



Civilian Military Task Force Labor Sub-Committee

January 2008

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Alien Labor Processing Division Update:

H-2 Numbers currently at 1,439, as of month ending November 2007. Highest Point since July 1999. Figures reflect an 81% increase from same time last year and up 259% from Nov. 2006. Anticipate minimum of 25% increase next year (not factoring in Marine move). For FY 08, given removal of the cap, projecting an immediate increase of the H-2B workforce to 4100 workers (not factoring Marines move)

- **H-2 Cap**

Cap closed in 33 days for those seeking approval for the April cap opening. Workers for the April Opening will likely arrive June or July 2008. Next opportunity to file will be in June 2008 for the October cap opening Workers for the October cap opening will likely arrive December 2008 or January 2009.

We estimate about 50% of the employer were surprised by the quick cap closing and did not have an opportunity to successfully file.

- **Enforcement:**

Enforcement efforts are up - Inspections done weekly. GDOL actively assisting US Immigration & Customs Enforcement in apprehensions of illegal workers Citations for violations are up - Employers are being fined for violations more than in previous years. Active networking with other federal & local agencies is ongoing

09 January - Prevailing Wage Rates:

Official email correspondence was received from Chief, Business & Trade Services, USCIS Service Center Operations, US Department of Homeland Security on January 9, 2008, informing GDOL of the final review of new prevailing wage rates for Guam. The USCIS (Immigration) approves the prevailing wage rates for positions traditionally encumbered by temporary foreign workers under the H-2B Visa Program. The Code of Federal Regulation mandates an annual review of the Prevailing Wage Rate (foreign hires) for approved by USCIS.

The last approval was in 2003. The Prevailing Wage rate is one of the issues on the IGIA Labor/Workforce agenda. Greg Massey, ALPCD Administrator, continues to follow-up with Carol Williams, USCIS Legal Council, and Kevin Cummings.

09 January – Federal Partnership for the Fair Employment Practice Program:

Background: Two years ago, the Guam Department of Labor Fair Employment Administrator initiated discussions with the US Equal Employment Opportunity Commission, Office of Field Programs with regard to Guam Department of Labor designation as a Fair Employment Practice Agency (FEPA). On July 10, 2007, the US EEOC officially requested information from the Guam Attorney Generals office

on GDOL designation as a FEPA and applicable local laws to support the designation. On January 9, 2008, Guam Attorney General Alicia Limtiaco, officially responded noting GDOL's empowerment with handling unlawful employment practices and further qualifying GDOL as a FEPA in accordance with applicable Federal and local laws. GDOL is now awaiting final determination as a FEPA from US EEOC.

15 January – State Plan Teleconference – Senior Community Service Employment Program (SCSEP):

Background: The Guam Department of Labor receives funding from the US Department of Labor Senior Community Service Employment Program. The Senior Community Service Employment Program (SCSEP) is a community service and work based training program for older workers. It was authorized by Congress in Title V of the Older Americans Act of 1965 to provide subsidized, part-time, community service work based training for low-income persons age 55 or older who have poor employment prospects. Through this program, older workers have access to the SCSEP services as well as other employment assistance available through the [One-Stop Career Centers](#) of the workforce investment system. In addition to providing community services and part-time work based training, the program has a goal of placing into unsubsidized jobs the number of participants equal to 30 percent of the authorized positions.

Program participants work an average of 20 hours a week, and are paid the highest of Federal, State or local minimum wage, or the prevailing wage. They are placed in a wide variety of community service activities at non-profit and public facilities, including day-care centers, senior centers, schools and hospitals. It is intended that these community service experiences serve as a bridge to other employment positions that are not supported with Federal funds. On January 15, 2008, Helen Mafnas, GDOL Administrative Services Officer attended a teleconference regarding the SCSEP state plan application due June 2008. The teleconference provided state representatives with a venue to discuss goals and objectives of the program as well as planning for community resources, partnerships and collaboration efforts in developing Guam's SCSEP four year strategic plan.

18 January - OSHA Training Initiative:

GDOL-OSHA Division will be conducting OSHA 10 Hour General Industries Training from Jan 22 – Feb 5, 2008. The training is free to private/government sector employers and employees and is part of GDOL outreach efforts to reduce the number of injuries in the workplace.

25 January – US DOL Veteran’s Employment & Training Service (VETS) Disabled Veteran’s Outreach Program Grant Application (DVOP):

At the recommendation and technical assistance provided by Mr. Tom Rozenswike from the US Dept. of Labor, Veteran’s Employment & Training Service, the Guam Dept. of Labor/Agency for Human Resources Development (GDOL/AHRD) technical writing team submitted the DVOP grant application to the US Dept. of Labor, Veteran’s Employment and Training Service. The DVOP grant will provide funding to support a dedicated staff position to develop and provide employment and job training opportunities for disabled and other qualified veterans. The program promotes and develops on-the-job training, apprenticeship, and other on-the-job training opportunities in both the private sector and within Federal job training programs. Program provides outreach to veterans through all community agencies and organizations and will also include services to Commonwealth of the Northern Marianas and America Samoa. The grant will be administered by the Guam Dept. of Labor.

The proposal has received the support of Tom Rosenswike, Director of the Hawaii office of USDOL, VETS, thus the DVOP grant application submitted through the Hawaii office in December 2007 has been routed through the channels of the US Department of Labor – Veteran’s Employment & Training Services (VETS). Guam is now awaiting final notification of the grant application.

25 January – CMTF Presentation to 29th Guam Legislature:

The Sub-Committees of the Civilian Military Taskforce provided information to the 29th Guam Legislature on January 25, 2008. The meeting held at the Guam International Airport conference provided an opportunity for CMTF to update the Senators on committee efforts in preparation for Guam’s growth and the military buildup. Each of the Sub-Committee chairs took questions from senators providing them with more in-depth information on committee efforts. At the request of Senator BJ Cruz, the Labor Sub-Committee (LSC) has added the senator’s office to the sub-committee membership. In addition, the Chair of LSC advised the legislative panel that all data collected by the Guam Dept. of Labor is made available on the department website at www.guamdol.net.

January Update - Guam Employment Service statistics:

The Guam Employment Service (GES) was created by law on August 13, 1968 upon the local acceptance of the Act of Congress of June 6, 1933, referred to as the Wagner-Peyser Act, as amended by Public Law 97-300 and is vested with the responsibility to cooperate with the United States Employment Service. Serving as the Territory's primary labor exchange, the division has focused on bringing employers and qualified job seekers together in providing free labor exchange services to job seekers, employers and community agencies.

The mission of the GES is to maintain an effective and comprehensive labor exchange system, which recruits, assesses, counsels, and matches individuals to the workforce needs of Guam. To that end, the division with the assistance and support from the Systems and Programming Division, created the GDOL online job bank. As of one year, 10,135 job applications have been received online, accounting for approximately 75% of all job seekers. For the period of January 1 thru 18, a total of 237 online job applications have been received and forwarded to prospective employers. The GES, and Systems and Programming efforts reflect the commitment to provide employers and job-seekers with online access to GDOL services as well as gathering data to support policy and funding efforts.

January Data Online Reporting:

The GDOL website at www.guamdol.net has posted the latest Occupational & Employment statistics for September 2007. Numerous data reports are immediately posted on the website by Systems and Programming Division.

28 & 29 January - Strengthening Regional Partnerships

Background: At the 8th Western Micronesian Chief Executives (WMCE) summit in CNMI on 13-15 November 2007, the Chief Executives passed a resolution charging the Regional Workforce Development Council (RWDC) with developing a 5-year strategic regional workforce plan and holding strategic planning and implementation sessions bi-annually within the Micronesian Islands, thus leveraging local/federal/private funds in support of administrative and travel needs for RWDC for the purpose of ensuring that the Chief Executives' workforce initiatives are being met.

On January 28 & 29, 2008, led by the Labor Subcommittee of the Guam Civilian Military Task Force (CMTF), regional stakeholders met for a Regional Workforce Development Council Strategic Planning meeting to discuss strategies for years one and two of the 5-year strategic plan as tasked by the WMCE. Members from Guam, Palau, CNMI and FSM attended, as well as Mr. Tim Donahue from the Office of Insular Affairs, Department of Interior (Hawaii office). The University of Guam (UOG) Economics & Community Systems team conducted an Appreciative Inquiry session to determine priority issues and strategies that will be incorporated in the 5-year strategic plan. Presentations were also provided by the Civilian Military Task Force (CMTF) Labor Sub-Committee, Guam Community College (GCC), Guam Trades Academy, and the Guam Department of Labor (GDOL) & Agency for Human Resources Development (AHRD) Transformation team.

On day two of the strategic planning meeting, the RWDC passed a Resolution and endorsed that the:

- RWDC shall be composed of representatives from Education, Workforce Development and Economic Development;
- Membership shall include but not be limited to: **Guam, CNMI, Palau and FSM**
- The Guam Department of Labor shall submit a single Regional Innovations Grant on behalf of the council to begin the foundational framework for a regional workforce development strategy; and
- The RWDC endorses Maria Connelley, Director of Guam Department of Labor and Chair of the Labor Sub-Committee, CMTF as the representative to advance the council's interest in regional, national, and international forums, and will present a progress report to the council and to the WMCE at its next meeting.

Present at the RWDC strategic planning meeting were the following:

Jesse Sidney	Education Director, Federated States of Micronesia
Dr. Tim Donahue	Office of Insular Affairs, Department of Interior
Edith Deleon Guerrero	Director, Workforce Investment Act, CNMI
Dr. Carmen Fernandez	President, Northern Marianas College
Lucia B. Maritita	Chair, CNMI School Board
Michael Ada	Director, CNMI Department of Commerce
Jim Arenouskix	President, CNMI Chamber of Commerce
Josephine Ulengchong	Director, Workforce Investment Act , Palau
Carlotta Leon Guerrero	Chief of Staff, Office of the Lt Governor of Guam
Telo Taitague	Bureau of Women's Affairs, Governor's Office
Maria Connelley	Director, Guam Department of Labor (GDOL)
Erica Unpingco	Deputy Director, Guam Department of Labor (GDOL)
David Dell'isola (AHRD)	Director, Agency for Human Resources Development
J. Peter Roberto Services	Deputy Director, Department of Public Health & Social
Lydia Tenorio	Department of Public Health & Social Services
Peter Barcinas	Guam Workforce Investment Board (University of Guam)
Pierre Wong	University of Guam- ESC Extension Agent
Victoria Borja	Guam Workforce Investment Board (Vice Chair Finance & Technology Committee

**CMTF Labor Sub-Committee
January 2008**

Dr. Ray Somera GCC)	Guam Workforce Investment Board (VP Academics Affairs,
Mary Torre	Guam Workforce Investment Board (President, GHRA)
Therese Obispo	Guam Workforce Investment Board (Bank of Guam)
James Martinez Committee)	Guam Workforce Investment Board (Chair, Monitoring
Fred Gofigan	Guam Workforce Investment Board (Veterans Affairs Office)
Vince Leon Guerrero	Civilian Military Task Force - Labor Sub-Committee
Danny Aranza	Federated States Enterprises – Managing Partner
Bert Johnston	CMTF Labor Sub-Committee (Guam Trades Academy)
Jonathan Cariaga	HR Group (Watson Training & Development)
James Sanchez	Division of Vocational Rehabilitation
Joleen Santos	Executive Director, One Stop Career Center, Guam
Vera Topasna	Civilian Military Task Force – Labor Sub-Committee
Larry Gamboa	Guam Department of Labor/AHRD
Helen Mafnas	Guam Department of Labor/AHRD
Jaime Rodriguez	Guam Department of Labor/AHRD
Celine Cruz-Aguilar	Agency for Human Resources Development
Phyllis Topasna	Agency for Human Resources Development

30 January – Guam Chamber of Commerce General Membership Meeting:

On January 30, 2008, Maria Connelley, Director, Guam Department of Labor (GDOL) served as a panelist at the Guam Chamber of Commerce general membership monthly meeting at the Hyatt Hotel. Other members of the panel included: Dr. Bert Johnston, GCA Trades Academy, and Mr. Monty McDowell from the Center for Micronesian Empowerment, a non-profit organization. GDOL presentation focused on rightsizing initiatives and building relationships and partnerships with federal officials at the national and regional level; and regional collaboration with the CNMI, Republic of Palau, and the Federated States of Micronesia on workforce development and training.

30 January – Regional Workforce Development Council (RWDC) meeting Debrief:

The Guam transformation team met to debrief on the RWDC meeting held on the January 28 & 29, 2008. The team discussed next steps as well as issue areas in

preparation for future council meetings. Strategies discussed were data collection, needs assessments and appreciative inquiries. The team is putting together an after action report to be distributed to the Labor Sub-Committee.

Present at the meeting were:

Peter Barcinas	University of Guam ESC
Larry Gamboa	Special Project Coordinator, Guam Department Labor/AHRD
Vera Topasna	Special Project Coordinator, CMTF Labor Sub-Committee
Maria Connelley	CMTF Labor Sub-Committee Chair
Ruth Leon Guerrero	Fair Employment
Celine Cruz –Aguilar	Agency for Human Resources Development
Phyllis Topasna	Agency for Human Resources Development

30 January – USDOL OSHA SAN FRANCISCO Visit:

Background: The U.S. Department of Labor, OSHA has Compliance Assistance Specialists who provide general information about OSHA Standards and compliance assistance resources. They respond to requests for help from a variety of groups, including small businesses, trade associations, union locals, community and faith-based groups. There is generally at least one Compliance Assistance Specialist in each OSHA Area offices in states under federal jurisdiction. They are available for seminars, workshops, and speaking events. They promote cooperative programs, such as Consultation Programs, the Voluntary Protection Programs, the Strategic Partnership Program, and the Alliance Program. They also promote training resources and tools available on the OSHA web site.

Mr. Peter Wilsey, Compliance Assistance Specialist, USDOL OSHA San Francisco arrived on Guam on the 29th of January and planned to meet with local and federal officials, various associations, and private sector businesses. During his one week visit to Guam, Mr. Wilsey’s itinerary includes courtesy visits and meeting with the following:

Governor of Guam

Civilian Military Task Force Committee Chairs

- Department of Public Works
- Department of Public Health and Social Services
- Port Authority of Guam
- Department of Youth Affairs
- Department of Labor
- Department of Public Safety

Guam Chamber of Commerce

Guam Contractors Association & GCA Trades Academy

Guam Hotel and Restaurant Association

Guam Industrial Services Inc., dba Guam Shipyard

Leighton Contractors Guam

Guam Community College
Naval Facilities Engineering Command – Naval Base
Commander Naval Forces Marianas – U.S. Naval Base
Andersen Air Force Base – Safety Manager
29th Guam Legislator

- Senator Frank Blaz – Committee Chair of Homeland Security
- Senator Jesse Lujan – Committee Chair on Aviation, Immigration, Labor and Housing
- Senator Frank Ishizaki, Committee Chair on Government Operations

31 January – Government Accountability Office Visit:

Background: The Government Accountability Office (GAO), which is the investigative arm of Congress, has prepared several reports on the U.S. military's overseas plans, including a report on the Guam buildup involving the transfer of U.S. Marines from Okinawa and Guam. Lead by Senior Defense Analyst Nelsie Alcoser-Torrez, GAO representatives met with Governor Camacho, Lt. Governor Cruz, and members of the Civilian Military Task Force (CMTF), including Chairs of the CMTF Sub-committees. The CMTF Labor Sub-Committee submitted the following responses to GAO inquiries:

What are your concerns regarding the effect of the buildup?

Response:

The need for H2-B workers to fulfill construction work requirements will pose significant socio-economic challenges for Guam. The Guam Department of Labor (GDOL) increased its Alien Labor certifications requiring the department to increase regulatory and compliance monitoring pursuant to local and federal laws governing foreign workers on Guam. Housing and healthcare issues will arise due to the H2-B influx not to mention the workforce needs in specific areas to address those issues.

What concerns/frustrations do you have? Are there workforce training issues?

Response:

Training capacity and availability of a skilled workforce are inherent challenges when facing job growth resulting from a massive military buildup. The need for skilled labor in the construction industry alone has created enormous challenges for Guam that require temporary alien labor certifications to satisfy the demands, as well as aggressive training options for the local workforce. The Civilian Military Taskforce Labor Sub-Committee (CLFS-LSC) and Guam Workforce Investment Board continue to implement training initiatives to deal with the construction needs and as well as industries that are forecasted to provide economic growth and sustainability for Guam. To be able to meet short term and long-term workforce needs, the lack of sufficient funding for training and education will be a major obstacle for Guam's planners and policy makers.

While there are efforts to address those issues and meet those needs we are aware of, the ability to produce and sustain sufficient numbers in the workforce is questionable at this time due to constrained timeframe, limited resources, and lack of a comprehensive, quantified workforce listing. We anticipate the need for construction trades and other professionals to include nurses/allied health personnel, engineers, educators, counselors, social workers, environmentalists, accountants, finance/economists, hospitality managers, technologists, safety personnel, advanced project management assistants, and business managers.

Are you/have you been proactive in dealing with such issues?

Response:

The CMTF-LSC and the Guam Workforce Investment Board continue to pursue innovative solutions to ensure that Guam is able to train its local workforce by seeking partnerships with private and government entities. The CMTF-LSC is also actively engaged in the Interagency Group for Insular Areas (IGIA), the Federal Regional Council in San Francisco and US Department of Labor, Employment and Training Administration (USDOL ETA), San Francisco, to ensure Federal counterparts are fully aware of the labor challenges facing Guam and the region.

While the impact will primarily affect Guam, a regional approach has emerged, as it will be expected that neighboring island citizens will seek employment opportunities on Guam. Training and workforce capacity are being discussed for citizens of the outer islands. The Chief Executives established the Regional Workforce Development Council tasked with addressing a myriad of Workforce Development and Training issues as well as developing a five-year regional strategic plan. The first meeting will be held on Guam on January 28 and 29th 2008.

Funding challenges? Where are you getting money?

Response:

The Guam Department of Labor/Agency for Human Resources Development receives formula funds from USDOL ETA, OSHA and Bureau of Labor Statistics. Workforce training funds and funding for numerous mandated federal requirements are funding challenges that will only increase with the growing labor demand. GDOL/AHRD is currently pursuing a grant from ETA to assist in planning and implementation of workforce development goals and objectives. Funding challenges exist based on accelerated timelines of infrastructure and personnel needs. Additional funding still needs to be identified. In the meantime, pockets of federal grants are being pursued, however, are insufficient to address the magnitude of the critical demand.

Has Guam identified the amount of funding needed?

Response:

At the last IGIA meeting in November 2007, the Chair and Co-Chair of the CMTF-LSC identified a need of \$45 million to fund apprenticeship and pipeline programs. These numbers reflect the cost to train an apprentice for four (4) years as well as cost for the boot-camp program. These pipeline initiatives are only a percentage of what is truly needed to fund the demands for the workforce development and training. Guam Labor planners are consistently gathering available data to make assessments on costs associated with training. Further needs assessments and data gathering activities will be conducted to identify costs. In addition to the training costs, CMTF-LSC has identified a total of \$5.5 million in administrative fees.

What plans have been or are being developed and what is their status?

Response:

Through Guam's Workforce Investment Act Title 1B and Wagner Peyser Workforce Investment System State Plan and Plans of Work 2007-2009, activities are being planned to address military build up and regional economic development. The Guam Department of Labor/Agency for Human Resources Development continuously awards formula funds from USDOL ETA to provide training and education opportunities for the citizens of Guam. In addition, GDOL/AHRD is currently pursuing the USDOL ETA Regional Innovations Grant that will assist in planning and implementation of workforce development goals and objectives. The GDOL/AHRD will aggressively pursue funding opportunities from Federal, Local and private entities.

What issues do you have with the amount and source of skilled construction workers to build facilities?

Response:

The current labor force on Guam is inadequate to meet the demands of the military expansion. It is estimated that the demand in construction alone will require an additional 15,000 to 25,000 workers during the building phase of the expansion. The workforce on the island will be augmented mainly with foreign workers. Guam's current labor force can meet a small portion of the increased demand for construction labor in the initial phases of the military realignment. Guam will need to explore alternatives of augmenting both its high-skill and trade-oriented labor force with foreign temporary labor. This may involve a temporary exemption from the existing cap on "H" visas or exploring the political feasibility of innovative solutions like the "Guam-only" H visa. Guam will also need to manage the influx of foreign temporary workers by setting rules that ensure that foreign temporary labor does not adversely affect the quality of life on the island. This will mean managing the effects

of foreign temporary labor on the social and cultural fabric of the island, on public health, on housing, on cost-of-living, and on the physical environment.

In addition to military construction, the Government of Guam is ramping up its own efforts to improve and expand critical public infrastructure to accommodate the planned military build-up. Over the next ten years, the Government of Guam foresees the need to invest approximately \$3 billion in civilian public works projects on the island. This amount includes \$1.575 billion in highway projects, \$660 million in power projects, \$487 million in water and wastewater projects, and \$230 million in solid waste projects. This does not include an estimated additional \$77.4 million in maritime infrastructure projects at the Guam commercial port and \$150 million in aviation projects at the Guam international airport. A culmination of these construction projects in addition to other industry shortages will exacerbate Guam's Labor challenges in the construction industry.

31 January – Human Resource Committee, Labor Sub-Committee (LSC) Meeting

Background: The HR Group is a sub-committee of the CMTF LSC and it consists of HR representatives from autonomous and line agencies of the government of Guam. The team met to discuss the Joint Training Board initiative and a needs assessment project. The committee discussed the need to continue efforts in partnership with Department of Administration to survey Government of Guam training needs. The committee has formed four (4) project areas to address the following issues:

Talent Development (Joint Training Board)

Standards of Employment

Apprenticeship Training

Networking to Leverage Resources

Present at the meeting were:

Lisa Nathan	Personnel Officer, Guam Public School System
John Angoco	HR Officer, University of Guam
Elizabeth Claros	Personnel Officer, Guam Memorial Hospital Authority
Gerri Tainatongo	Personnel Specialist, Guam Memorial Hospital Authority
Wowee Marquez	Personnel Officer, Guam Police Department

Elaine Aguon	Personnel Officer, Guam Department of Labor/AHRD
Marie Cruz	Employee Development Worker, Guam Department of Labor
Ruth Leon Guerrero	Fair Employment, Department of Labor
Telo Taitague	Bureau of Women's Affairs
Vera Topasna	Civilian Military Task Force – Labor Sub-Committee

January 31 – February 1 – Regional Technical Assistance

Background: U.S. Department of Labor, Employment and Training Administration's vision to strengthen our regional communities through a WIRED framework launched the "Peer-to-Peer Technical Assistance Training" for the Pacific Jurisdiction with Region VI. Region VI embarked on the opportunity to promote efficiency by identifying staff within the region to provide training and technical assistance in areas demonstrated as a best practice. The probability of success is greater when utilizing best practices among regional communities given that the uniqueness, culture, and challenges in workforce issues that are common throughout the jurisdiction. An example of a successful outcome of this peer-to-peer training was the 2006 deployment of a mirrored version of the Guam Workforce System with the Commonwealth of the Northern Mariana Islands (CNMI) now known as CNMI Workforce System. In May of 2007, USDOL ETA Region VI accepted CNMI's first ever WIASRD report, a reflection of CNMI's commitment to accountability.

To transform the workforce investment system and fulfill Governor Camacho's vision of regional collaboration, Guam's Transformation Plans of Work overarching goals include aligning and strategic rightsizing initiatives to support the insular areas. Thus, the GDOL/AHRD Management Information System (MIS) Administrator continues to provide technical assistance and training to the Commonwealth of the Northern Marianas (CNMI). On January 31, 2008, Jaime Rodriguez, Systems Administrator, Guam Department of Labor/AHRD and Johnavan Tamayo, Computer Operator, Guam Department of Labor/AHRD provided two-day technical assistance to CNMI. The technical assistance to CNMI provided the following outcomes:

- Configuring CNMI New Server
- Configuring New Network
- Transition Data to New Server
- Continue Transitioning of Data
- Mapped all Workstations to New Network
- Performed Maintenance on All Workstations
- Mapped All Users to New Database Location

- Established Security for New Server
- Enhanced the CNMI Workforce System with Increased Reporting Capabilities
- Performed Data Cleanup
- Configuration of Server
- Configuration of Network
- Transition Data to Server
- Server & Data Base Security
- Enhancement of CNMI Workforce System
- Data Cleanup/Database Maintenance

