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## Proposal offered for H-2B shortfall

John O'Connor | The Guam Daily Post 8 hrs ago

The number of H-2B workers on Guam may fall to zero within the next few months, endangering local and military construction projects if no solution is implemented, according to Greg Massey, the administrator of the Alien Labor Processing and Certification Division at the Guam Department of Labor.

There are just over 50 H-2B workers on island. Numbers began dwindling in December 2015 as visa petitions expired without approval.

A solution, at least for military construction and health care labor shortages, was proffered in the 2017 National Defense Authorization Act as a rider but was turned down by congressional Republicans, according to its author, Guam Delegate Madeleine Bordallo.

A similar legislative solution is underway in the 2018 defense act, but this measure solves only part of the problem, according to Gov. Eddie Calvo.

But Massey stated the legislative solution can't be discounted.

A more holistic solution may come from a proposal presented to federal labor officials during a recent trip to Washington, D.C.

"What we've proposed to the federal government is to expand the Guam-only regulations that the governor has. Right now, the governor has the authority (over) what's called labor certification — that's the first part of the H-2 process," Massey said.

Massey added that GovGuam is seeking an expansion of those powers to include oversight of a temporary nature — the second part of the process and the aspect that H-2B petitions have been denied on.

Massey presented the proposal, as well as clarifications on misconceptions with foreign labor practices, to the Rotary Club of Guam yesterday.

With the proposal, which is regulatory in nature and can be executed without congressional input, Massey said there would still be a need to meet federal requirements with declaring temporary nature, "but we think that the governor on the ground here is in a better position to judge what the industry looks like than somebody sitting in a desk in (California)."

"Since that would be a Guam-only regulation, it wouldn't be affecting the whole mainland, just for Guam. And that would be a holistic fix, not only behind the fence but outside the fence," Massey said.

Federal officials committed to considering the proposal but did not commit to a timeline, Massey added.

An official from the U.S. Citizenship and Immigration Services did contact Gov. Eddie Calvo shortly after the Washington visit.

However, as Massey stated to the Rotary Club of Guam yesterday, the phone call likely did not contain the sense of urgency that he wanted, as the governor later reiterated calls to halt military construction amid concerns with the H-2B shortage.

Calvo also sent a letter to James McCament, the acting director of the U.S. Citizenship and Immigration Service.

"The lack of a complete solution sends a message to the people of Guam that we are not partners in this movement forward. ... This message saddens me to the core, especially considering our people's continued patriotism and loyalty to the United States," Calvo stated in part to McCament.

Meanwhile, a lawsuit brought on by local contractors against federal labor officials because of the H-2B shortage remains pending in federal court. The federal government, on the other hand, asserts that some abuses have taken place with the H-2B program on Guam.

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Reporting on utilities, healthcare, education and other topics.