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Guam verifying federal data on H-2B overstays

Louella Losinio | The Guam Daily Post 14 hrs ago



MASSEY: Greg Massey, Guam Department of Labor administrator of the Alien Labor Processing and Certification Division, holds up an H-2B fact sheet he supplied to lawmakers during an informational briefing Wednesday at the Guam Legislature. Massey said GDOL is putting together documents to highlight Guam's unique circumstances with the H-2B foreign labor program. David Castro/The Guam Daily Post

While the recent notice from the U.S. Department of Homeland Security banning the recruitment of H-2B workers from the Philippines was prompted by the high number of Filipino workers who stayed back or became human trafficking victims, Guam numbers reflect a different picture.

The Guam Department of Labor reported the data during an informational briefing Wednesday at the Guam Legislature.

The Department of Homeland Security, with the concurrence of the Secretary of State, posted a notice in the Federal Register that the Philippines no longer meets the "regulatory standards" for its citizens to apply for H-2B visas. The Philippines will remain off the list for at least 12 months until DHS updates the list one year from now.

“This informational briefing comes on the heels of this decision by DHS and its impact on our labor workforce,” said Sen. Régine Biscoe Lee, legislative committee chairwoman.

“The truth is that our island relies on skilled labor from the Philippines, and we are better and stronger as a community for it,” she said.

The notice was prompted by what DHS called a high number of Filipinos who have stayed behind in the United States after their temporary work authorization expired, as well as those who became human trafficking victims after being issued H-2B visas.

Greg Massey, Guam Department of Labor administrator of the Alien Labor Processing and Certification Division, said that in general, around 3 percent of Guam's foreign laborers absconded. Employers are required to report their workers to the agencies when they abscond or leave.

“That is the information we have. I don't have access to the federal database,” he said.

Massey added, “Just to account for the unreported, we went and doubled that figure just to be generous. If we are going to look at actual hard copies, it is more like 1 percent maybe.”

Sen. Clynt Ridgell asked how the figures compare to what the federal government has reported.

Massey said the parameters for GDOL's data should be taken into consideration. “There is a bunch of questions that needed to get answered on how they are measuring it so we can measure apples to apples,” he said. “But we are of the opinion that these are mainland data. It is definitely not Guam data. We haven't had one trafficking incident with a Philippine citizen on Guam,” Massey added.

David Dell'Isola, who recently was appointed to head GDOL, said the department has been trying to get information on how the federal agency quantified the estimated 40 percent overstay rate for Filipino H-2B workers.

“We are optimistic that we will be able to help employers,” Massey said. “We are strategizing with immigration attorneys right now.”

The department is putting together documented evidence on what makes the island unique from the mainland.

“We do have closed borders. Someone who comes to Guam is not going to the mainland U.S because they have to go through an immigration check,” he said.

According to Massey, there are currently 641 workers out of the 1,390 slots approved for Guam under

the 2019 National Defense Authorization Act.

“We are expecting to have an H-2 population of over a thousand by the end of March. It is possible to ramp up to a full 1,390 depending on the employers,” he said.

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