

https://www.postguam.com/news/local/first-arrival-of-new-foreign-workers-on-h-2b/article_041955c0-6ea6-11e8-8401-2b40056461a1.html

First arrival of new foreign workers on H-2B visas in more than two years

Kevin Kerrigan | The Guam Daily Post Jun 13, 2018 Updated 1 hr ago



One of the first groups of new foreign workers on H-2B visas board a waiting bus after arriving Wednesday at the A.B. Won International Airport Guam. David Castro/The Guam Daily Post

David Castro/The Guam Daily Post

A group of skilled foreign laborers arrived on island Wednesday morning from the Philippines. They are the first new, major batch of H-2B workers approved for entry to Guam since early 2016, more than two years ago.

At the start of the week there were no H-2B laborers on island. The last one left island in April,

according to Greg Massey, the director of the Guam Department of Labor's Alien Labor Processing Division.

"We had zero workers," said Massey.

"It means that construction projects that have been delayed will be able to move forward," said Gov. Eddie Calvo in a statement, adding "this is the first of several groups to arrive on Guam, which in turn will move our economy forward."

The 45 workers who arrived Wednesday morning are the first batch of 321 H-2B applications approved by the U.S. Citizenship and Immigration Service for PHC Corp., a subcontractor for Core Tech International. The Guam Daily Post is affiliated with Core Tech.

Core Tech International has a \$200 million contract to build two hangars at Andersen Air Force Base. PHC General Manager Jong Won said the workers who arrived today will help build those hangars. In this group of workers he said there are 17 cement masons, 11 carpenters, 8 reinforced metal workers, 4 heavy equipment operators, 2 equipment mechanics, 2 electricians, and 1 plumber.

Won says he expects to welcome 40 to 50 additional H-2B workers "every other week" until the workforce needed for the hanger project is complete.

"This is better than none," said Won, and he's pleased that USCIS has granted approvals for these workers, but he's concerned that no approvals have been granted yet for the non-military projects. "I'm still waiting for permission for the non-military projects," he said.

The H-2B visa applications for these laborers were approved under the exemption granted in the National Defense Authorization Act for workers who are needed for projects related to the military buildup.

It took the inclusion of legislation in the National Defense Authorization Act for Fiscal Year 2018 for USCIS to reverse its more than two-year record of rejecting virtually all petitions for foreign laborers. Language in the NDAA has allowed Guam employers to hire up to 4,000 H-2B workers a year for projects related to the military buildup.

There were as many as 1,500 foreign skilled workers on Guam in late 2015 when USCIS started denying requests for new H-2B visas.

Guam DOL's Massey said there is still some "vetting" that needs to be done. They will have to be

registered, and H-2B ID cards must be issued to them. Once that's done they can start working.

To date, the USCIS has approved a total of 654 H-2B visa applications, all for military related construction contracts.

No visa applications have been approved for any non-military related projects, yet, said Massey.

However, Massey says 555 applications from Ace Construction are pending. In addition, Tropical Dive Station has applied for an H-2B visa for a foreign language dive instructor, and Guam Radiology has also applied for H-2B visas for some technicians the clinic needs.

Ace, Guam Radiology and Tropical Dive Station are all plaintiffs in the still ongoing lawsuit filed in October 2016 by 11 Guam businesses and the Guam Contractors Association which has challenged the USCIS' denials of petitions for H-2B workers.

On April 2, 2018, Chief Judge Frances Tydingco-Gatewood of the District Court of Guam granted class-action status to the lawsuit. That followed the preliminary injunction she issued on Jan. 23, 2018.

The injunction requires USCIS to reverse its previous denials of H-2B worker petitions, and to stop the blanket denial of future petitions – at least temporarily – until the merits of the case have been decided.

Kevin Kerrigan