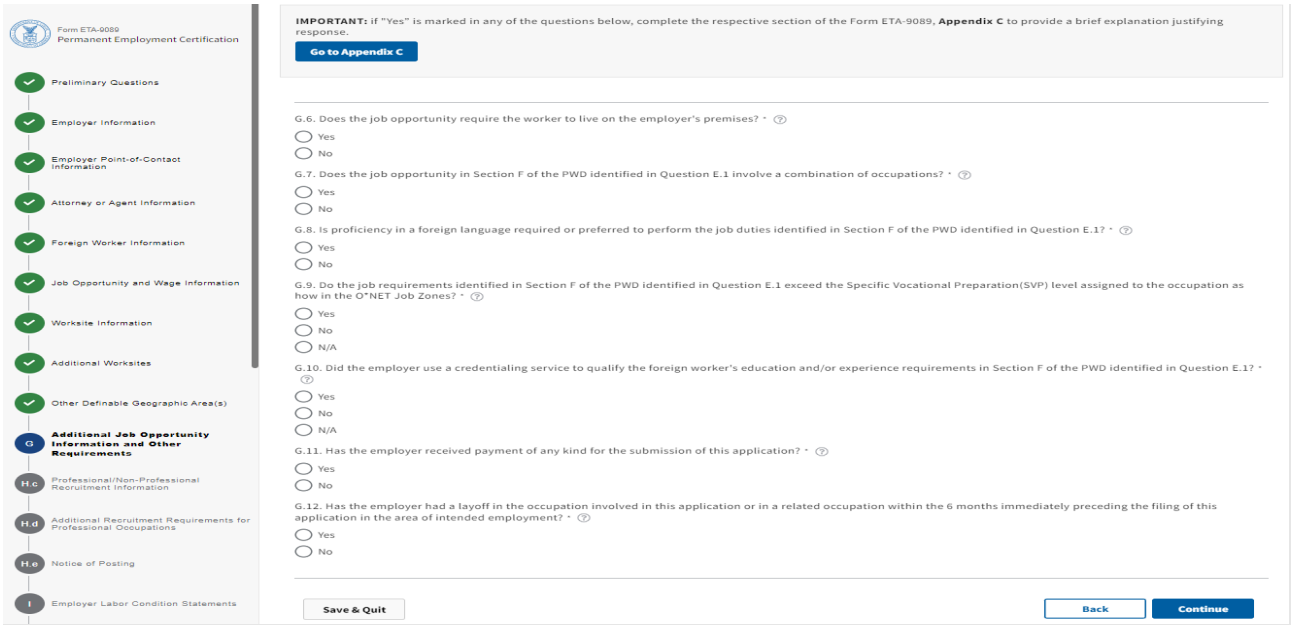


Additional Job Opportunity Information and Other Requirements

1. Respond to questions G.1. through G.12. If you decide to change your answer to any of these questions, please select "Clear" next to each question. This will clear the initial and dependent fields.



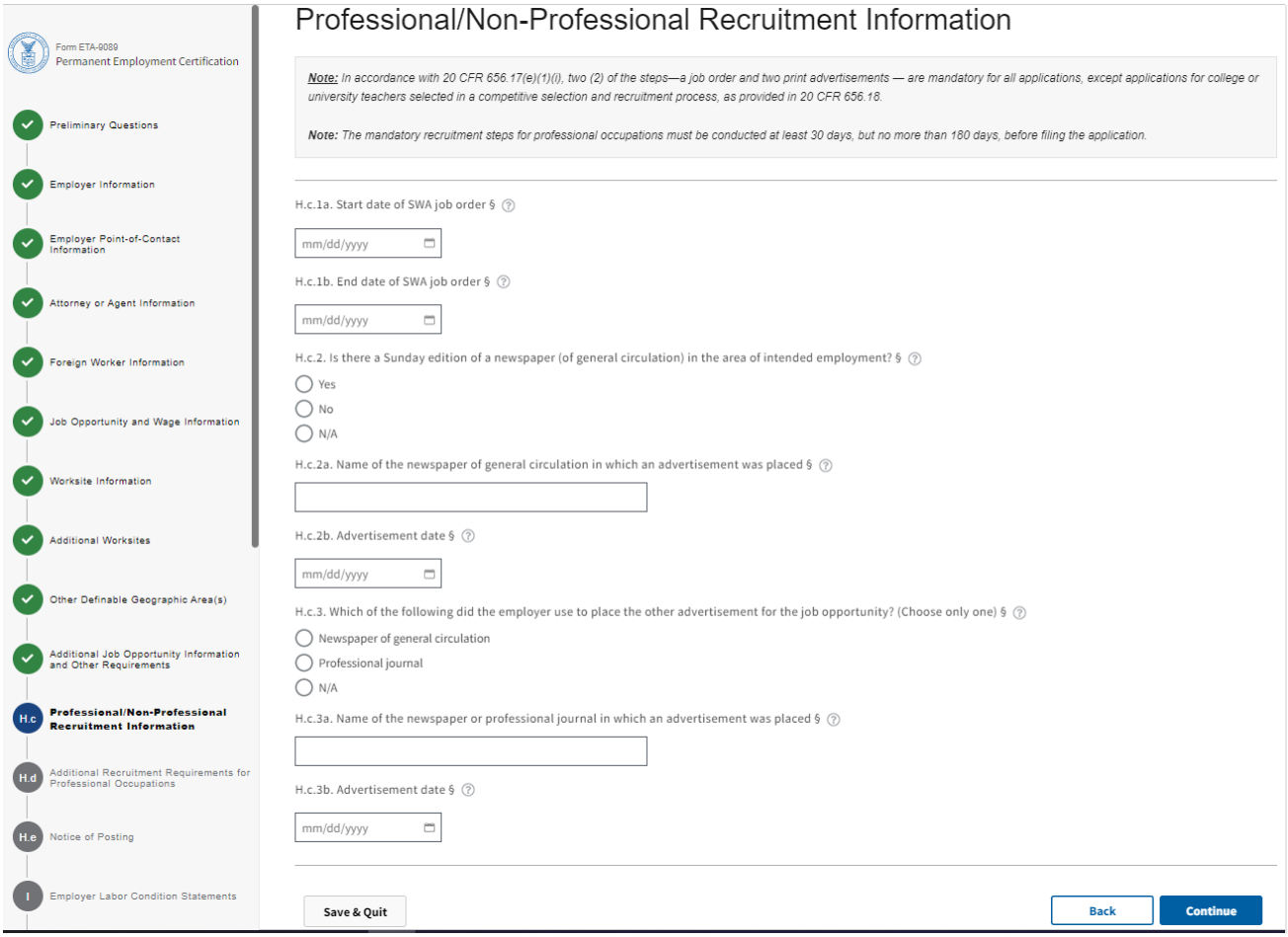
2. Questions G.6. – G.12. will determine if an Appendix C is required as part of the PERM application. If you answer "Yes" to any of these questions, you will need to complete Appendix C to provide additional information for these questions. Click Continue.



Link to Appendix C section of this user guide.

Professional/Non-Professional Recruitment Information

1. Answer questions H.c.1a through H.C.3b. Click Continue.



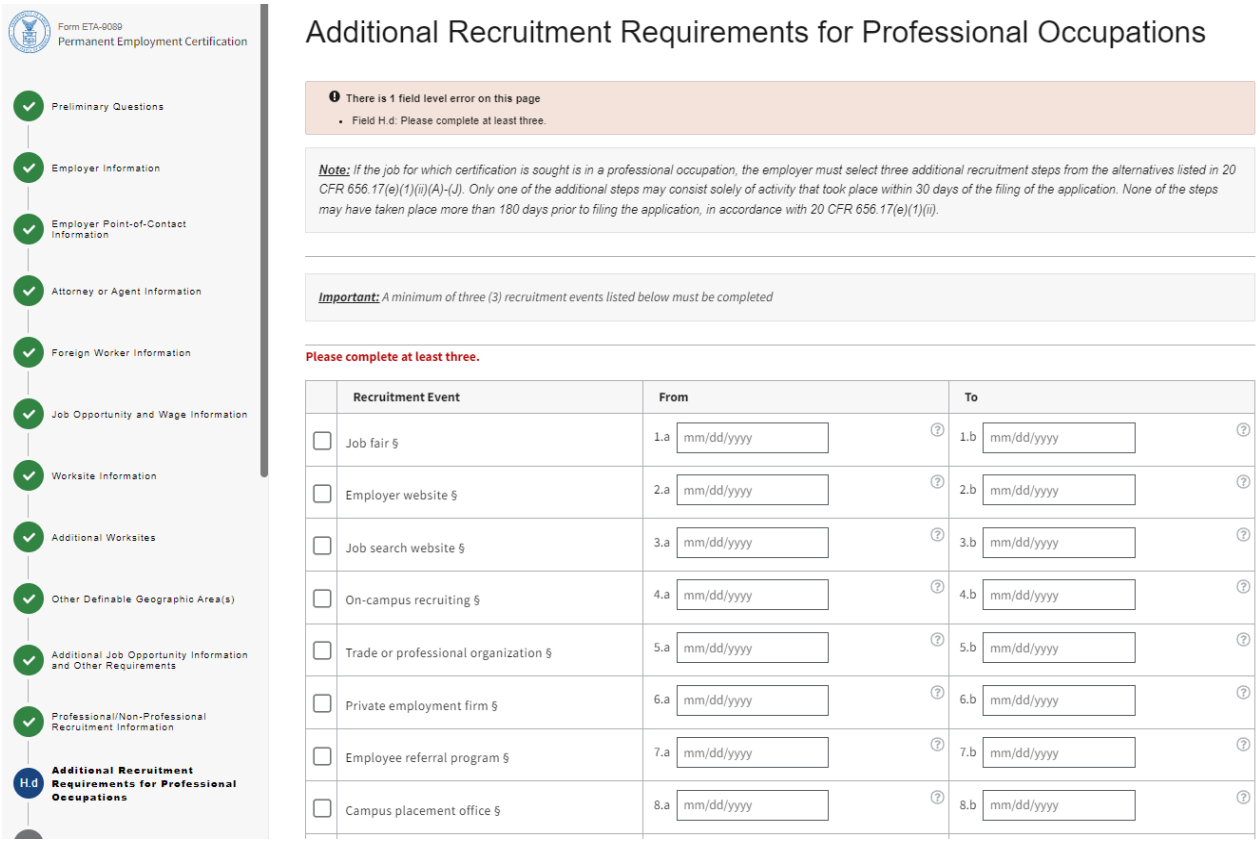
Note: If your selected occupation type is Professional Athlete OR college or university teacher selected using the competitive recruitment process, the system will automatically mark this section "complete" as this section is not needed.

Additional Recruitment Requirements for Professional Occupations

1. If you selected professional occupation in the preliminary questions, you will be required to identify at least 3 additional recruitment steps.

2. Check the appropriate boxes next to the recruitment event. Enter "From" and "To" dates using the date picker or manually input using the mm/dd/yyyy format.

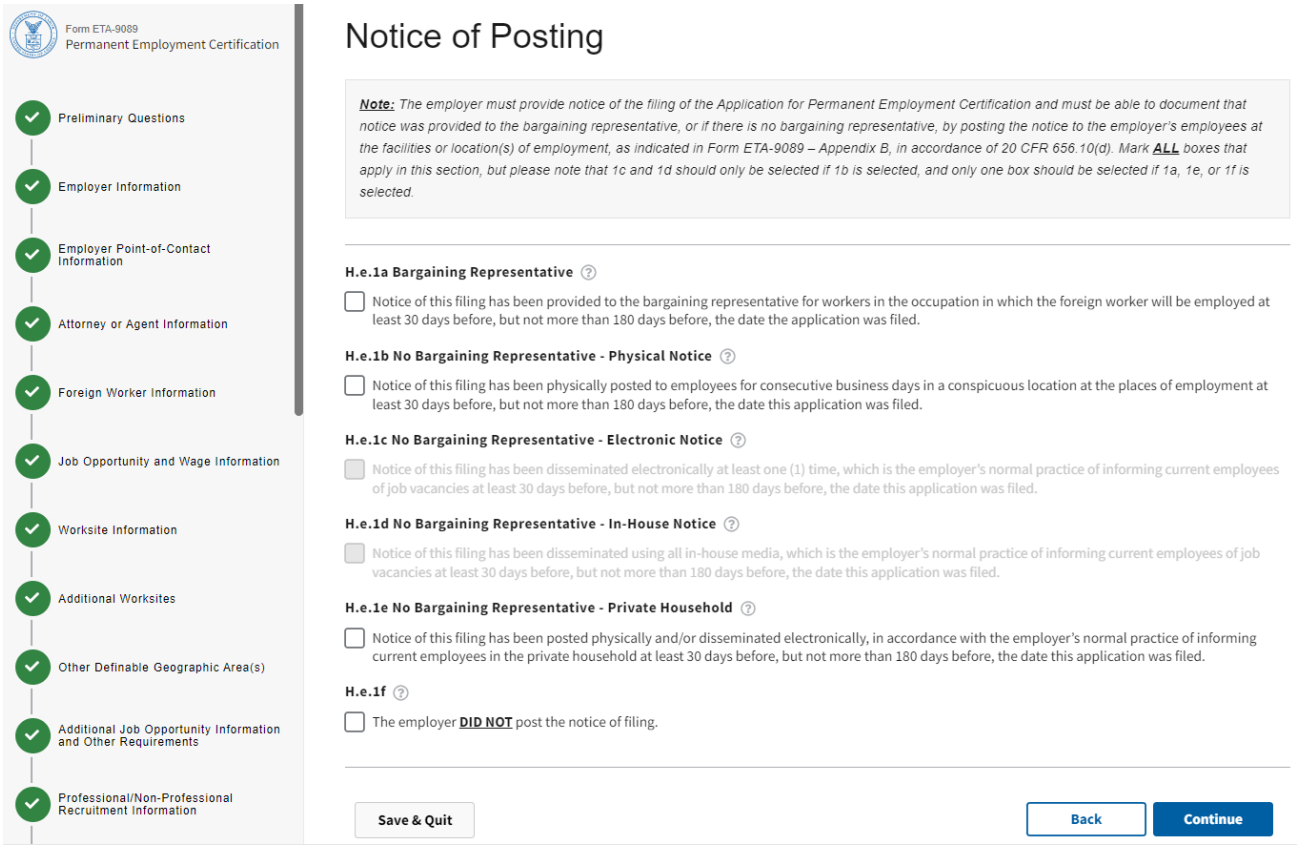
3. If you need to delete an entry, uncheck the box next to the recruitment event and click the x next to date entry in the date fields. Click Continue.



Note: If your selected occupation type is Non-Professional, Professional Athlete OR College or University Teacher selected using the competitive recruitment process, the system will automatically mark this section "complete" as this section is not needed.

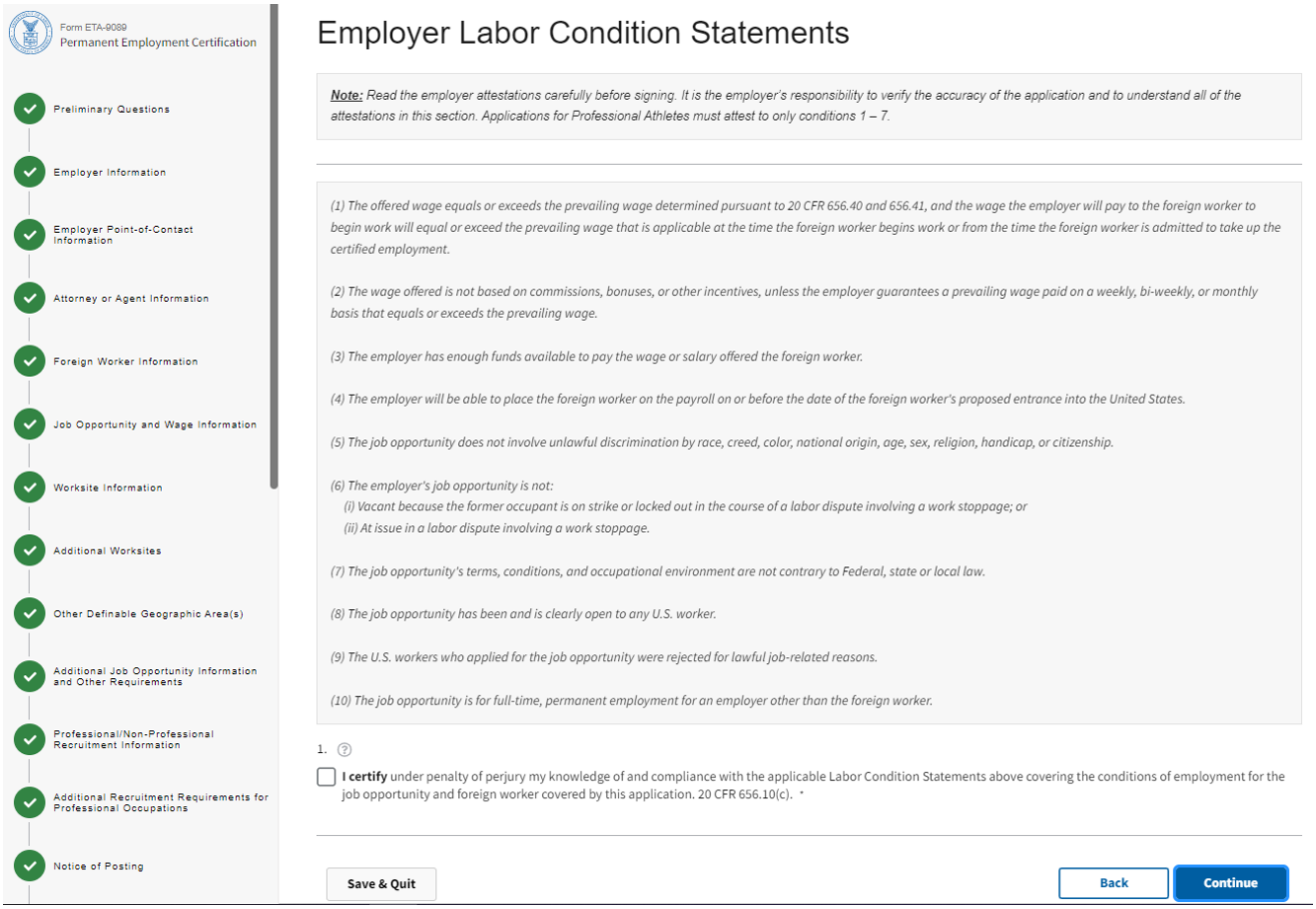
Notice of Posting

1. Select one or more checkboxes for Notice of Posting then click Continue.



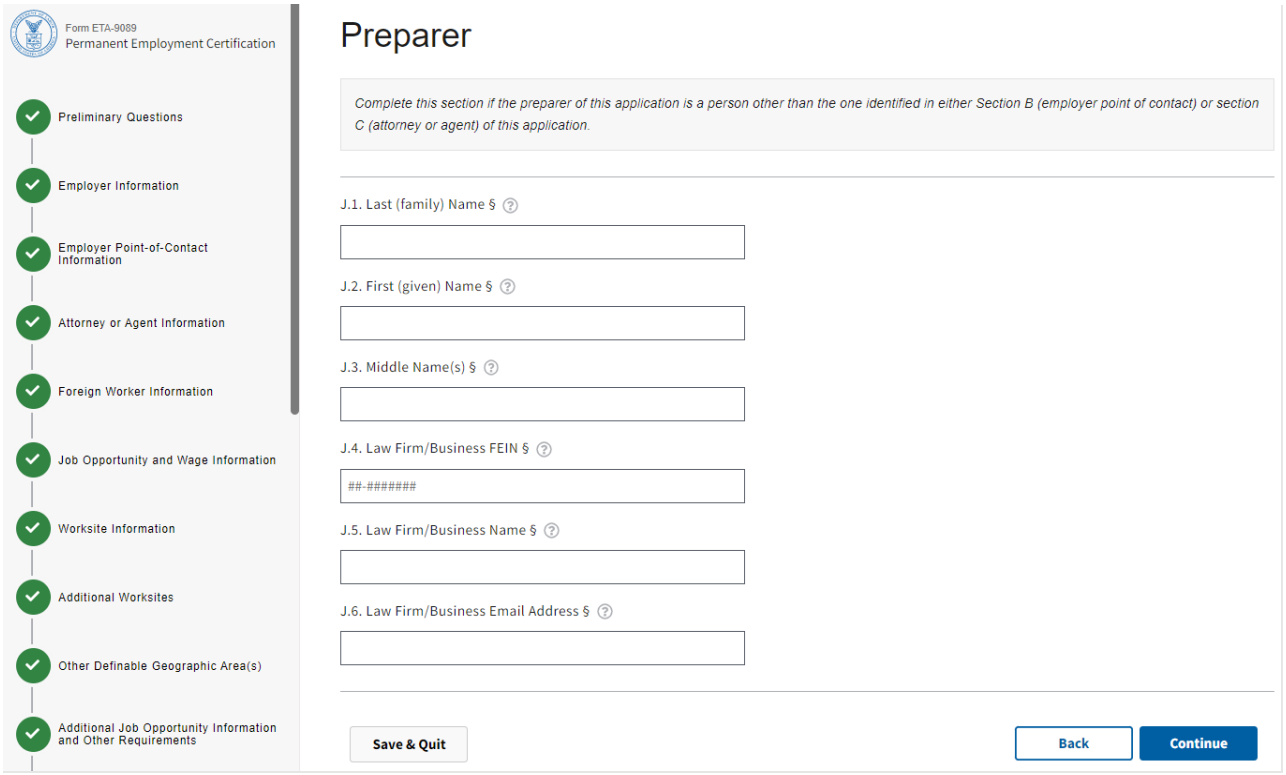
Employer Labor Condition Statements

1. Read the employer attestations, check the “I certify” box, and then click Continue.



Preparer

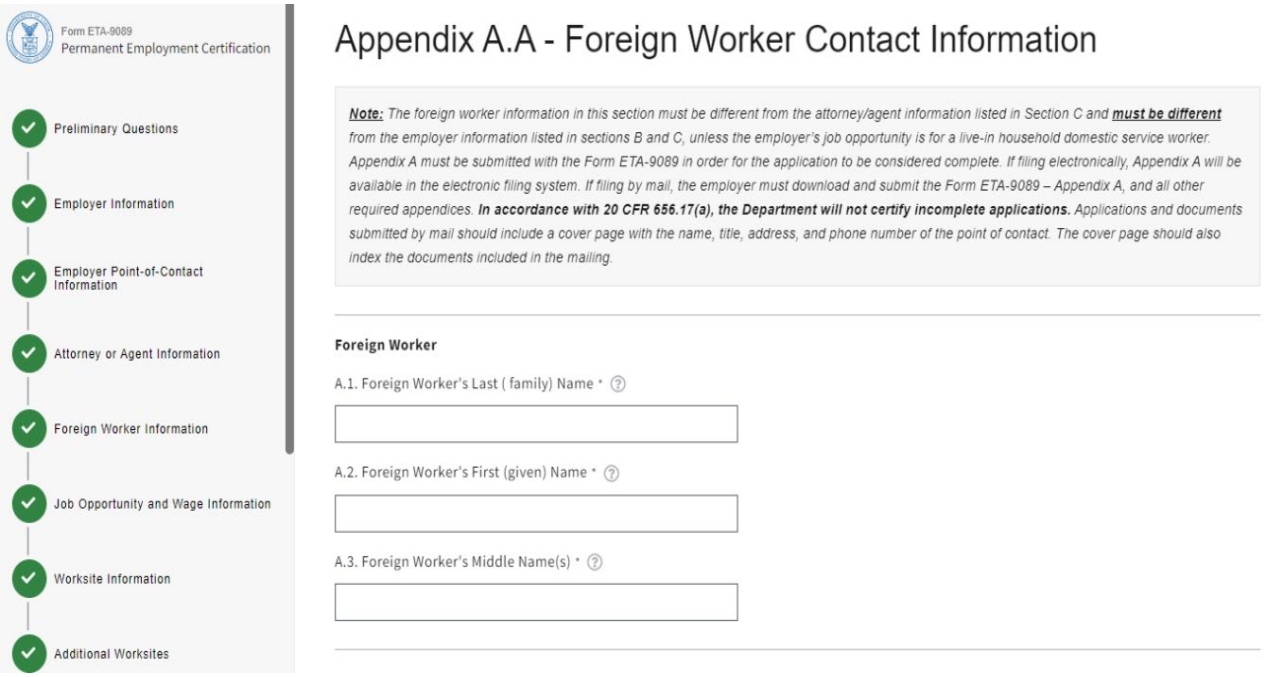
1. Complete this section only if the Preparer of this application is a person other than the Employer Point of Contact or the Attorney/Agent. This section is not required. Click "Continue."



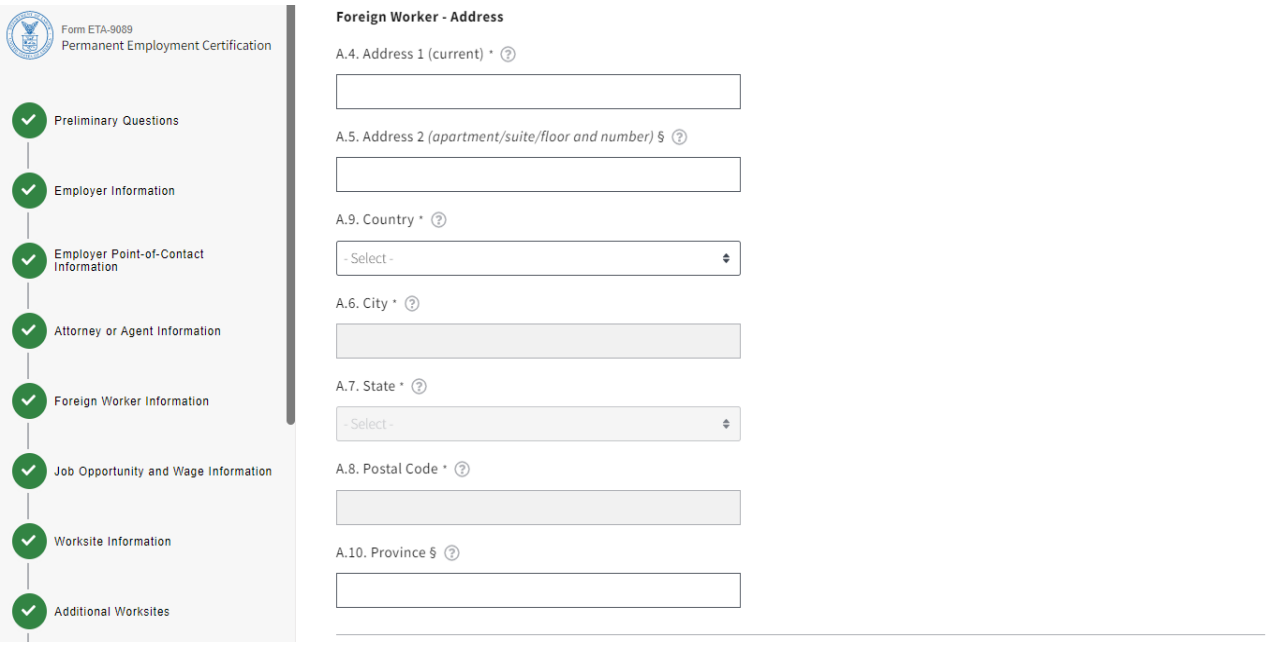
APPENDICES

Appendix A.A - Foreign Worker Contact Information

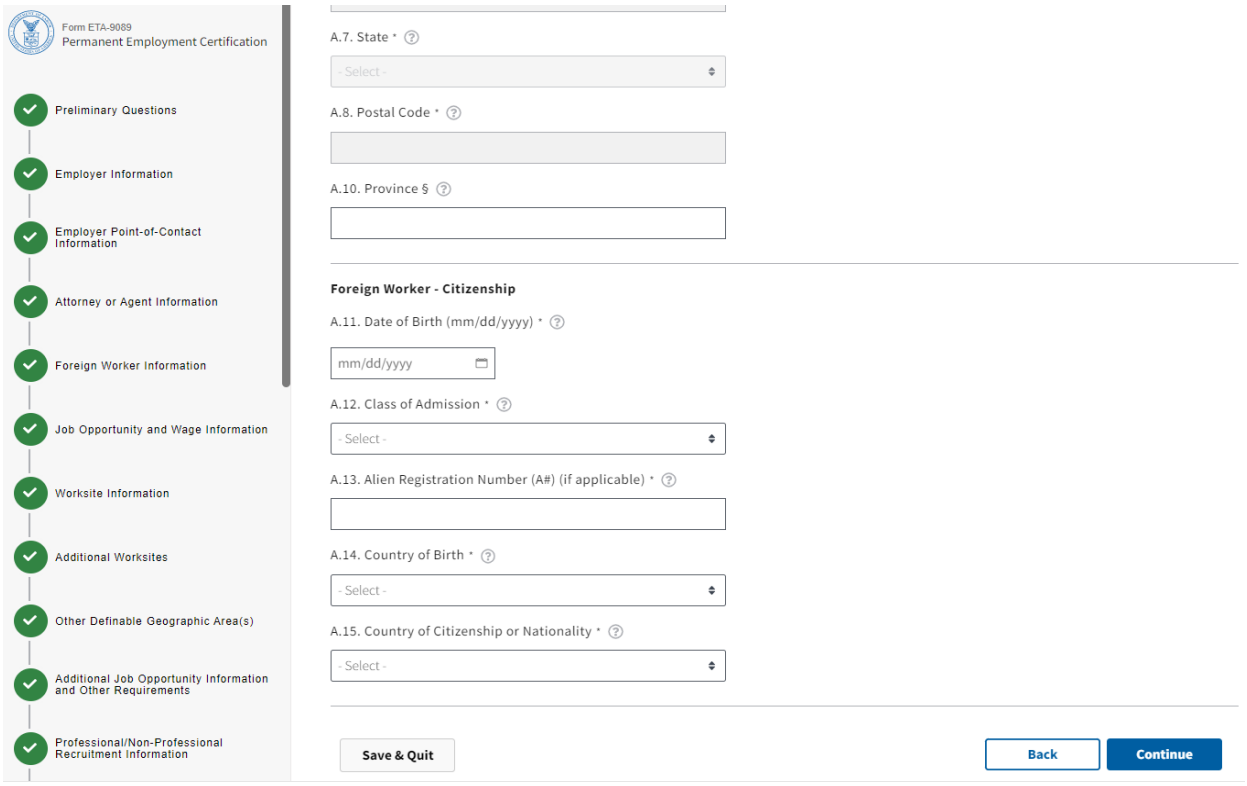
1. Under Foreign Worker, enter the mandatory information.



2. Enter Foreign Worker address information.

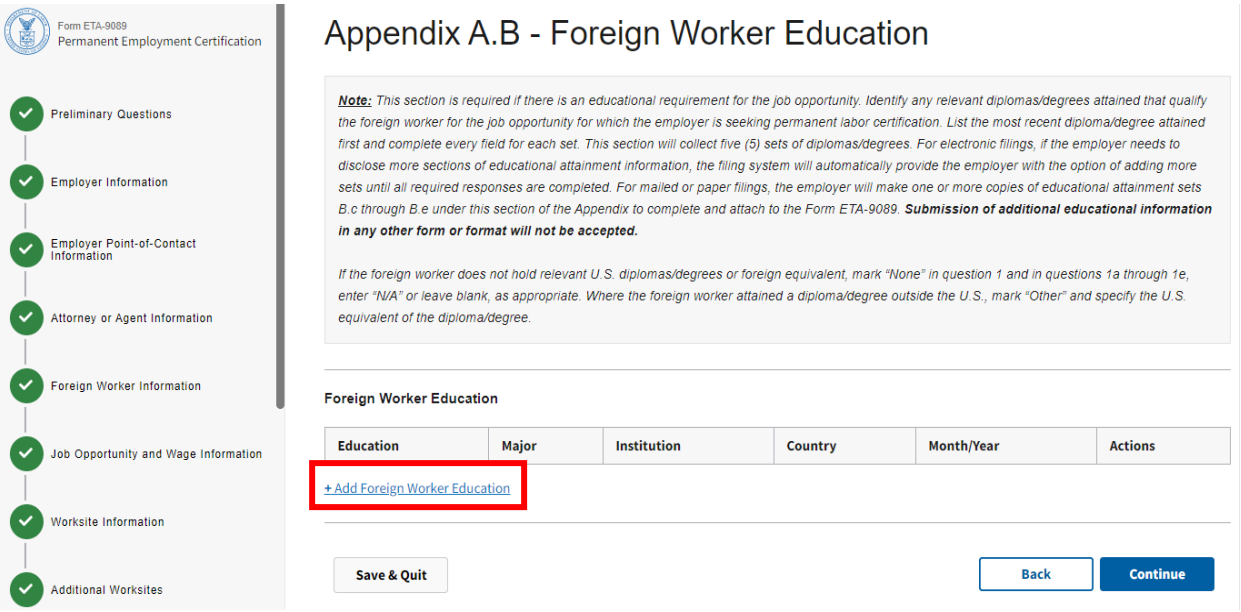


3. Enter Foreign Work Citizenship Information and click Continue.

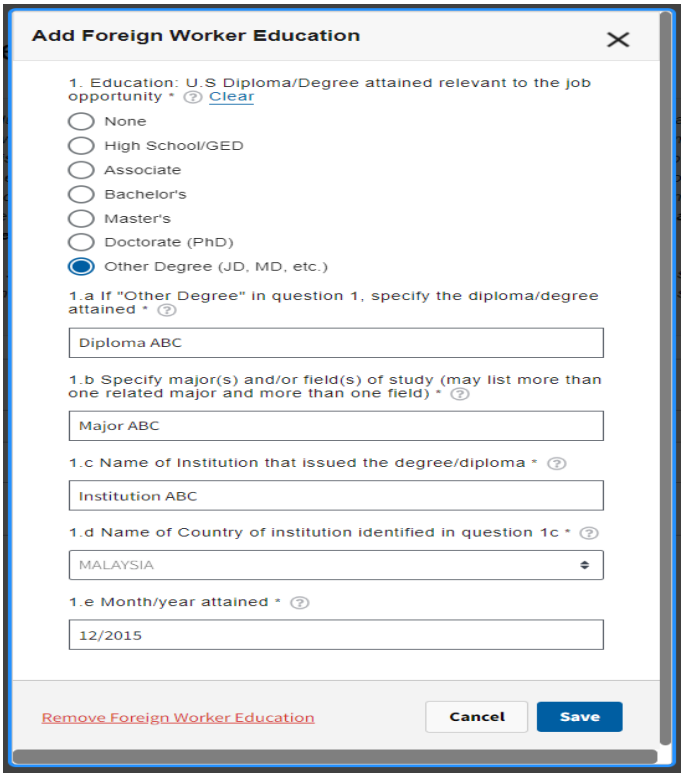


Appendix A.B - Foreign Worker Education

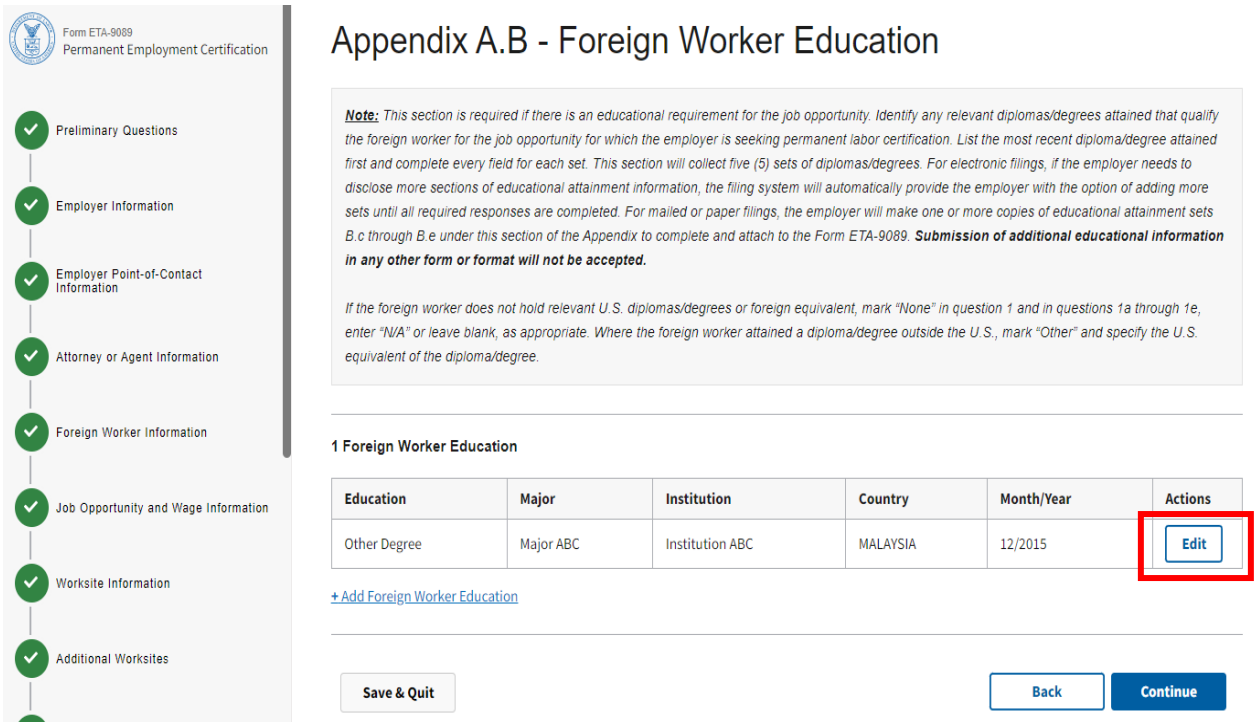
1. Click on the blue hyperlink "+ Add Foreign Worker Education".



2. Complete fields 1 – 1.e. for any education relevant to job opportunity and click Save.

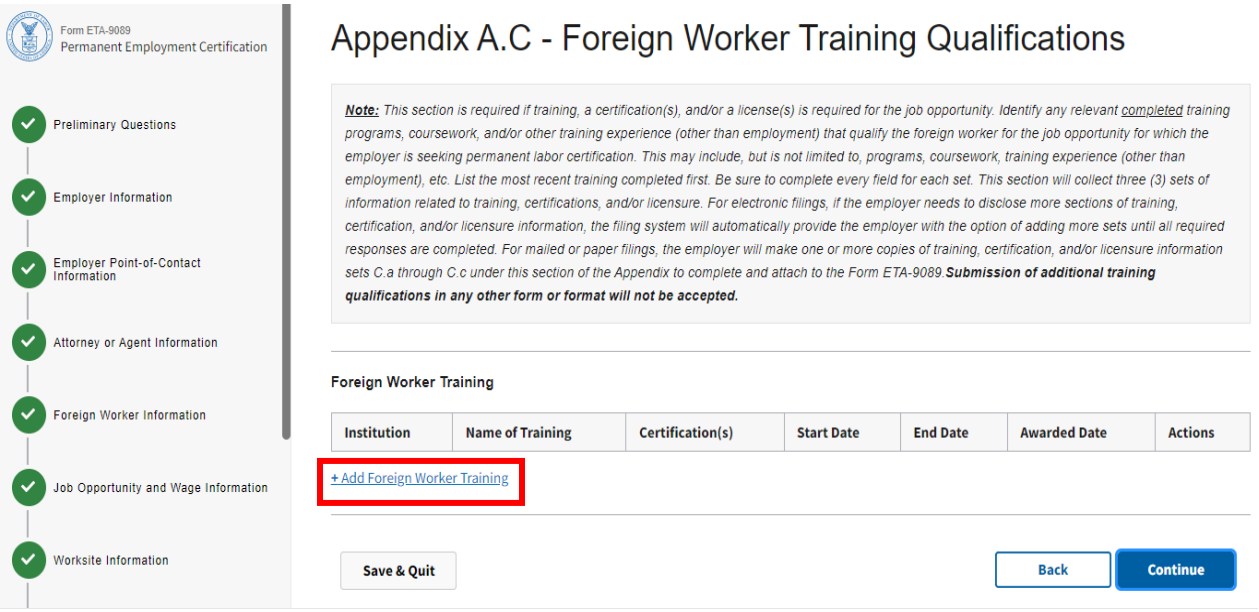


3. Under “Actions”, you can click “Edit” to modify or remove the education information you entered.

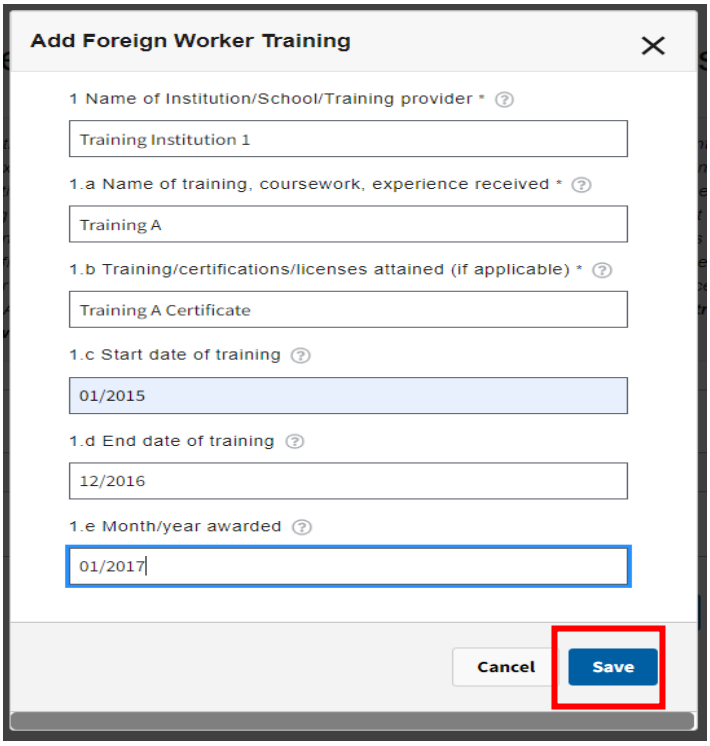


Appendix A.C - Foreign Worker Training Qualifications

1. Click on the blue hyperlink "+ Add Foreign Worker Training".



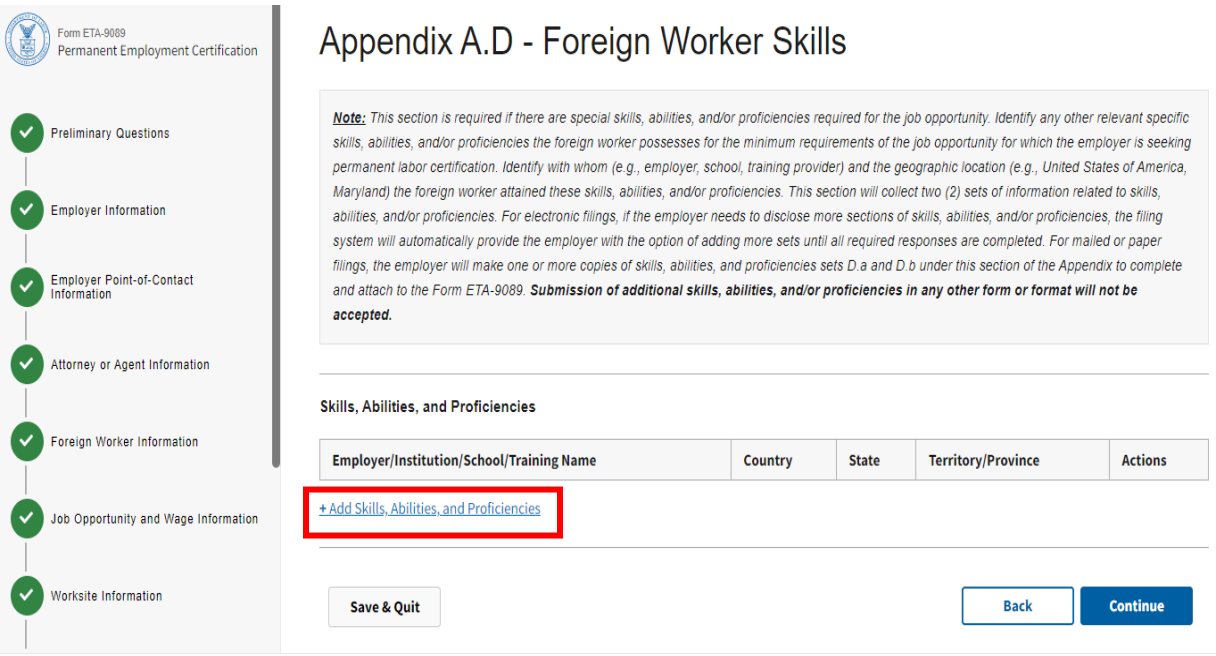
2. Complete fields 1 – 1.e. for the institution, school, or training provider that conducted the foreign worker training and click Save.



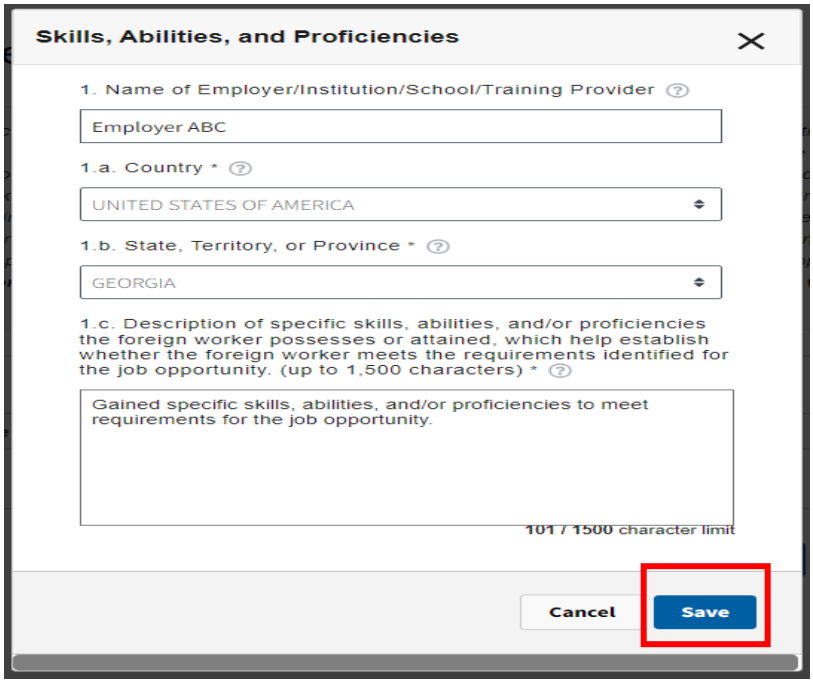
3. Under Actions, you can click “Edit” to modify or remove the training information you entered.

Appendix A.D - Foreign Worker Skills

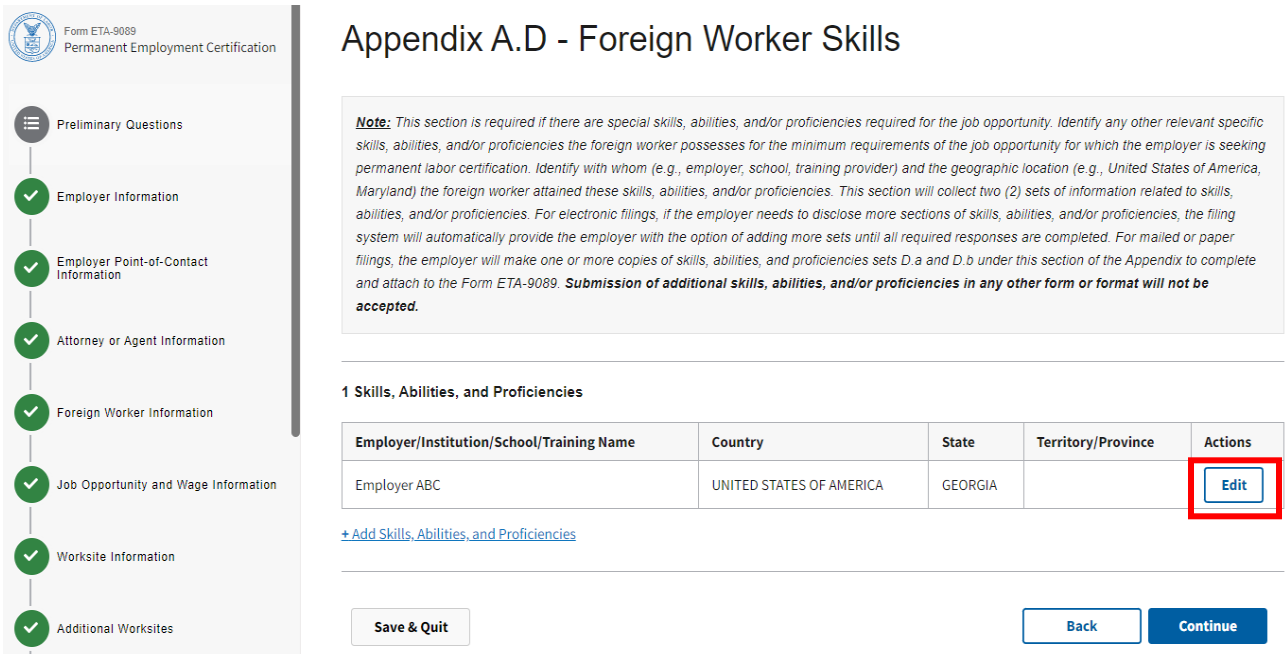
1. Click on the blue hyperlink "+ Add Skills, Abilities, and Proficiencies".



2. Complete fields 1 – 1.c. for the employer, institution, school, or training provider in which the foreign worker attained the skills, abilities, and/or proficiencies and click Save.

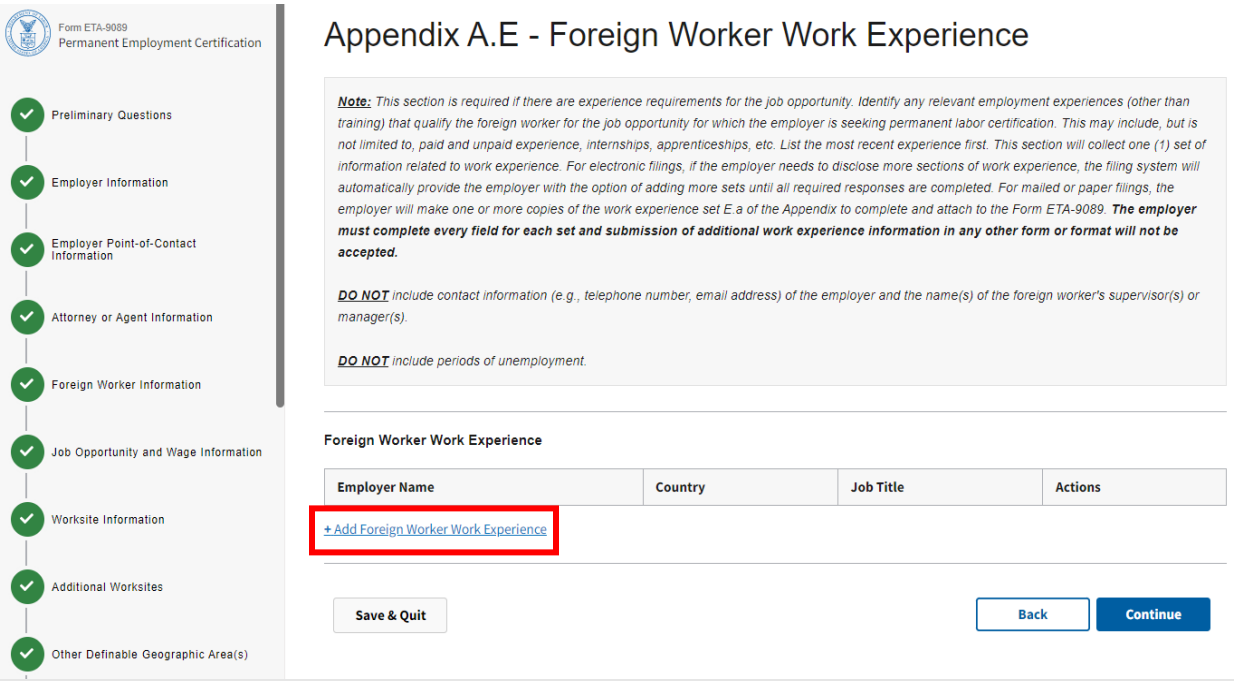


3. Under Actions, you can click “Edit” to modify or remove the training information you entered.

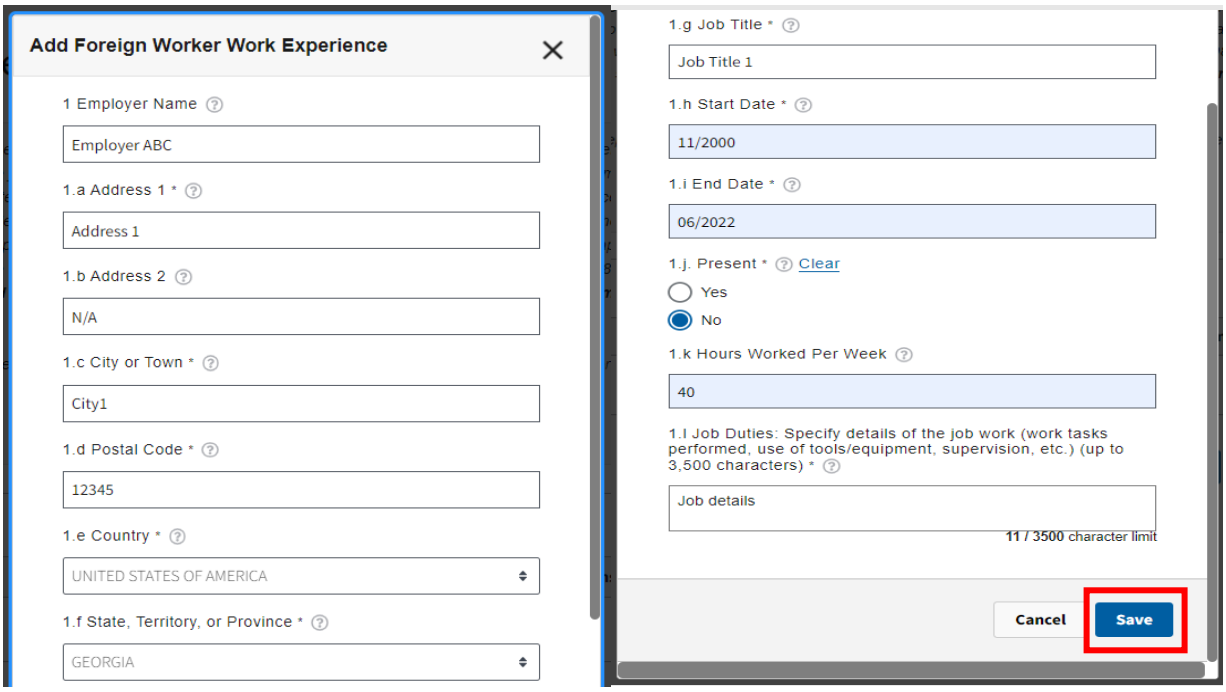


Appendix A.E - Foreign Worker Work Experience

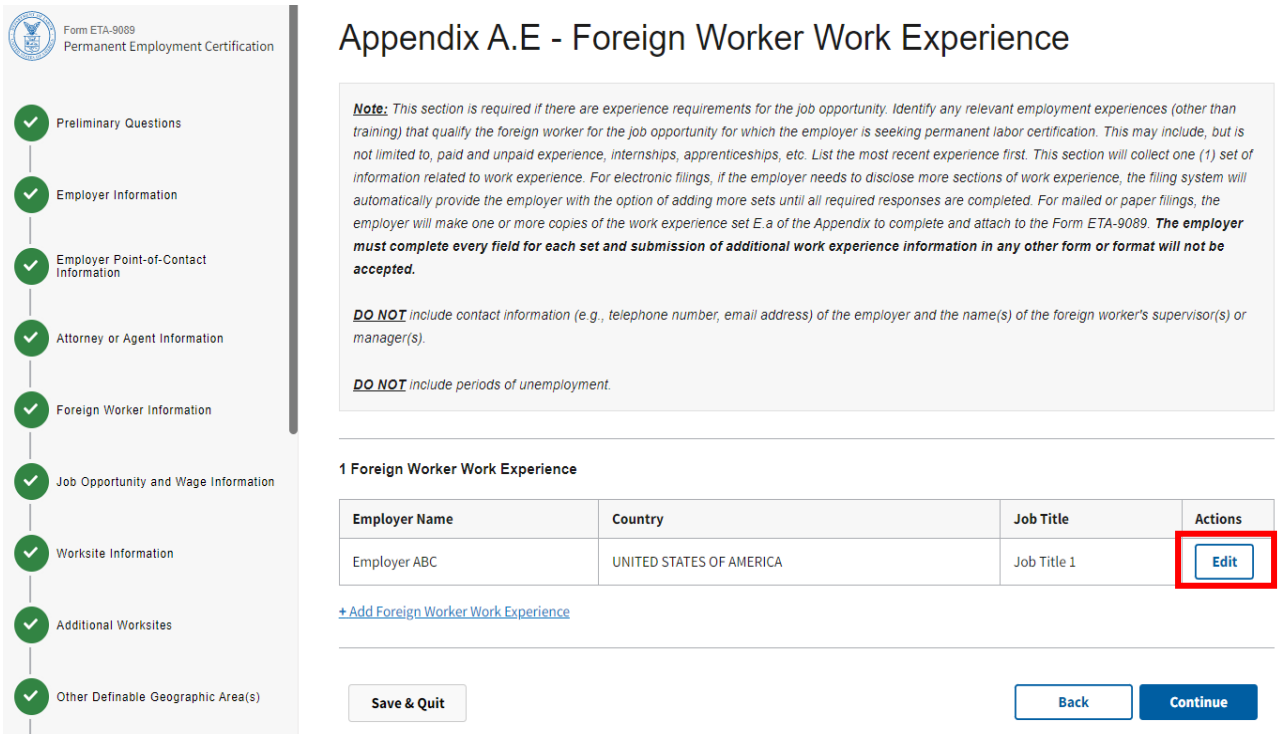
1. Click on the blue hyperlink "+ Add Foreign Worker Work Experience".



2. Complete fields 1 – 1.l. for the business, person, association, firm, corporation, or organization, i.e., the employer that employed the foreign worker and click Save.

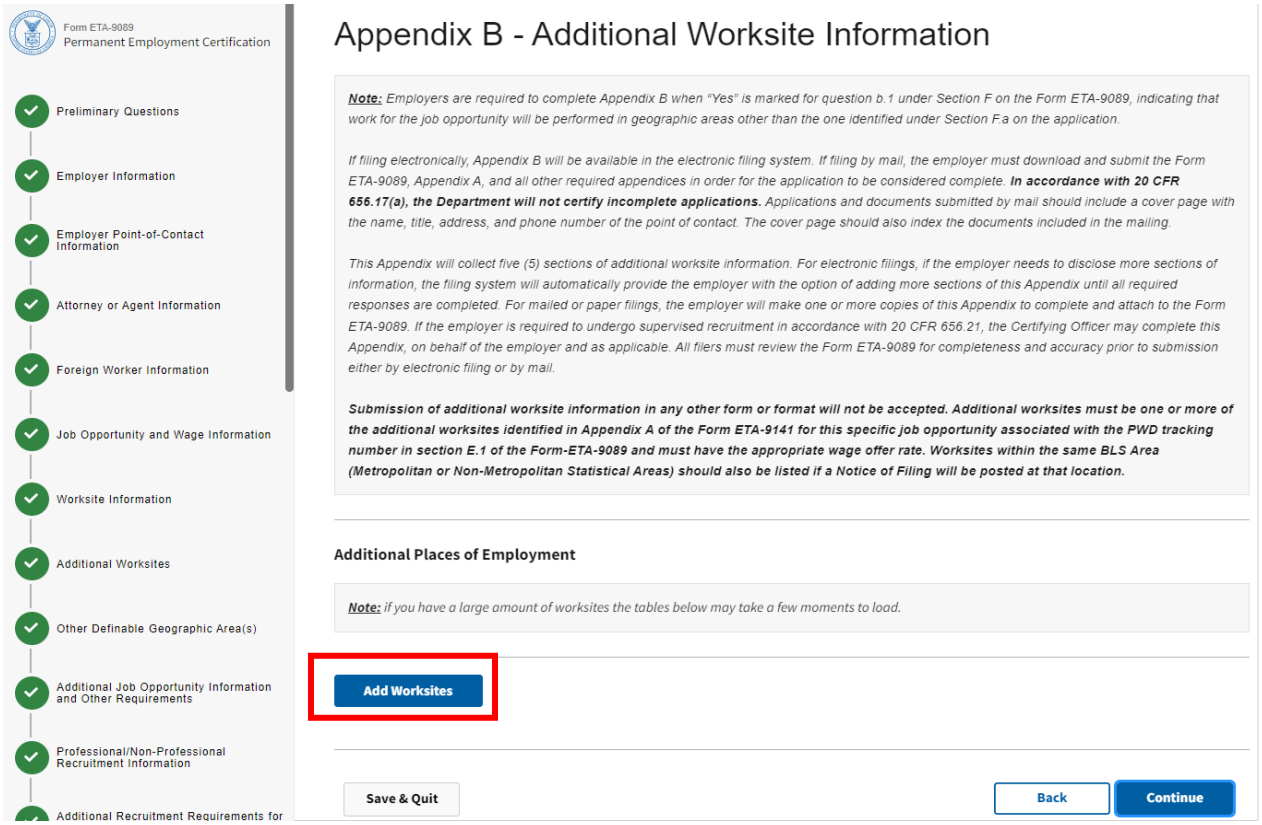


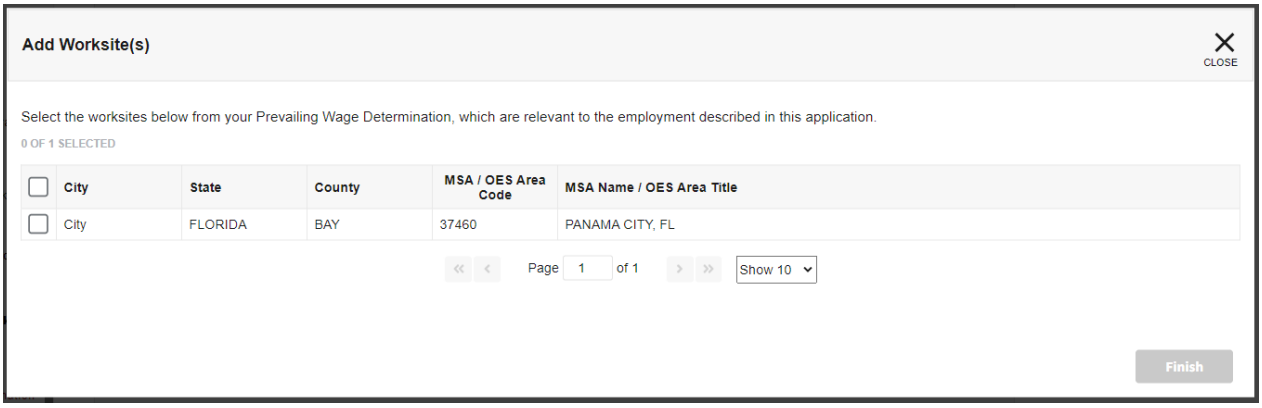
3. Under Actions, you can click “Edit” to modify or remove the work experience information you entered.



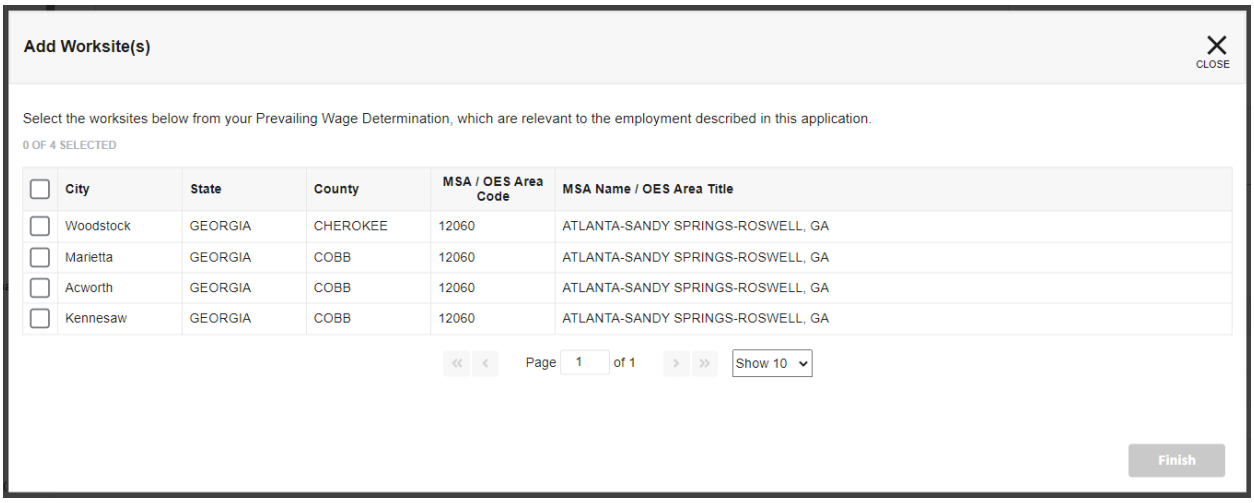
Appendix B – Additional Worksite Information

1. Click on "Add Worksites". You can only add worksites identified in Appendix A of the Form ETA-9141 PWD application. In the Add Worksite(s) pop-up box, select the worksite(s) and click on Finish.

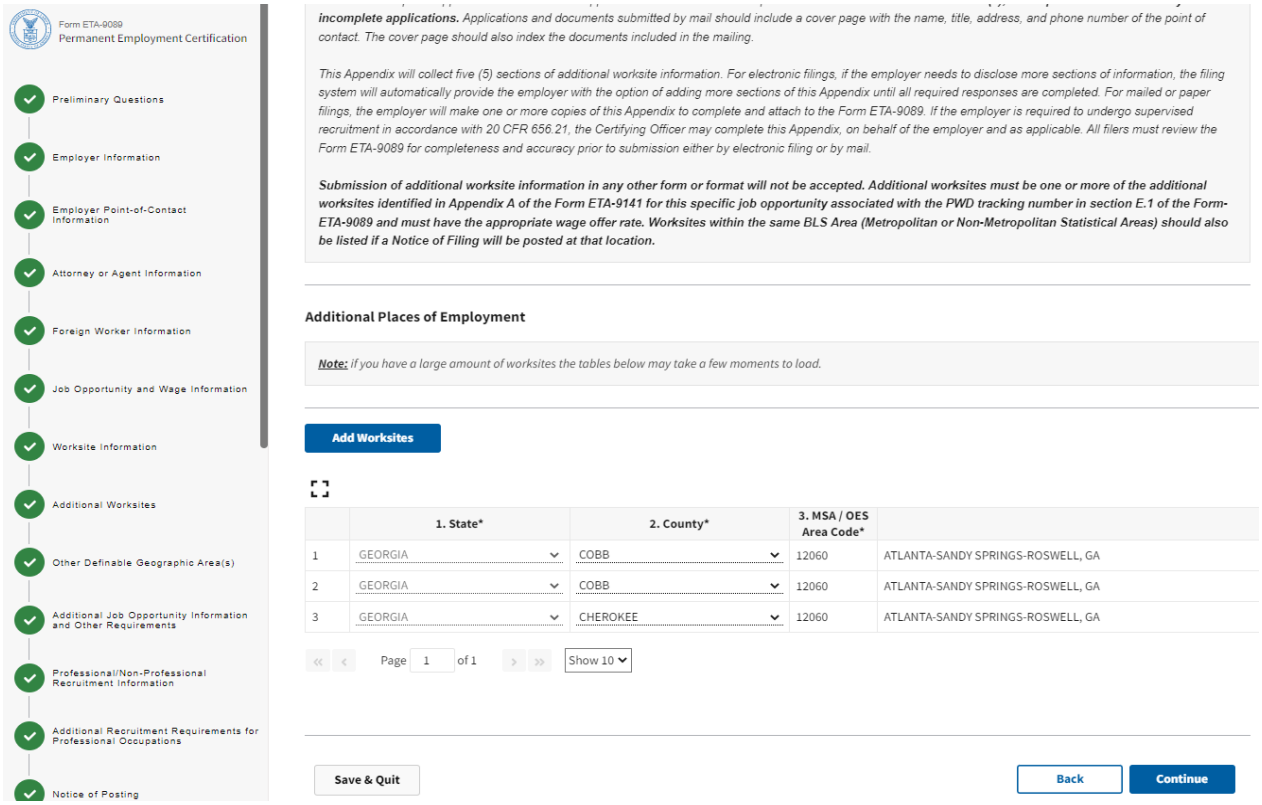




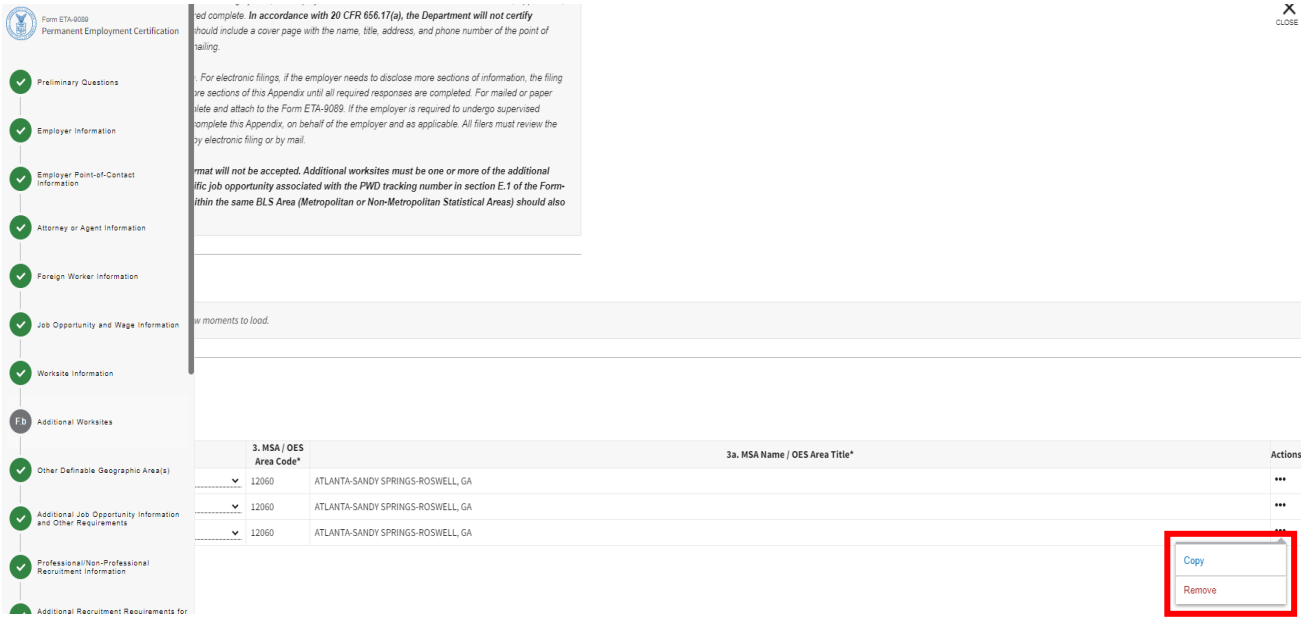
2. If you have more than one worksite identified in your linked PWD, you can select to add one at a time or all of them at once. Click Finish.



3. You will see all the worksites you've added as shown below. If you added worksites in Appendix A of your PWD that span different states and/or counties within the same MSA/OES area code, you can click on the down arrow to change state and county of the worksite(s) that applies to this application.



4. If your application requires more worksites within the same MSA / OES area code, you can select a worksite on the list, scroll right to the Actions column for that worksite, click on the “ellipsis” and click on “Copy”.

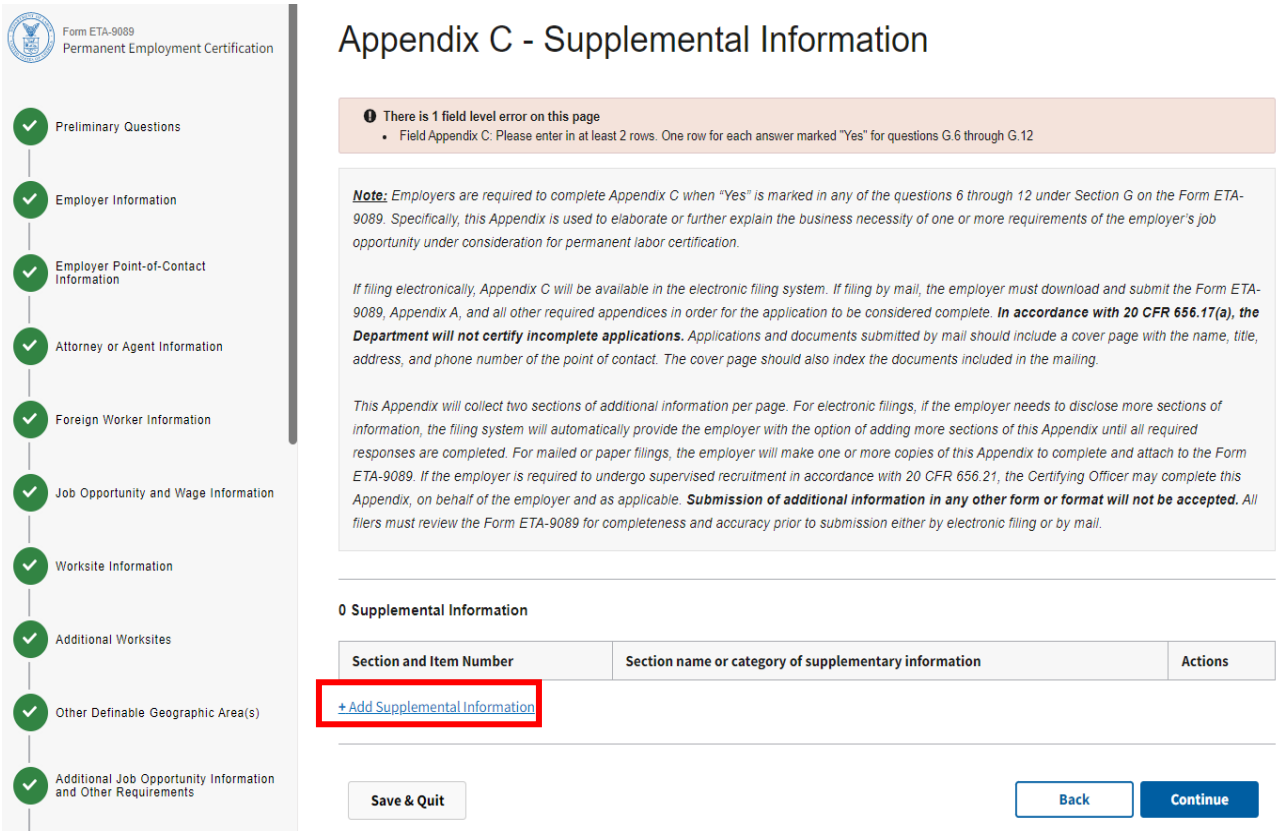


5. To remove a worksite you added, click on the “ellipsis” for that worksite and select “Remove”.

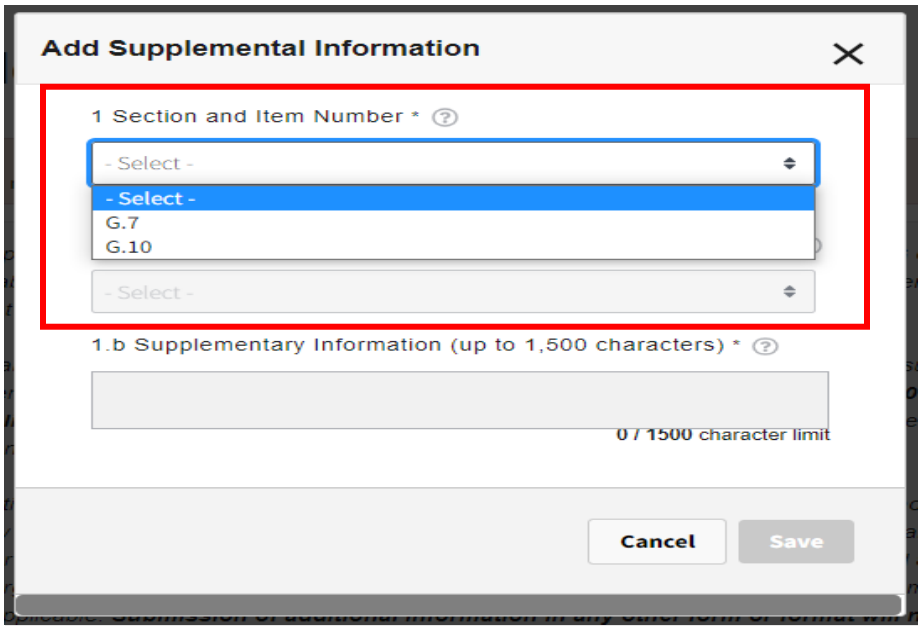
Appendix C – Supplemental Information

1. If you answered "Yes" to any of the questions 6 – 12 under Section G on the Form ETA-9089, you are required to complete this appendix.

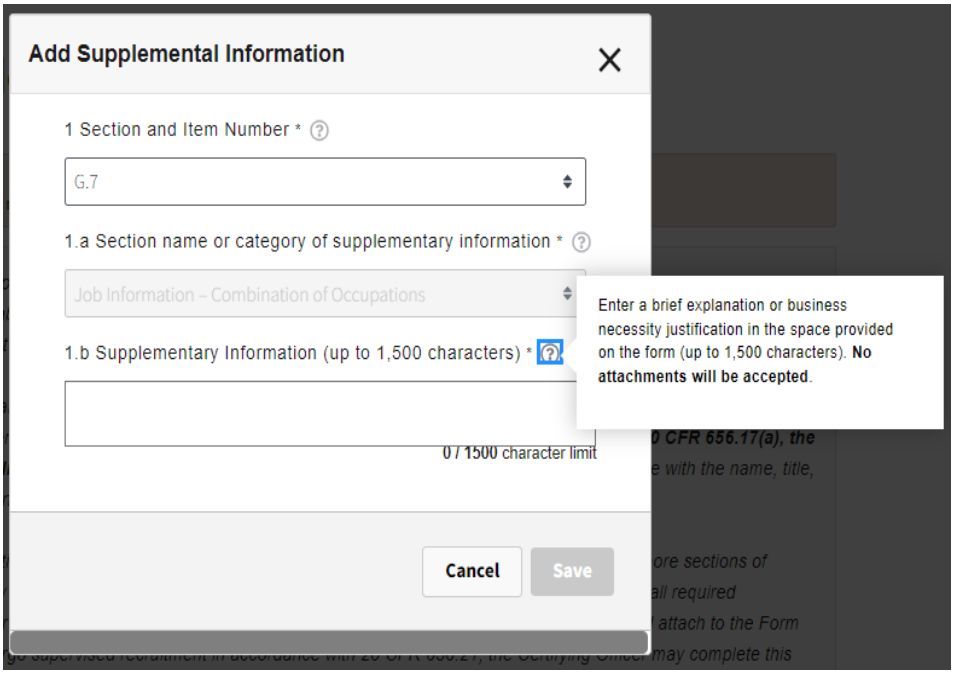
2. Click on the blue hyperlink "+ Add Supplemental Information" and click Continue.



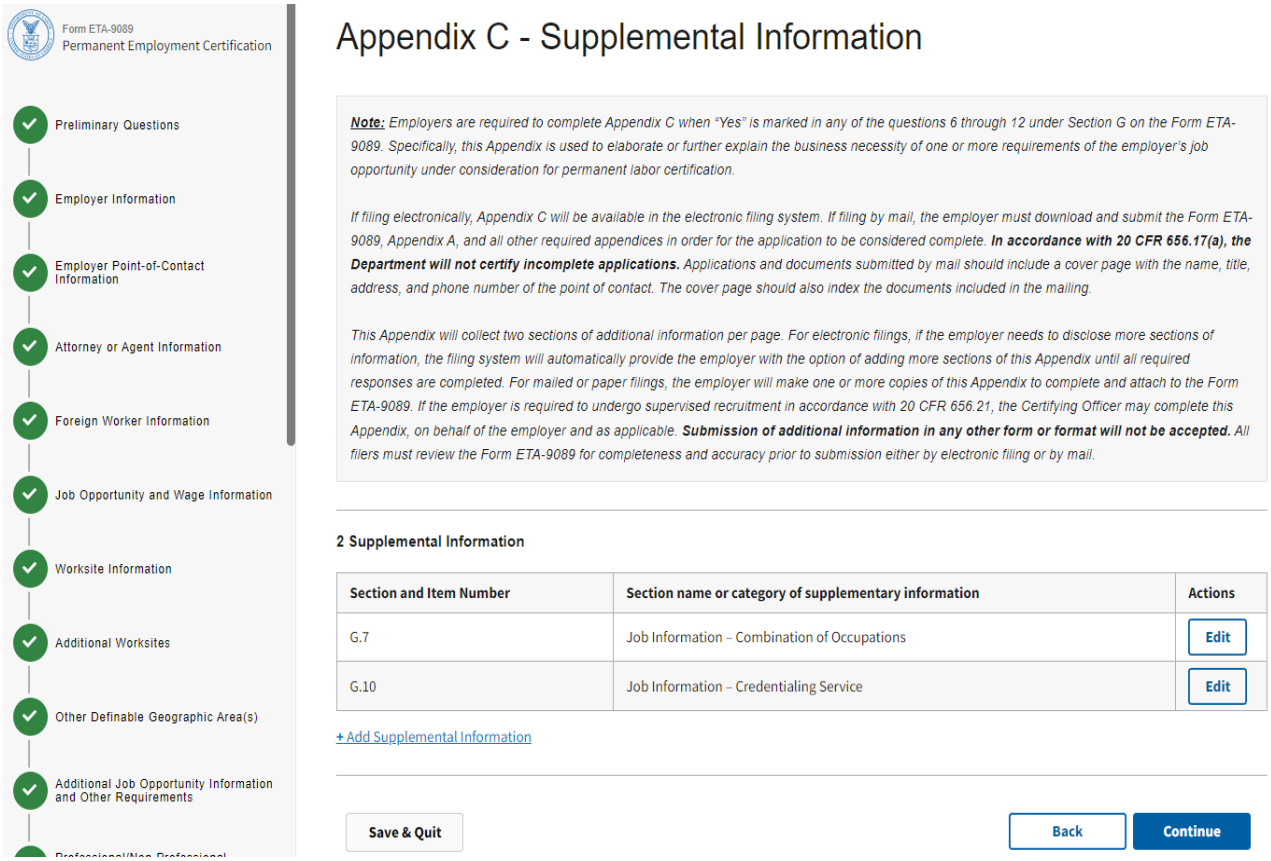
3. Click on the down arrow for question “1 Section and Item Number”. You will see the list of questions from Section G for which you answered “Yes”.



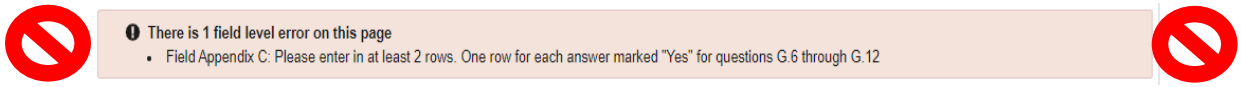
4. Select the first item on the list and complete question 1.b for the item you selected. You can click on the question mark tooltip “?” for instructions. Click Save when finished. Note that question 1.a has been filled in for you based on the short description for that question in Section G.



5. Repeat steps 2 through 4 until you have provided the required responses for all sections and item numbers on the list. You will see a clean Appendix C section with no error bar on the top of form.



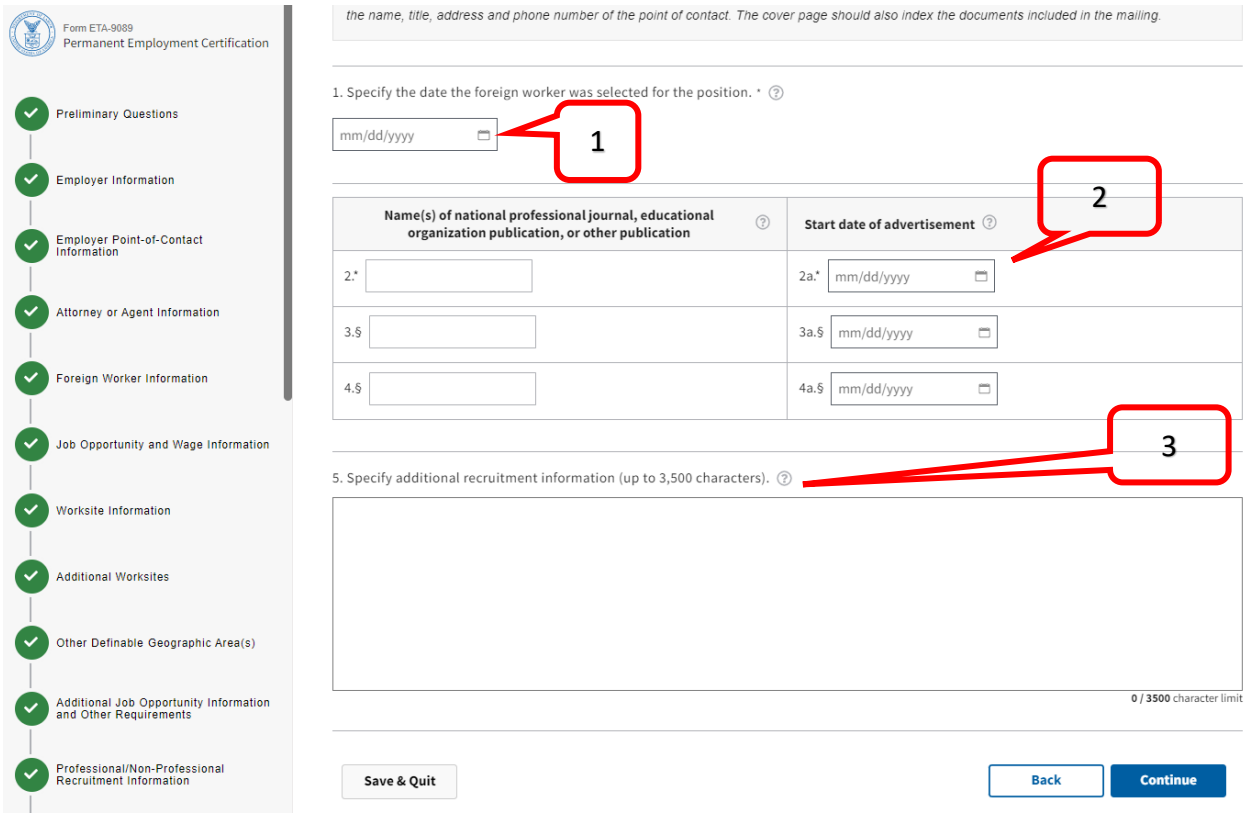
6. You will see a clean Appendix C section with no error bar on the top of form.



Appendix D – Special Recruitment for College and University Teachers

Note: This Appendix is required only if you selected the Occupation Type of College or University Teacher and a competitive recruitment process was used.

1. Enter the date the foreign worker was selected for the position in question 1.



2. Enter at least one national professional journal, educational organization publication, or other publication and the date in which advertisement was placed.

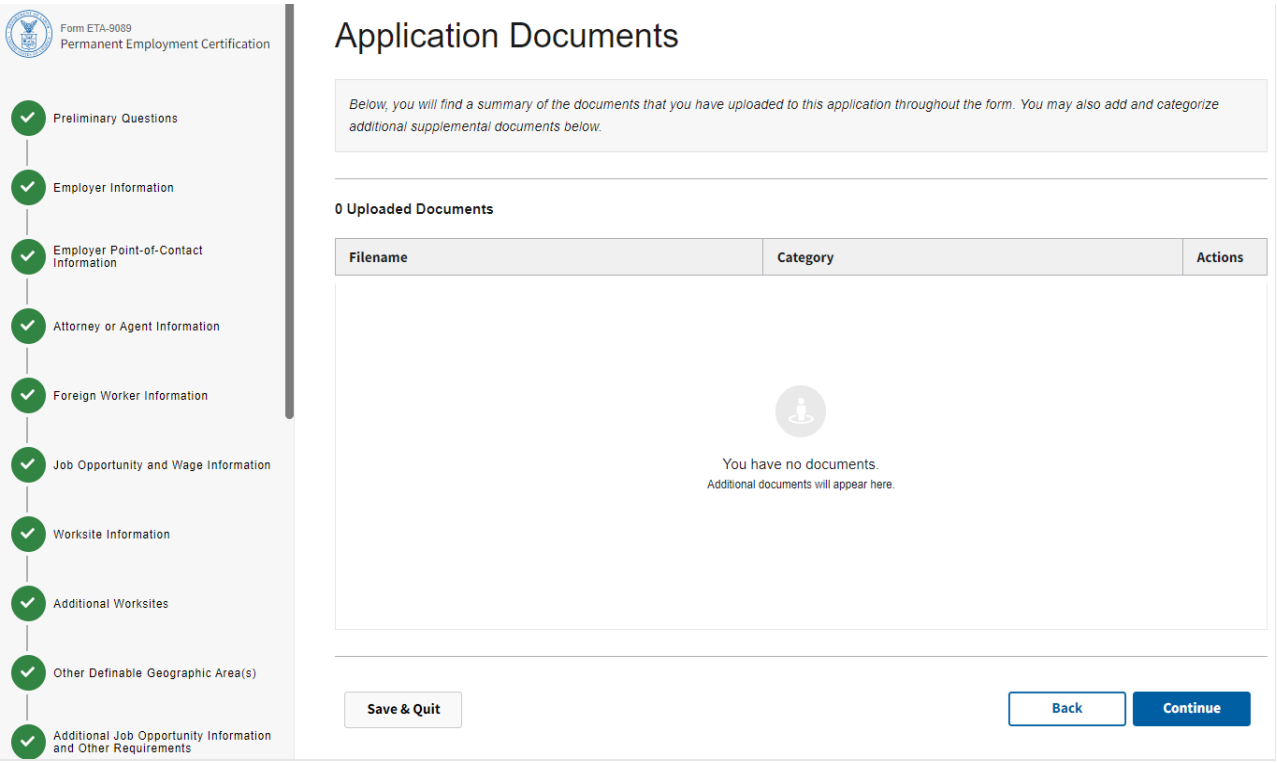
3. Describe all other recruitment conducted and sources used if applicable.

4. If your occupation type is not College or University Teacher, click Continue.

Application Documents

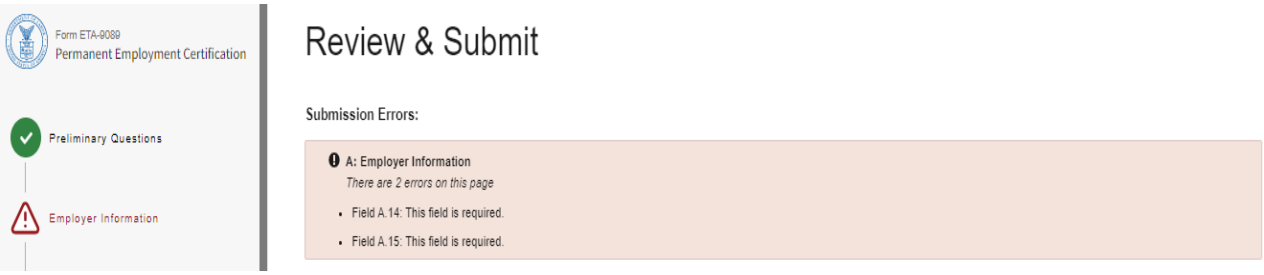
1. This section shows a list of all the documents you have uploaded as part of this application, if needed.

2. If you want to replace a document, navigate to the section in which the document was uploaded to clear the upload. Click Continue.



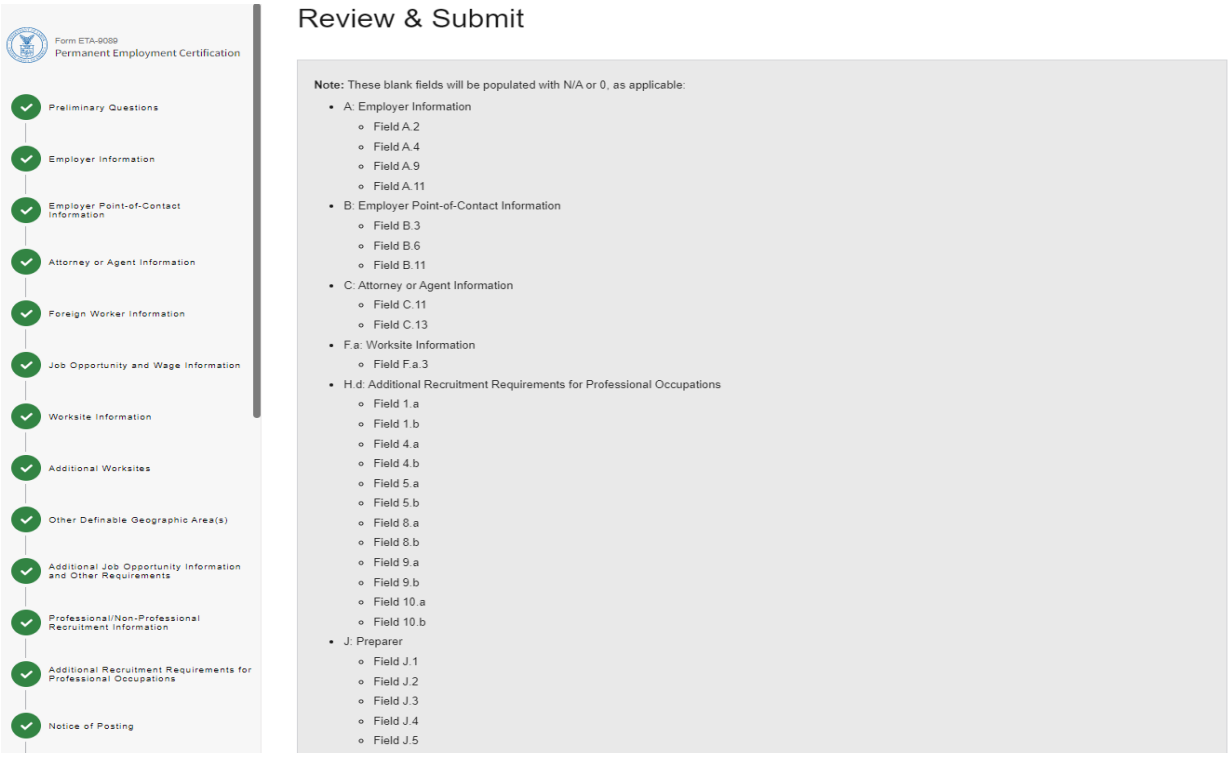
Review and Submit

1. This is the final step before submission. You will see a list of the incomplete fields and any errors that must be corrected prior to submission. Please complete these required fields.

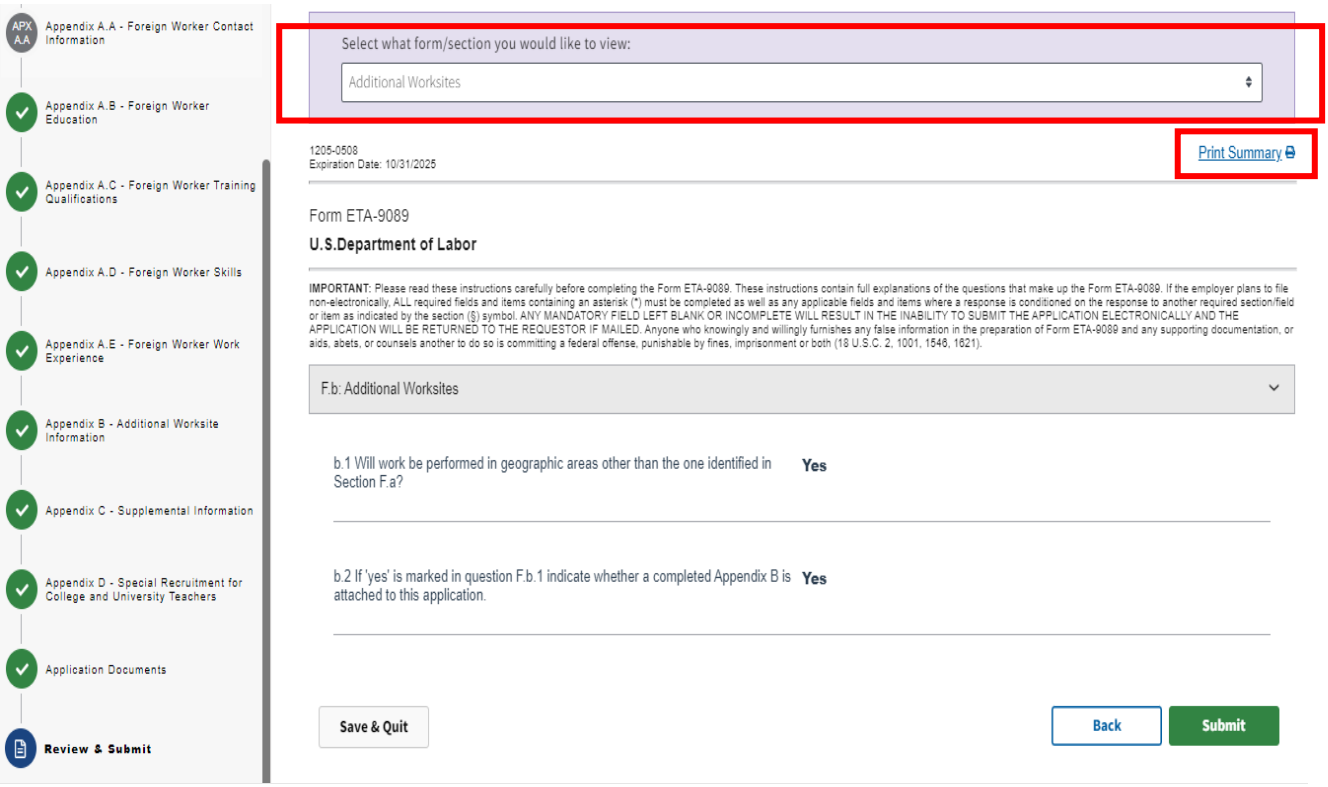


2. The submit button will be grayed out, preventing you from submitting the application with incomplete or missing information.

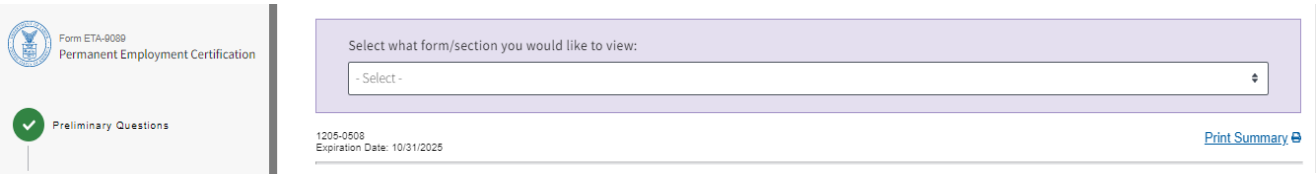
3. If you have no incomplete fields or errors, you will get a list of all the blank fields that will be populated with N/A or 0, as applicable.

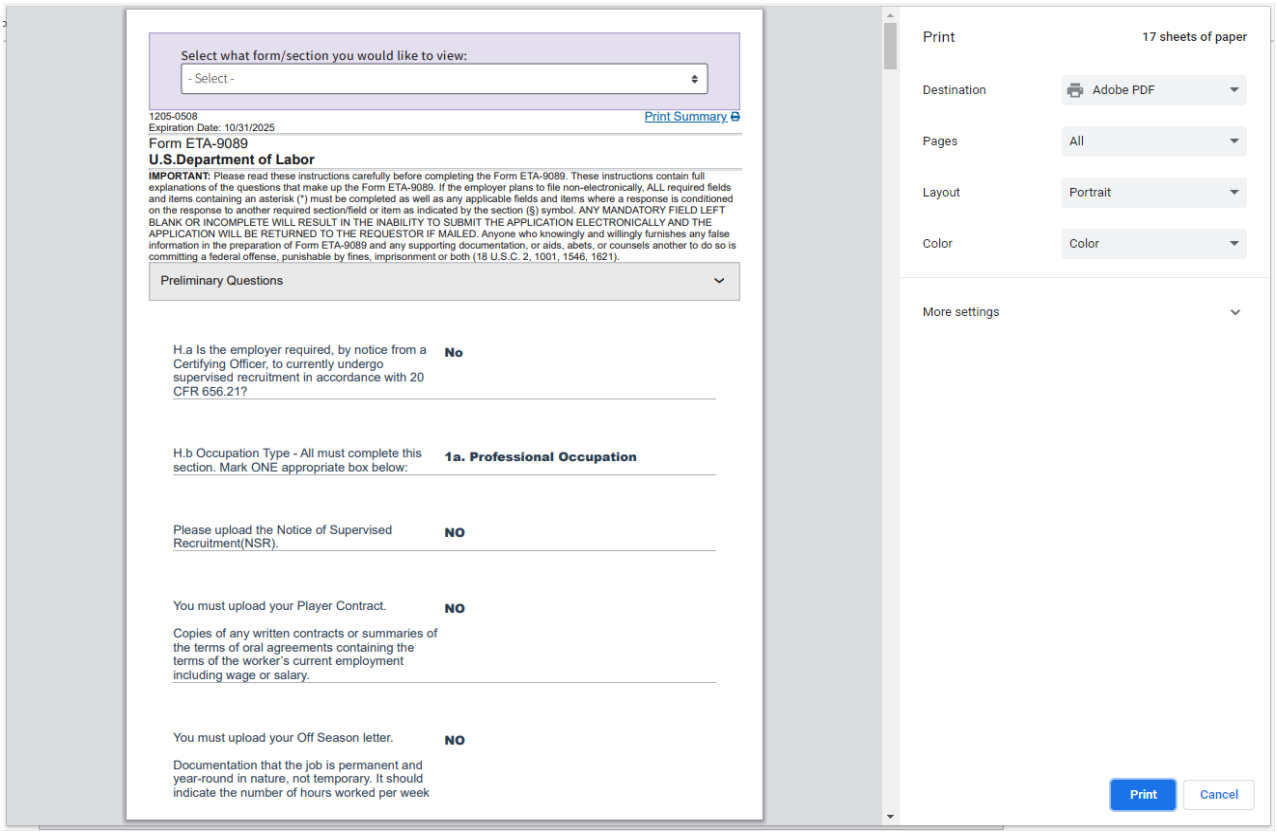


4. You can choose to review each of the sections of your application at this time. Use the drop down box to select a section of the form to review. Select "Print Summary" to print the application you have selected.

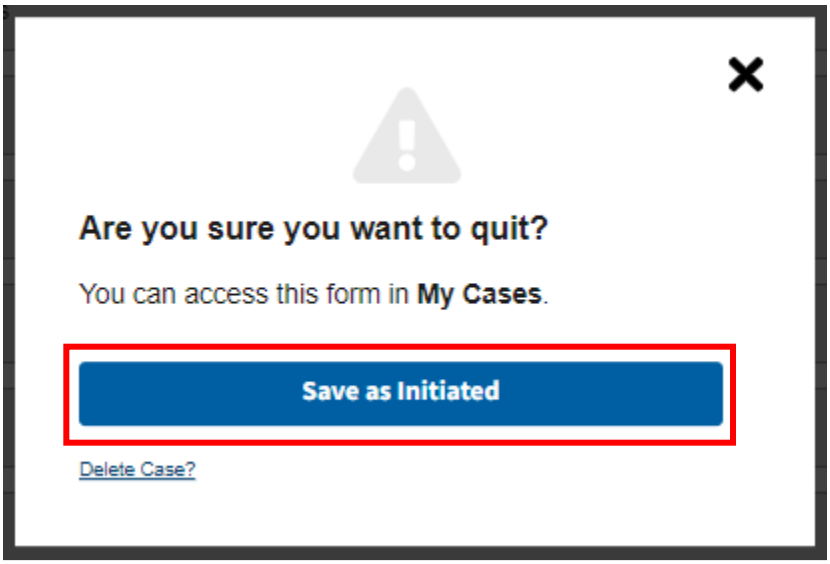


5. If you don't select a specific form/section, and you click on "Print Summary", you will receive a print summary of your entire application.

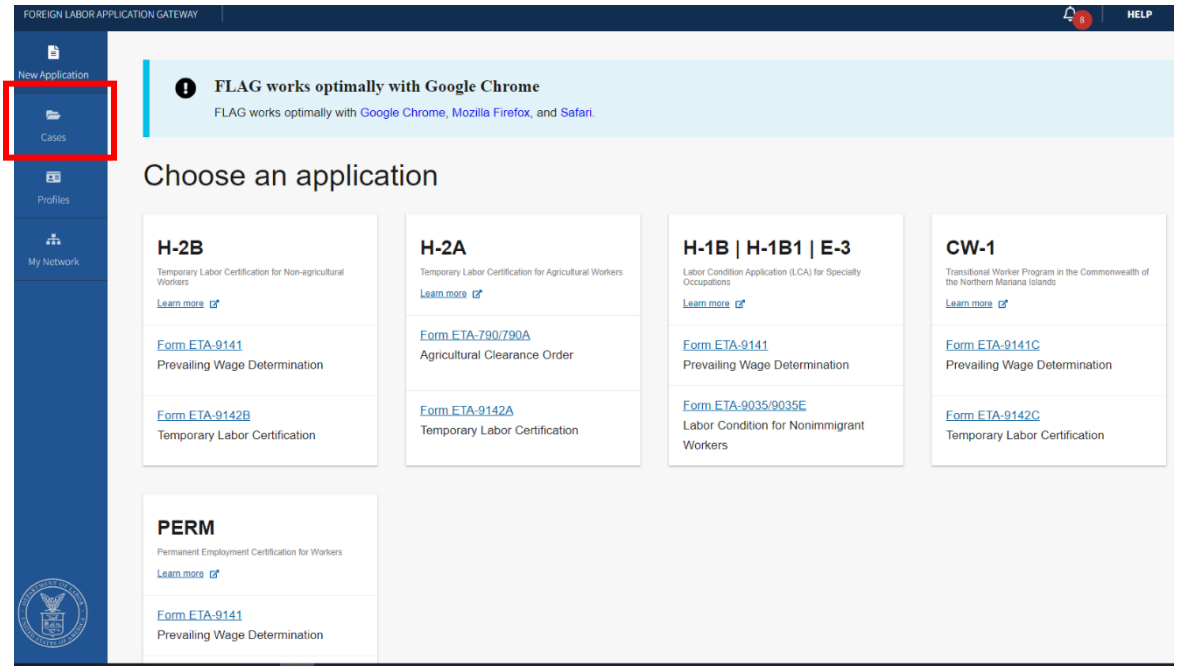




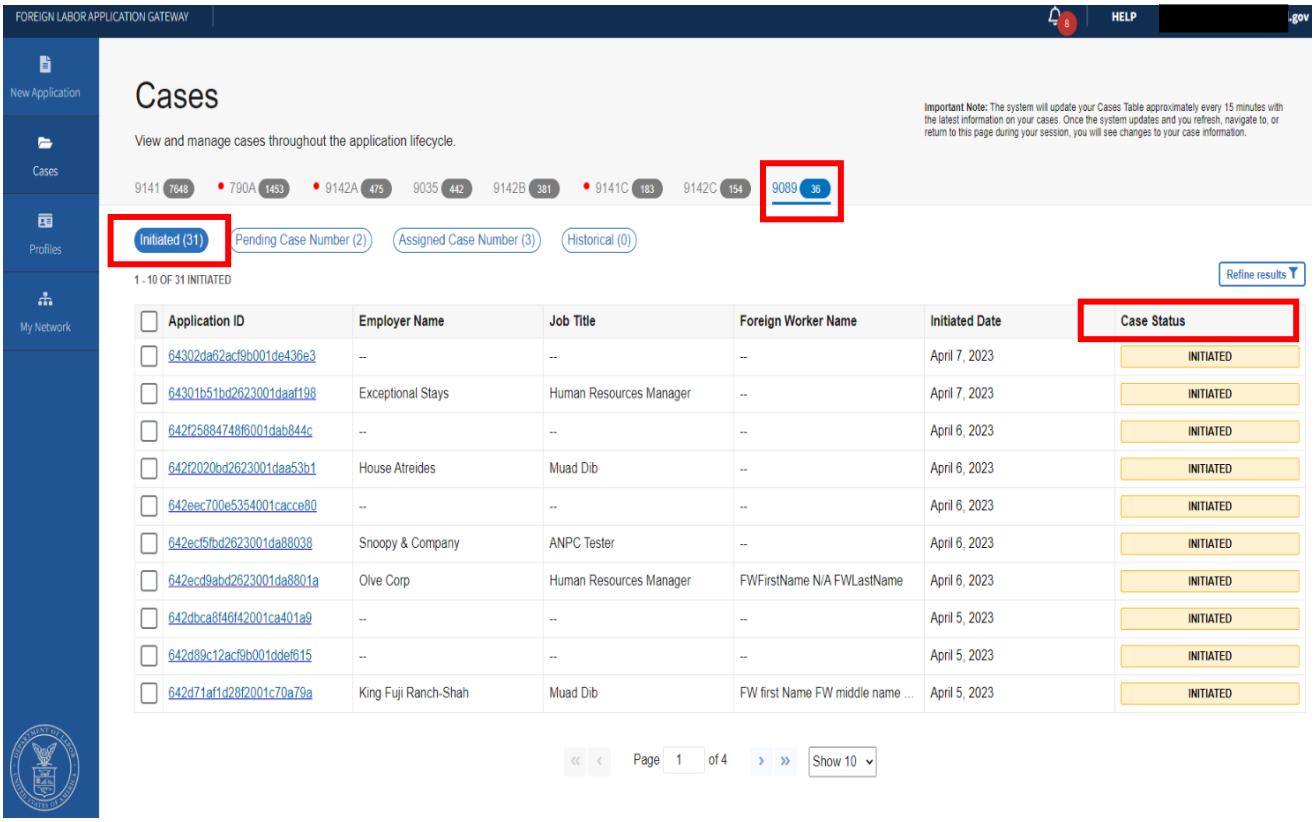
6. The initiated application can be saved for future submission by selecting the “Save & Quit button. Click on “Save as Initiated” in the pop-up menu. If you do not want to save the application, select “Delete Case?”.



7. Once you have saved the initiated application, it will be available in the Cases tab.

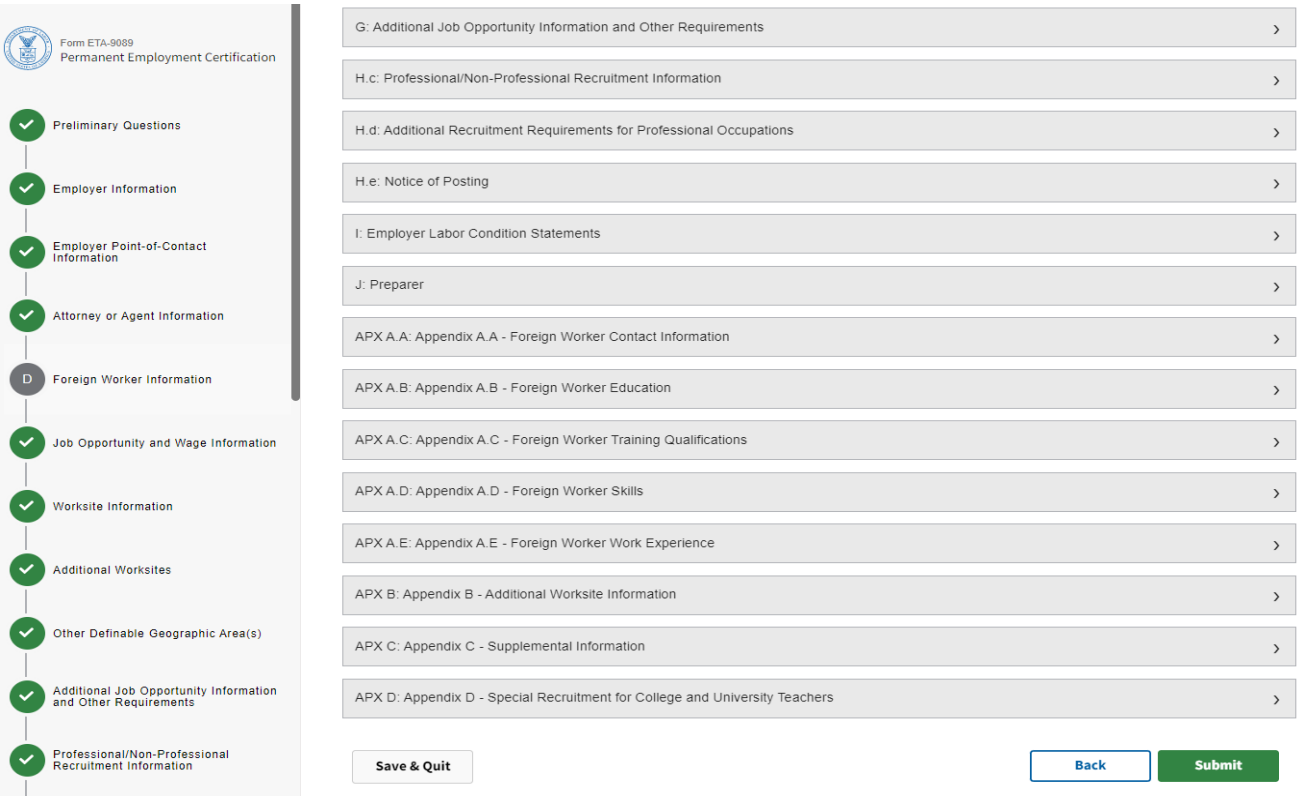


8. Click on Cases and select “9089”, and then “Initiated”, your case will now be listed with an Application ID and a Case Status of Initiated. Click on the Application ID to open the initiated application and continue completing the application.



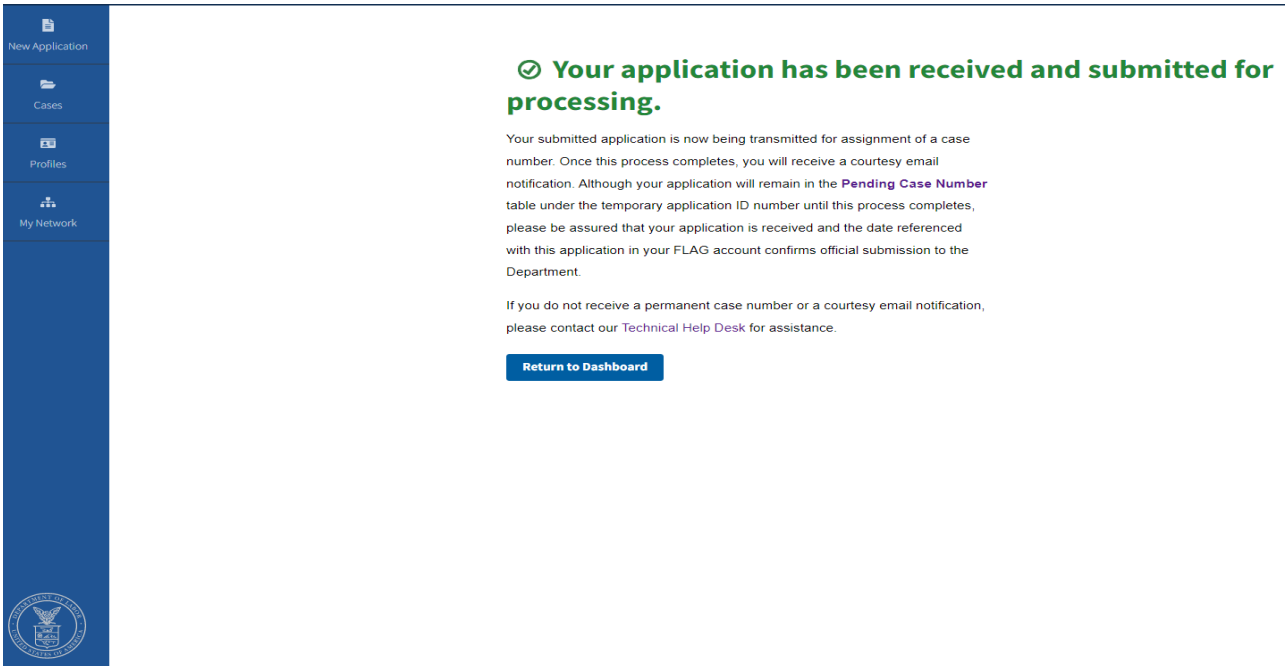
Form Submission

1. When you have completed all the required fields for all of the sections, and you have all green checkmarks, your Submit button is green.



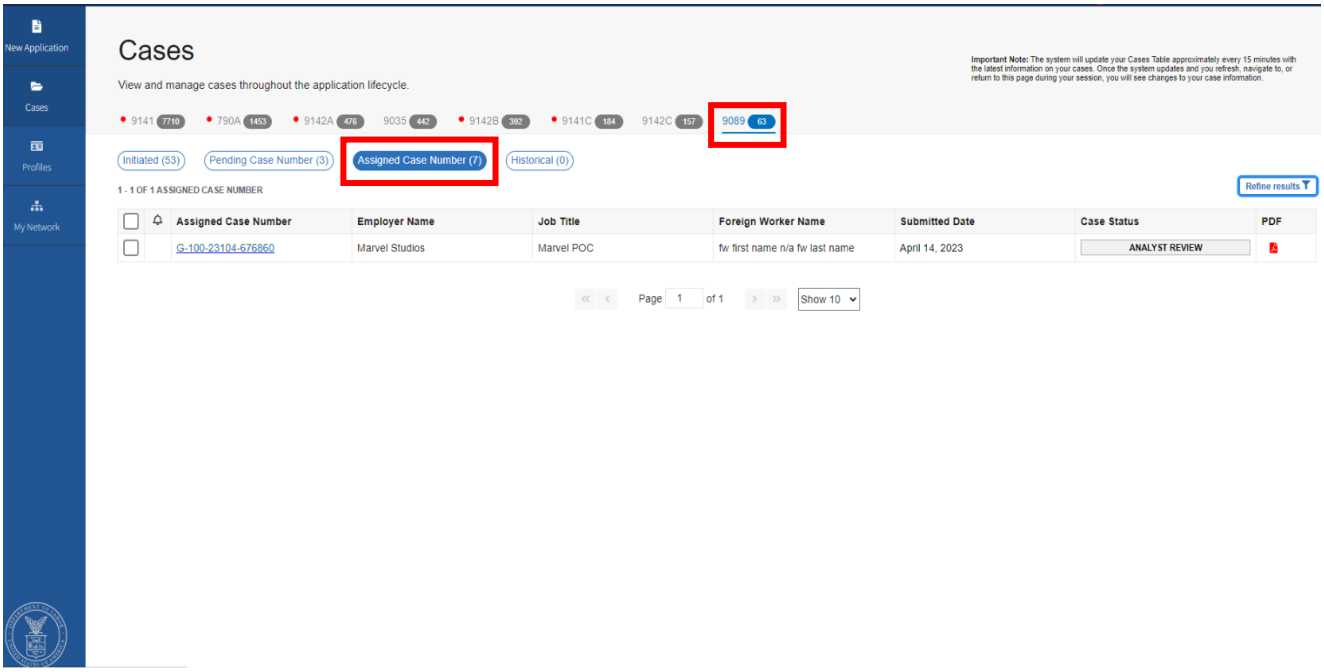
2. Click the green Submit button.

3. You will then get a confirmation saying your application has been received and submitted for processing. You will also receive a courtesy email notification.

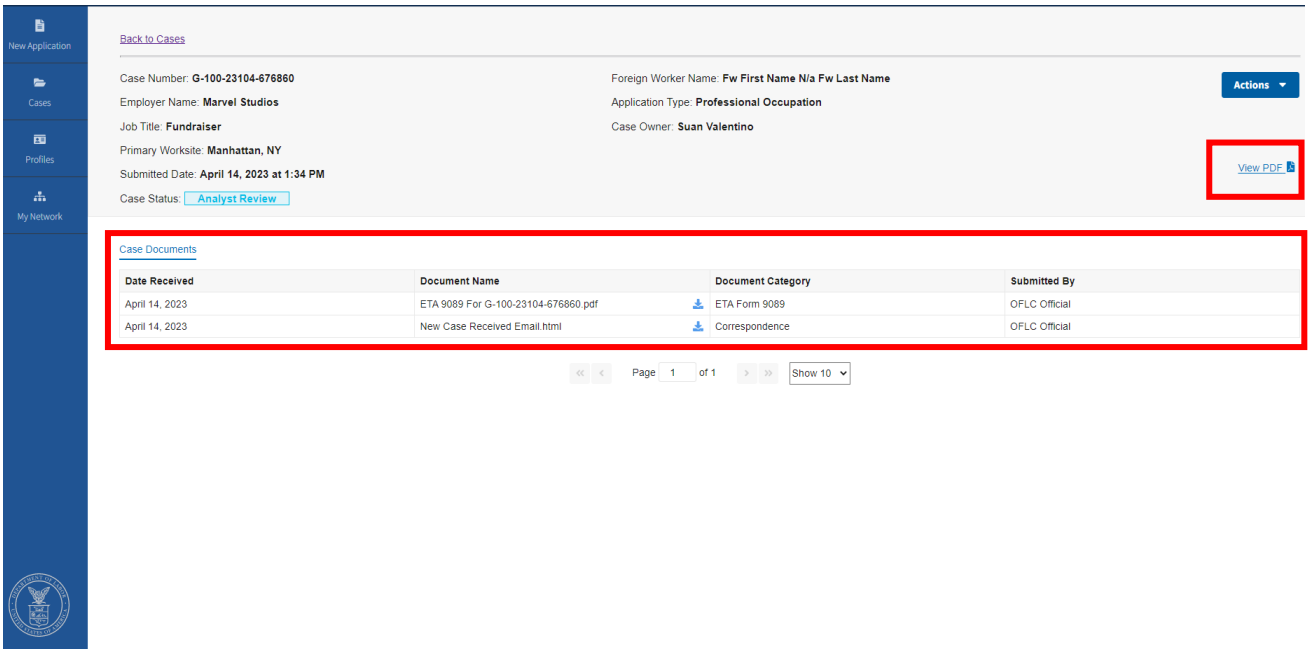


4. Click “Return to Dashboard” to go back to the main FLAG page.

5. Click Cases Icon on the left, select “9089”, and then “Assigned Case Number”. Your case will now be listed with its Assigned Case Number.



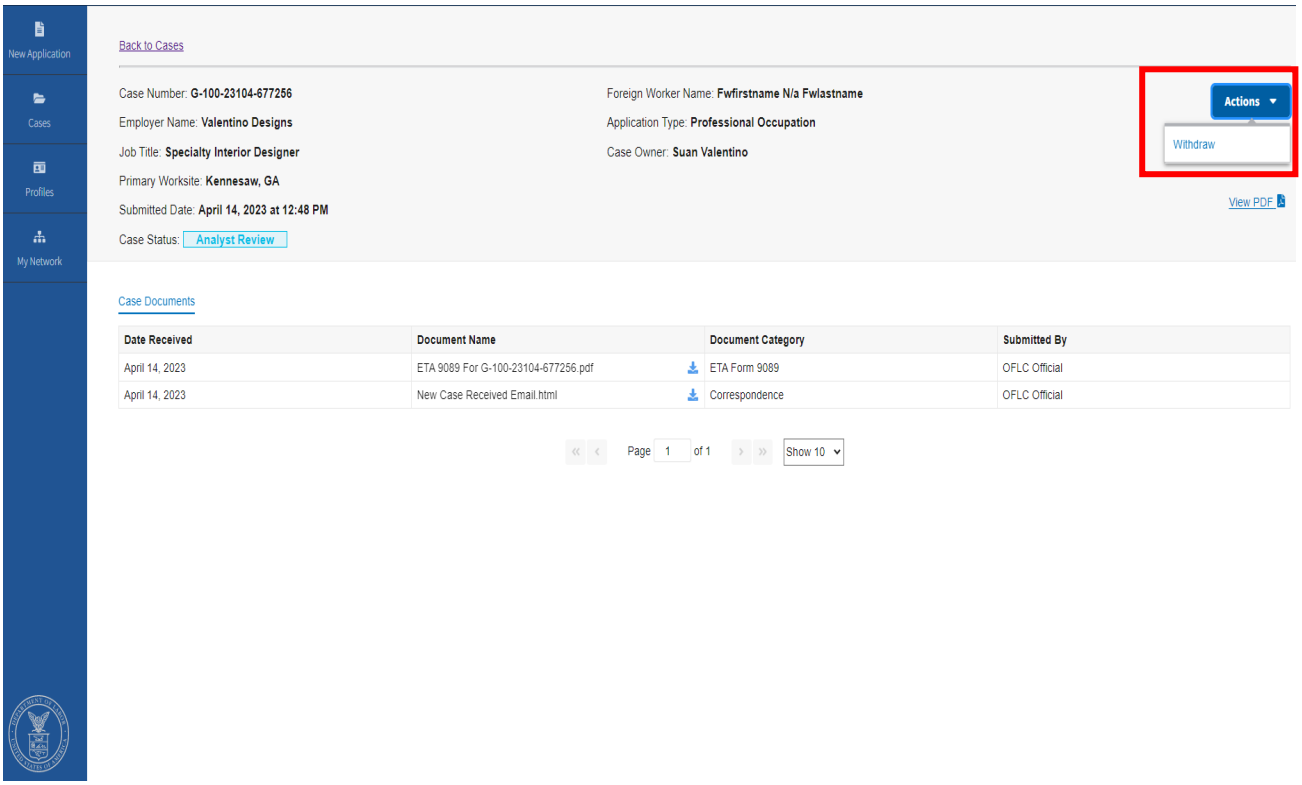
6. Click on the Case Number. A page will open with information about the case, links to your documents, and a link to view a PDF of the submitted application.



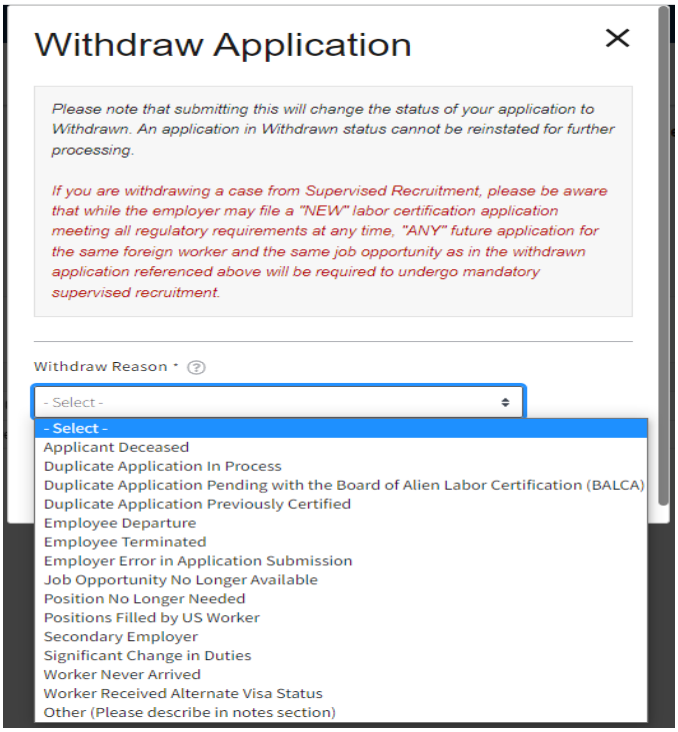
Withdraw Submitted Application

1. To withdraw your application, find your assigned case.

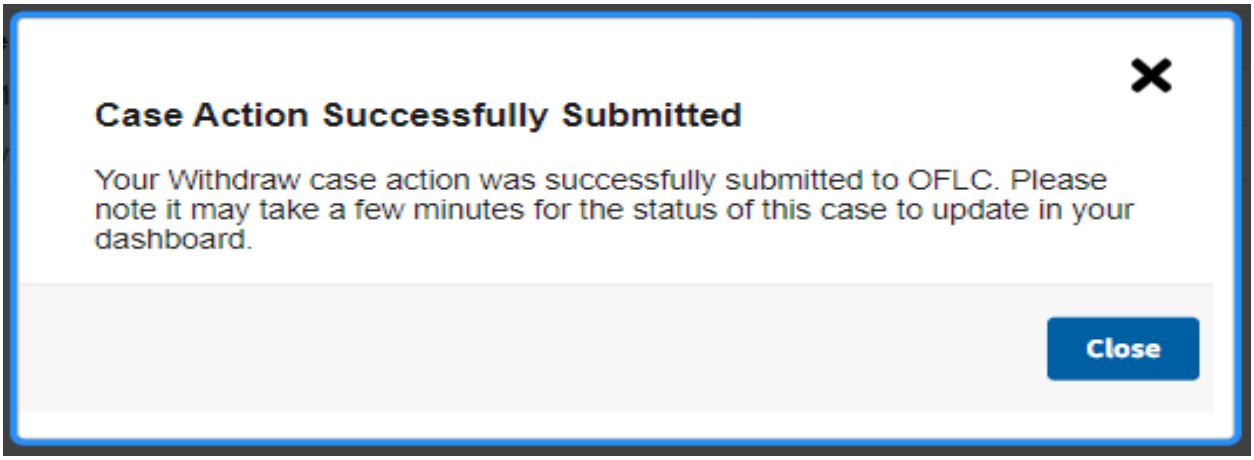
2. Click on Actions in the upper right hand corner. You will see option to Withdraw this application.



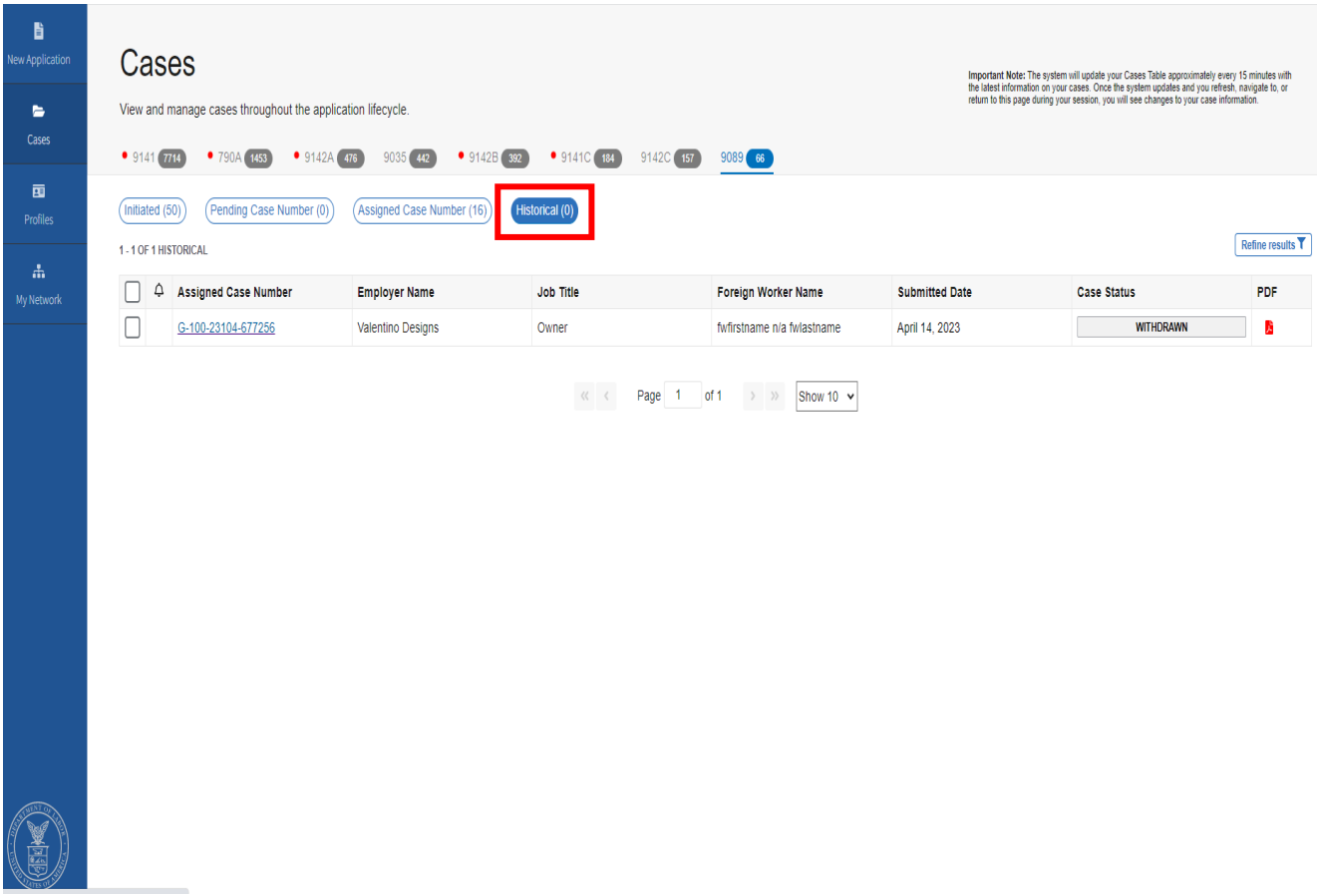
3. Select a Withdraw Reason and click Submit.



4. You will get a confirmation that the withdrawal was successfully submitted.



5. If you then go Back to Cases, in the Historical section, the withdrawn case will now be shown with a Case Status of Withdrawn. You will also receive a courtesy email notification that your application has been withdrawn.



Note: Once you withdraw an application, it cannot be reinstated for further processing.