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NEWS

# Still no H-2B worker approved for civilian projects

Wednesday, January 15th 2020, 4:05 PM ChST

By **Nestor Licanto**



The local construction industry is waiting to see if the ban on Filipino H-2 workers will be lifted this month. The Philippines was removed from the program last January by the homeland security department because of a high rate of overstays.

In a presentation today before the Guam Contractors Association, the Labor department's Greg Massey said he's seen no indication the Philippines will be reinstated. But he says Guam did get approval for the first batch of H-2 workers from Mexico. However, because of a waiver passed by congress, the workers are being brought in for military projects.

"Right now we're seeing a hundred percent approval rate for projects that are directly related or associated with the military realignment" he said. "We still haven't seen too much progress on the GCA lawsuit applications and we haven't really seen anyone filing for regular H-2s. But we're back up to 1,176 workers and that's close to our normal levels. So, so far so good."

But there have been zero approvals for non-military projects because Massey said contractors have been reluctant to pay expensive fees to bring in H-2 workers, only to have their applications rejected.

Meanwhile, the GCA is still pursuing legal action to force USCIS to return to its previous policy of routine approvals of foreign workers even for civilian projects. They got a boost today as the Bankers Association presented them with a \$10,000 check for their legal bills.

"So that's gonna help our litigation," Massey said. "We're just going to continue to go on with that litigation we're kinda relieved that we've got some funds to help us move along and try to bring this to fruition hopefully by the end of the year."

Most recently, the GCA lost its bid to hold USCIS in contempt arguing that the 100-percent disapprovals for civilian projects proved it was not following a Guam District Court order. But the Justice department said it was simply enforcing the policy that requires companies to prove there was a temporary need, which may not have been strictly followed in the past.

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