

https://www.postguam.com/news/local/k-donated-for-case-on-h--b-visas/article_23377992-3776-11ea-8872-73133d171841.html

\$10K donated for case on H-2B visas

KEVIN TANO | GUAM DAILY POST

JAN 16, 2020



DONATION: The Guam Bankers Association donated \$10,000 to the Guam Contractors Association to assist in the lawsuit against the federal government over the stalled processing of H-2B visas. From left: Byron Evaristo, BankPacific; Camilo Lorenzo, GCA board member; Ed Untalan, First Hawaiian Bank; Mark Cruz, GCA board member; Jessica Barrett, GCA board chairperson; Peter Errett, GCA board member; Peter Valdez, ANZ Bank; Grace Jacot, GCA board member; Bill Bernardo, GCA board member; and Phil Flores, CEO and chairman of BankPacific and representative of the Guam Bankers Association. David Castro/The Guam Daily Post

The Guam Bankers Association on Wednesday contributed \$10,000 to assist the Guam Contractors Association its lawsuit against the federal government over the stalled processing of petitions for temporary foreign workers under the H-2B visa program that aren't related to military projects.

On Oct. 4, 2016, a group representing different construction companies and businesses from other industries filed a lawsuit against the U.S. Citizenship and Immigration Services and the Justice Department after a near-100% denial for skilled foreign workers under the H-2B visa program.

Greg S. Massey, the administrator of the Guam Department of Labor's Alien Labor Processing and Certification Division, gave an update to the GCA and GBA membership on the H-2B situation.

Massey said that under the regular process for H-2B petitions, employers have had a zero percent approval rate.

However, for petitions that are connected to the military buildup, USCIS has given 100% approval, he said.

According to Massey, an employer must get a letter from the military, through the Joint Region Marianas, to qualify for a military buildup-related petition for H-2B workers, and then Alien Labor Processing and Certification Division follows up with a request letter to USCIS.

He said there are 1,176 workers on H-2B visas on the island. He added about 2,000 to 2,400 workers could be on the ground in the next 12 months.

Massey said the regular process, without getting an exemption for military buildup-related projects, has had a "chilling effect," because of the 100% denial rate.

In addition to filing a petition to hire H-2B workers under the military buildup, there is another path: the filing of a petition from one of the companies that qualifies as a member of the class in the ongoing lawsuit, and which cannot be denied using the same reason they were denied before, according to Massey.

The USCIS denials have been based on a finding that employers failed to show the petition to hire is based on a temporary need.

