

# Feds approve 162 H-2B workers for Guam

Haidee V Eugenio, [heugenio@guampdn.com](mailto:heugenio@guampdn.com) Published 6:45 p.m. ChT March 30, 2018



(Photo: Pacific Marketplace file photo)

The federal government approved 162 skilled foreign workers under the H-2B visa program for military construction projects on Guam, the governor's office said Friday.

This is the first batch of H-2B worker petitions approved since U.S. Citizenship and Immigration Services started denying nearly 100 percent of all applications from Guam, slowing down construction projects on the island.

**More:** [Waiting game: Feds expected to rule on H-2B petitions soon \(/story/news/2018/03/28/guam-awaits-uscis-decision-333-h-2-b-worker-petitions-hundreds-h-2-b-workers-could-start-arriving-jun/464640002/\)](/story/news/2018/03/28/guam-awaits-uscis-decision-333-h-2-b-worker-petitions-hundreds-h-2-b-workers-could-start-arriving-jun/464640002/)

**More:** [USCIS now accepting H-2B petitions for military projects \(/story/news/2018/02/16/uscis-now-accepting-h-2-b-petitions-military-projects/344246002/\)](/story/news/2018/02/16/uscis-now-accepting-h-2-b-petitions-military-projects/344246002/)

"This is good news," Gov. Eddie Calvo said in a statement. "This is the first test case of the [National Defense Authorization Act] visa approval process and we weren't certain how USCIS would respond to these petitions."

The Guam Department of Labor said this is the first approval of H-2B workers since November 2016.

The defense budget law allows up to 4,000 H-2B workers for military realignment projects.

## 'Certainly good news'

The approved H-2B petitions for 162 positions were filed by PHC Corp., the governor's office said. They included 128 carpenters, 14 welders, eight plumbers, seven electricians and five construction equipment mechanics.

Jong Won, general manager for PHC Corp., on Friday said the USCIS approval is "certainly good news" for the company.

Won said PHC Corp. is a subcontractor for two major hangar projects on Andersen Air Force Base, with combined project amount of more than \$200 million. He said the main contractors for the projects include Core Tech, which is also petitioning for hundreds of H-2B workers. PHC Corp. also has other smaller military project contracts, Won said.

"After how many times we got rejected, we got H-2B approvals. Certainly this is good news for us," Won said, adding that they initially petitioned for more than 300 H-2B workers.

Won said he expects the workers to arrive on Guam in May.

## Looking forward to future H-2B petitions

Adelup said there remain 171 positions for three occupations that require USCIS approval for PHC Corp. They are for cement masons, heavy equipment operators, and iron workers.

Greg Massey, administrator for the Guam Department of Labor's Alien Labor Processing and Certificate Division, on Friday said the department is happy to see some approvals issued and looks forward to seeing the results of future H-2B petitions.

**More:** [Opposing motions in H-2B class action certification request \(/story/news/2018/03/22/opposing-motions-h-2-b-class-action-certification-request/448039002/\)](/story/news/2018/03/22/opposing-motions-h-2-b-class-action-certification-request/448039002/)

**More:** [As Guam starts hiring H-2B workers, fees may increase by \\$1,000 \(/story/news/2018/03/27/guam-starts-hiring-h-2-b-workers-fees-may-increase-1-000/460941002/\)](https://www.guampdn.com/story/news/2018/03/27/guam-starts-hiring-h-2-b-workers-fees-may-increase-1-000/460941002/)

"We still encourage any other employers who may have a legitimate temporary need to file their H-2B petitions through the regular process," Massey said.

Guam used to have an average of 1,500 H-2B workers every year, but because of denials, only 23 remained this week.

Guam Labor Director Sam Mabini and other department officials are waiting for responses to other petitions that have been submitted to see if there's a positive trend.

## Cautious optimism

The Guam Contractors Association and nearly a dozen other businesses sued the federal government over the petition denials.

A recent preliminary injunction prohibited USCIS from denying H-2B petitions by named plaintiffs using the temporary need requirement. The plaintiffs in the case work mostly on civilian or non-military projects.

"The second big test would be the federal agency's response to petitions for skilled workers for outside-the-fence projects," Calvo stated. "Just this week, I signed a petition for the first of those projects by a contractor that was involved in the [Guam Contractors Association] lawsuit."

The governor is referring to Ace Builders' petition for 555 skilled foreign workers. His letter of support will be added to the petition packet that will be sent to USCIS.

Lt. Gov. Ray Tenorio also is cautiously optimistic, Adelup said.

"We're looking for a favorable response to that request because that would signal that the federal government is acting in good faith and that the military buildup that Guam is expected to host will benefit the people on both sides of the fence," Tenorio said.

## Status quo with at least 1,500 H-2B workers

So far, 10 employers have filed applications for 1,120 H-2B workers with the Guam Department of Labor, but they have not yet gone to USCIS, Massey said at a meeting of the Guam Chamber of Commerce on Wednesday.

Massey estimates that by the end of fiscal 2018, if USCIS starts issuing approvals in a reasonable manner, Guam will be back to status quo with at least 1,500 H-2B workers.

He said based on a recent industry forum, if the military projects progress on schedule, Guam may see up to 4,500 H-2B workers arrive.

### READ MORE:

[Hike a testament to faith](https://www.guampdn.com/story/news/2018/03/30/good-friday-hike-testament-faith-islands-catholics/472039002/)

(<https://www.guampdn.com/story/news/2018/03/30/good-friday-hike-testament-faith-islands-catholics/472039002/>)

[Guam Election Commission to receive \\$600K from feds](https://www.guampdn.com/story/news/2018/03/30/guam-election-commission-receive-600-k-federal-assistance-2018-election/472188002/)

(<https://www.guampdn.com/story/news/2018/03/30/guam-election-commission-receive-600-k-federal-assistance-2018-election/472188002/>)

*Reporter Haidee Eugenio covers Guam's Catholic church issues, education, government, business and more. Follow her on Twitter @haidee\_eugenio ([https://twitter.com/haidee\\_eugenio](https://twitter.com/haidee_eugenio)). Follow Pacific Daily News on Facebook/GuamPDN (<http://www.facebook.com/guampdn/>) and Instagram @qua (<http://instagram.com/GuamPDN>)mpd (<http://instagram.com/GuamPDN>)n.*

Read or Share this story: <https://www.guampdn.com/story/news/2018/03/30/feds-approve-162-h-2-b-workers-guam/472207002/>

