

# Adelup: Feds approve 355 H-2B workers from the Philippines despite worker ban

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The federal government recently approved Guam contractors' petitions for 355 H-2B visa workers from the Philippines, despite the country's recent removal from the list of those approved for new H-2B workers.

The four contractors who got approved for H-2B workers include Core Tech for 258 workers, Nan Inc. for 59 workers, 19 for J Corp., and 19 for Northern Construction, according to the governor's director of communications, Janela Carrera.

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Core Tech was allowed to add a second project to their application and use their existing 258 H-2B workers for the second project on Guam, while the three other contractors have recently been approved to bring 97 H-2B visa workers from the Philippines, based on Adelup's press release.

The Philippines' removal from the list of countries approved for H-2B workers caused uncertainty in Guam's contractor community.

## Governor renews call

In the wake of the approvals, Gov. Lou Leon Guerrero renewed her call for contractors to petition for H-2B workers if they are unable to source skilled workers on Guam.

"The H-2B denials in 2017 and the ban placed on the Philippines created a shortage of labor on Guam, driving up the price of construction and halting many projects on our island," Leon Guerrero said in a statement.

Leon Guerrero was in Washington, D.C. in late February to early March to, among other things, seek help from federal agencies and Congress to lift H-2B restrictions for Guam as the island works on military realignment and related construction projects.



Construction workers on the site of the Tsubaki Tower hotel project in Tumon, Jan. 22, 2019. (Photo: Frank San Nicolas/PDN)

"As I've told the White House, the U.S. Congress, the Department of Homeland Security, and the U.S. Citizenship and Immigration Services during my trip to D.C. last month, every construction project on Guam is tied to the military buildup," she said.

The governor said military families stationed on Guam travel the same roads, visit the same malls and eat at the same restaurants.

"They enjoy Guam the way we all enjoy Guam, locals and tourists alike. We are one community and the federal government needs to recognize this. I continue to encourage contractors to make a case for listing projects as buildup-related and hopeful that more approvals will be forthcoming," she said.

## Optimism about trend

With 858 workers currently on island and 629 workers pending arrival, the governor is optimistic that the trend of approvals will continue, Adelup said.

The governor's office said the removal of the Philippines from the list of approved countries for H-2B workers resulted in an increased layer of federal scrutiny to meet the requirement that the employment of the workers be in the U.S. interest.

However, employers have been successful in meeting USCIS requirements and securing approvals, with the National Defense Authorization Act exemption being a major contributing factor, the office said.

The NDAA exemption allows for H-2B workers on Guam, so long as petitions are being made for military-related projects and for public and private sector projects when properly justified.

Projects related to the airport, roads, hotel construction or renovation and utilities have been approved in recent months.

The governor's office said just last week, USCIS approved the application for 258 H-2B workers for a multi-family housing project.

The approvals should give employers more confidence in their efforts to petition for H-2B workers in completing projects, Adelup said.

"As employers successfully deploy their H-2B workers, these employers are encouraged to use their active projects as training grounds for local workers and build capacity in the local workforce," Guam Department of Labor Director David Dell'Isola said in a statement.

Guam Labor's process for H-2B workers helps ensure that qualified and skilled available U.S. workers are first offered jobs, both locally and nationally, before certification is granted for foreign H-2B workers.

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