



## **Civilian Military Task Force Labor Sub-Committee**

**Monthly Report - February 2008**

**Prepared By:  
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#### **4 February – Military EIS Socio-Economic Appointment Request:**

On February 4, 2008, John M. Knox and Associates contacted the Chairs of the Civilian Military Taskforce Sub-Committees to schedule meetings to discuss issues/concerns related to the Military Environmental Impact Statement Socio-Economic portion. A team will be on Guam the week of Feb 11 -15, 2008 to meet with each Sub-Committee Chair. The Labor Sub-Committee is scheduled to meet with the team on February 14, 2008 at 8:00 am., GDOL 4<sup>TH</sup> Floor Conference Room.

#### **4 February - Bureau of Budget Management & Research Fiscal Year 2010 US Congressional Budget considerations:**

**Background:** During the January CMTF meeting, Sub-Committee Chairs were tasked with developing budget reports for the Governor to submit in time for the US Congress to consider the funding needs in preparation for the military buildup. It is expected that the budget report will reflect Fiscal Year 2010 funding needs for each department or agency that will be impacted by the military buildup. On February 4 & 7 2008, the Sub-Committee Chairs and Finance/Administrative staff met to discuss the budget submissions. The proposed budget will be submitted by the Governor for consideration in the US Congressional appropriations. Budgets are broken down into three (3) categories:

- Pre-construction
- Construction
- Post-Construction

For purposes of this budget only, sub-committees are submitting budget for FY10 as a stand-alone budget. Budgets thereafter will be created in 3 year budget format, similar to federal budgets. Stand alone budgets are due to BBMR on February 29, 2008.

#### **5 February – Official Notification – Interim Policy for Labor Certification Filings**

**Background:** U.S. Citizenship and Immigrations Services (USCIS) is a bureau in the United States Department of Homeland Security (DHS). It performs many of the functions formerly carried out by the U.S. Immigration and Naturalization Service, (INS) which was part of the Department of Justice. USCIS priorities are to promote national security, to eliminate immigration case backlogs, and to improve customer services. USCIS is charged with processing immigrations visa petitions, naturalizations petitions, and asylum and refugee applications, as well as making adjudicative decisions performed at the service centers, and managing all other immigration benefits functions performed by the former INS.

USCIS is one of the Interagency Group for Insular Areas (IGIA) federal member representatives for the Labor/Workforce group. Currently for action, USCIS is

reviewing for approval the prevailing wage rates for positions occupied by temporary foreign hires under H-2B Visa Program. In addition, Ms. Hiroko Witherow, Adjudication Officer, USCIS continues to provide technical assistance which resulted in the issuance of an interim local policy on early filing of Temporary Labor Certifications for Guam. Ms. Witherow was instrumental in notifying Vermont and California Service Centers to accept early filings from Guam. In the past, USCIS Service Centers were returning early filings from Guam.

### **6 February – US DOL OSHA meeting with Joint Guam Program Office**

**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 29<sup>th</sup> of January and from 30 January to 6 February, Mr. Wilsey met with local and federal officials, various associations, and private sector businesses. On February 6, 2008, Mr. Wilsey's visit included a meeting with Captain Robert Lee, Joint Guam Program Office. The discussions centered on the upcoming military construction activities and ongoing efforts with US DOL OSHA to provide assistance on Guam. Those present at the meeting were:

- Captain Robert Lee, Joint Guam Program Office
- Peter Wilsey, Compliance Assistance Specialist, USDOL OSHA
- Maria Connelley, Chair, Labor Sub-Committee, Civilian Military Task Force
- Vera Topasna, Special Projects Coordinator, Labor Sub-Committee, Civilian Military Task Force

### **07 February – US DOL State Apprenticeship Council Final Draft:**

**Background:** Currently, apprenticeship standards from Guam are submitted to the State Director, Hawaii, Office of Apprenticeship, U.S. Department of Labor (DOL), for

review and approval. A recommendation was made by Mr. Al Valles, Hawaii State Director, to have the Guam Department of Labor (GDOL) be designated as a State Agency. With his assistance, a bill was drafted and sent to the DOL for their review. In November 2007, the draft bill was returned to GDOL with minor changes. The bill was sent to the Governor's Legal Council and Senator Jesse Lujan's office for their review and comments. On February 8, 2008, a final draft was forwarded to Mr. Valles who will then forward it to US DOL for final approval.

### **8 February – Federal Partnership – US DOL, Office of Federal Contracts Compliance Programs (OFCCP):**

**Background:** OFCCP is responsible for ensuring that employers doing business with the Federal government comply with the laws and regulations requiring nondiscrimination and affirmative action in employment. In addition, OFCCP administers and enforces three legal authorities that require equal employment opportunity: **Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended;** and the **Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212.** These authorities prohibit Federal contractors and subcontractors from discriminating on the basis of race, color, religion, sex, national origin, disability, and protected veteran status. They also require Federal contractors and subcontractors to take affirmative action to ensure equal employment opportunity in their employment processes.

OFCCP has a national network of six Regional Offices, each with District and Area Offices in Major Metropolitan Centers. OFCCP focuses its resources on finding and resolving systemic discrimination. The agency has adopted this strategy to:

- (1) prioritize enforcement resources by focusing on the worst offenders;
- (2) encourage employers to engage in self audits of their employment practices;
- (3) achieve maximum leverage of resources to protect the greatest number of workers from discrimination.

Ms. Sherry Imamura-Ryan, USDOL OFCCP Honolulu office contacted the Guam Department of Labor to obtain information on the upcoming military buildup relative to federal contracts compliance. As a result of the discussions, a meeting between Maria Connelley, Director, Guam Department of Labor and OFCCP Region Administrator William Smitherman is scheduled for Thursday, 28 February 2008, prior to the Federal Regional Council meeting on 29 February at the Federal Building in San Francisco.

### **8 February – Meeting with Guam Contractor's Association:**

**Background:** In 1998, Executive Order (EO) 98-24 created the Alien Labor Task Force. According to a 1998 GCA report on Abuses in Guam's Alien Labor Program, the

EO was created and Task Force members were to assess alien labor usage and practices, examine statistics and trends, report any discovered violations to the proper authorities, and submit a plan to the Governor, including methods for replacing the dependence on alien workers.

In an effort to improve compliance and regulatory requirements for the Alien Labor program on Guam, the Guam Department of Labor met with Guam Contractor's Association (GCA) to discuss past abuses/issues with program and the requirements of EO 98-24. The following topics were discussed:

- Under paying workers
- Non Payment of overtime
- Improper work classification
- Skilled laborers performing unskilled duties
- Working on unapproved job sites
- Living Conditions
- Employers underbidding
- Resisting to hire local labor

In addition, the GCA membership recommended the following solutions:

- Concentrate on higher quality pre-screening of the basic requirements during the processing of the alien labor petitions.
- Increase implementation and enforcement of current regulations.
- Increase field inspections and penalize contractors who persist in illegal practices
- Increase fines to reflect serious nature of infractions.
- Work with INS to depart illegal aliens.

Present at the meeting were:

Maria Connelley, Chair, Labor Sub-Committee, Civilian Military Task Force

John Robertson, Guam Contractors Association

James Martinez, Executive Director, Guam Contractor's Association

### **13 February – Data Consortium Meeting**

**Background:** In line with the Workforce Investment Act 2007-2009 State Plan and Plans of Work (POW) Goal 2, the Labor technical team continues to meet with other government partners in updating and streamlining data collection efforts. Several strategies for data collection include a harmonized data reporting system and a collaborative partnership for consistent and validated data. On February 13, the data team discussed several strategies and upcoming data collection efforts as follows:

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- Household & Income Employment Survey (HIES) & Funding availability
- 3 Month data plan
- Compact Impact Data
- 2010 Census project preparation
- Civilian Labor Force Survey (CLFS)

The team agreed to review the draft data plan submitted by Peter Barcinas and the University of Guam (UOG) team. Other items discussed were Housing Income and Employment Survey (HIES) funding issues as well as the Current Labor Force Survey (CLFS). UOG Cooperative Extension Service offered to provide continuous technical assistance in the CLFS data collection efforts as well as working on the 2010 Census planning team. Bureau of Statistics and Plans committed to more involvement in the data collection initiative to ensure that data collection efforts support the needs of the government of Guam. Present at the meeting were:

Peter Barcinas, UOG  
Pierre Wong, UOG  
Gena Rojas, UOG  
Monica Guerrero – Bureau of Statistics & Plans  
Vera Topasna –Guam Department of Labor  
Nellie Asanuma – Guam Department of Labor

**14 February – Environmental Impact Statement (EIS) Scoping meeting**

On February 14, the Labor Sub-Committee (LSC) met with John Knox & Associates hired by DOD to gather information for the Environmental Impact Statement (EIS). The consultants particularly discussed Socio-Economic impacts on Labor due to the impending military buildup. The Director of the Guam Department of Labor provided background information on issues affecting labor and the overarching strategies already in place to address those issues. The following provides an overview of the questions posed by the consultants and briefings by LSC and the Guam Department of Labor:

**Date:** Feb. 14, 2008

**Interviewees/Contact Info:**

Maria Connelley, Director, 671-475-7075, [connent@ite.net](mailto:connent@ite.net)

Vera Topasna, Special Project Coordinator, 475-7078, [vtopasna@gmail.com](mailto:vtopasna@gmail.com)

Helen Mafnas, Admin Service Officer

Greg Massey, Administrator, Alien Labor Processing and Certification Division, 475-7005, [alpcd-greg@hotmail.com](mailto:alpcd-greg@hotmail.com)

David Okada, chair education/University of Guam Planning Officer, 735-2902, [dsokada@uguam.uog.edu](mailto:dsokada@uguam.uog.edu)

Mary Okada, co-chair Labor, pres Guam Community College

Larry Gamboa, Special Projects Coordinator

- Track down exact wording of bill language relating to lifting of H2 cap
  - Section 103 of H.R. 3079 as passed by the House of Representatives is as follows:

"Numerical Limitations for Nonimmigrant Workers- An alien, if otherwise qualified, may seek admission to Guam or to the Commonwealth during the transition program as a nonimmigrant worker under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) without counting against the numerical limitations set forth in section 214(g) of such Act (8 U.S.C. 1184(g)). This subsection does not apply to any employment to be performed outside of Guam or the Commonwealth. Not later than 3 years following the transition program effective date, the Secretary of Homeland Security shall issue a report to the Committee on Energy and Natural Resources and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives projecting the number of asylum claims the Secretary anticipates following the termination of the transition period, the efforts the Secretary has made to ensure appropriate interdiction efforts, provide for appropriate treatment of asylum seekers, and prepare to accept and adjudicate asylum claims in the Commonwealth."

### **KEY DISCUSSION THEMES**

- Need for more resources to handle expanding workload related to H2 processing and to pay higher wages to keep GovGuam staff that is already being lost – GovGuam can handle if enough \$\$
- Confident Guam construction workforce will not be harmed by lifting of H2 cap; local workers prized for experience and there is requirement they be hired before H2 workers can be brought in
- Serious prospects of labor shortage for outside-the-fence construction projects – especially GovGuam projects; may also extend to service and retail sectors
- Regional approach being taken to both construction and operational job opportunities; desire for job training in both Guam and FAS
- Emerging new collaborative relationships with federal enforcement and training agencies

### **DETAILED DISCUSSION NOTES**

- Bill to lift H2 cap has passed the (House of Representatives). Probably won't be floor debate till March or April. Not a lifting of H2 cap for Guam, but federalization of labor for CNMI, so cap won't be main focus of debate.

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- Exempts H2 workers from all Guam projects, not just military. But when employer brings in, must be for a specific project. Employers must provide documentation, and workers tied to specific project. Allowed to move to different projects, but only if they go through same process for new project.
- There have been abuses in past. Foreign worker barracks have been deplorable; workers haven't gotten all their wages. For last 2 years, ALPCD has assertively worked closely with local federal agencies here so that when they go out and do inspections.
- Enforced by citation, strongly enforced. Keep watch on poor living conditions and pay rates. **GDOL will need more resources to be able to enforce H2 possible problems.**
- For alien labor wages, DOL must establish prevailing wage rate and that must be approved. Try to set prevailing wage consistent with local wages and are adjustable. Apply escalation factor, US Citizenship and Immigration Services – USCIS has the authority to apply an escalation factor to our Prevailing Wage proposal for common construction wage rates if they see that the wages are not moving upward. We are now in communication with USCIS headquarters on this matter.
- not sure if will be able to keep up but at least now they are communicating.
- Alien Labor Processing: We have to establish prevailing wage rates. Greg now in dialogue with I&A USCIS office. They're revamping their procedures. Also working closely with PI Embassy – they want to be sure their people are qualified. Lot of concern to be sure this works. In 1978, Gov' authority to approve temporary labor certification was removed, then later restored in 1983 – very concerned about protecting it. Guam probably has most stringent H2 program in U.S.
- We review prevailing wage rates every 2 years. US Citizenship & Immigration Services can require increases. They've been in touch with us now, which they didn't before. Hoping to get approval of our new prevailing wage rates, substantially higher than now. \$3-\$4/hr wage jump. Only common construction prevailing wage rates require approval. We have an unofficial proposal from USCIS which shows an average increase of about 30% in the wage rates
- Right now big disparity H2 and local, because different experience levels.
- Lifting of cap will not disadvantage local workforce. We can require them to hire the available local workers first. They'd much rather have local guys – don't have to feed them or house them, can multi-task them.
- US workers prized because they can work in different occupations from day-to-day.
- Unskilled construction jobs: We are expecting service and retail workers to cross over and accept jobs, however, we do not anticipate service/retail employment to be impacted by this.

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- Move from MILCON to non-MILCON jobs is unlikely if Naval Facilities Engineering Command follows prevailing wage system; instead, there will be a draw from public-sector for higher paying federal positions.
- One concern is if adequate work in military contract vs. private, contractors will flock to military contracts and abandon or give high bids for GovGuam work. Concern is that local government can defer payments, while military more reliable in payments. Beginning to see requests for H2 workers for services.
- Concern that if there is adequate work in MILCON, there will not be enough labor outside the fence. People will go for Military contracts first. How will GovGuam keep its workers? The Government of Guam must review current pay scale and make adjustments accordingly. The role of Labor in workforce development is to ensure that its workers are ready, willing and able to work on or off base. This will lead to a sustainable and thriving economy.
- Nov last year, all governors approved regional workforce development council. Working with Micronesia to be sure their people will be well trained. Efforts will be coordinated to train and bring in FAS workers.
- The service industry is currently heavy FAS and that is expected to continue. Try not to bring in unskilled H2 workers, happens from time-to-time but not encouraged or economical.
- Big difference between here and Hawaii is that there are no unions in Guam. Union wages tend to rise with union strength; Guam's wages are more market driven and tend to stay lower.
- Employers must convince of need for H2 workers and rationale must be temporary in nature.
- H2 certifications are good for a year and renewable for up to 3 years, then must go home. . Alien must be outside the U.S. for at least 6 consecutive months before they can re-apply for admission to the U.S.
- DOL mandate in terms of employee protection – avg. couple hundred calls a day, provide information that workers (wrongfully terminated should file with Equal Employment Opportunity Commission in Hawaii. Would like a system for Guam itself. Also are involved with wage watching and worker safety. The couple hundred calls are general inquiries and not necessarily regarding complaints.
- JGPO has 3 issues: Training, barracks, health care. Our biggest nightmare is the outside the fence contractors, because higher likelihood of problems – lack of payment, housing conditions, etc.
- The comment was made in the context that the People of Guam are known for their hospitality and take great pride in their island. The People of Guam will not allow human rights abuses to occur. The Government of Guam will not allow an employer who does this to stay in business.

- Gov. must expand employment to meet new capacity, to be able to enforce all this stuff that must be enforced – wage, worker housing etc. First **govt. wages will need to increase** especially since lots of retirement is impending. Last salary study was in 1991. This was called the Hay Study
- Current situation clearly different from 90's boom - Guam's economy is in need of a more diverse workforce.
- Currently no engineering program but there is pre-engineering program then students must go somewhere else to finish and lots of times these students do not come back to Guam.
- OPERATIONAL PHASE OF MILITARY BUILD-UP: We have a regional vision for this, too. First, **training** is key, must be left with something when H2 workers go home. Trying to get training programs here and in FAS. Reaching out to Guam expats, retirees, etc. Web presence – starting Job Bank, have received over 10,000 applications for specific jobs. In military cutback, lost about 2,000 Guam families who may be able to return.
- With GEDCA, looking at vision of where Guam will be economically. What will be emerging industries? What needs to be put in place?
- Gary Hiles working on long-term workforce projections.
- Take-away message: GovGuam has capacity (i.e. know-how) to deal with impending issues, but funding will be the problem. Already dealing with increased workload stemming from just the potential for buildup.

**14 February – Industry Forum Teleconference:** In preparation for the military Industry Forum, representatives from the government of Guam Civilian Military Task Force (CMTF) and Chairs of CMTF Sub-Committees (Labor, Infrastructure, Housing, Economic Development) had a teleconference discussion with Department of Defense (DOD) Navy officials on the Industry Forum agenda and local government's participation. The teleconference finalized the 90 minutes presentations allotted and to be delivered by the CMTF Chairs. I

Participating at the teleconference discussion were:

Captain Robert Lee, Joint Guam Program Office  
Captain. Fuligni, U.S. Naval Facilities Engineering Command  
Clifford Guzman, Global Food Services Consultant  
Paul Shintaku,  
Elaine Dell'Isola  
Carlotta Leon Guerrero  
Parsons Group (Infrastructure Consultants for Port Authority & Public Works)  
Joe John Mantanona, Port Authority of Guam  
Nora Camacho, Planner, Guam Housing and Urban Renewal Authority (GHRA)  
Ron DeGuzman, Director, GHURA

Maria Connelley, CMTF Labor Sub-Committee Chair  
Vera Topasna, CMTF Labor Sub-Committee, Special Project Coordinator  
Mike Cruz, Guam Economic Development and Commerce Authority  
Larry Toves, Guam Economic Development and Commerce Authority  
Carol Perez, Guam Economic Development and Commerce Authority

**20 February – Regional Innovations Grant (RIG) Technical Assistance Request:**

On February 20, the Director of Labor submitted the draft Regional Innovations Grant proposal to US Department of Labor, Employment & Training Administration for review. The RIG provides states and territories with funding for planning purposes in addressing economic shock within a region. The Guam technical team continuously discussed the RIG grant with regional partners from CNMI, Palau and FSM to ensure a regional approach is documented in the proposal submittal.

**23 February – U.S. State Department for Australia, New Zealand, and Pacific Nations - Pacific Island Forum Secretariat:** The Chair of the Labor Sub-committee informed the team of the US State Department request to hold a Pacific Island Labor Opportunities meeting in Guam on March 7, 2008. Melinda Lucke, Country Desk Officer, (Australia, New Zealand and Pacific Islands) of the Department of State requested to meet in March and provided the following draft agenda:

- Introductions
- II. Summary of Activities to Date
- III. DOS Responsibilities
  - a. Regional Implications
  - b. Pacific Islands
    - i. Benefits of the relocation, particularly jobs, to the Pacific Island
    - ii. Vocational training for Pacific Islanders and the creation of a Pacific Islands workforce database
    - iii. Creation of mechanisms/incentives to set-aside jobs for Pacific Island workers on and off the base
  - c. Public Diplomacy Strategy
    - Public diplomacy strategy that addresses regional and country-specific messages to distribute to U.S. Embassies in the region.

Present at the meeting were:

Steve McGann, Director, U.S. State Department for Australia, New Zealand and Pacific Islands Affairs

Melinda Lucke, Country Desk Officer for Australia, New Zealand and Pacific Islands Affairs;

Jessica Powers, Country Director for South and Southeast Asia, Asian and Pacific Security Affairs, Office of the Secretary of Defense, Department of Defense;

## **26 February – Inter-Agency Group for Insular Areas (IGIA) Quarterly Meeting:**

**BACKGROUND:** President Clinton established the Interagency Group on Insular Areas (IGIA) by Executive Order Memorandum on August 9, 1999. The Memorandum states that IGIA shall work with the Secretary of the Interior to identify issues concerning American Samoa, the Commonwealth of the Northern Marianas Islands, Guam and the U.S. Virgin Islands (collectively, “insular areas”) and to make recommendations to the President concerning Federal Government policies and programs raising such issues. Additionally, the IGIA shall consult with the Governors, Delegates to the U.S. House of Representatives and other elected representatives of the insular areas on issues of concern. Furthermore, Executive departments and agencies should coordinate significant decisions and activities related to the insular areas with the IGIA. The IGIA’s 5 goal is to improve government-to-government relations and coordination between the federal government and the Governors of the Insular areas by:

- Assisting insular areas in achieving sustainable economic growth with the sound management of natural resources; and
- Improving the general welfare of insular areas (consistent with U.S. indicators)

On February 26, 2008, the Chair & Co-Chair of the Guam Labor Sub-Committee met with the Labor/Immigration Sub-Committee for its quarterly meeting. The Sub-Committee membership is led by Mike Gilroy, US Department of Labor, Employment and Training Administration (USDOL ETA), Washington D.C. and is comprised of the following Federal agency representatives:

- U.S. Citizenship & Immigration Service
- U.S. Department of Education
- U.S. Department of Health & Human Service
- U.S. Department of Housing & Urban Development
- U.S. Department of Interior
- U.S. Department of Justice
- U.S. Department of Labor
- U.S. Department of State
- Department of the Navy
  - Naval Facilities Engineering Command
- Office of Management of Budget
- Social Security Administration

Mr. Mike Gilroy, IGIA Labor/Immigration Subcommittee Chair reported the following at the meeting:

**Sub-Committee Findings:**

- Regionalism
- “Inside the Fence” and “Outside the Fence”
- Federal Capacity

**Sub-Committee Issues:**

- Federal Capacity
  - U.S. Department of Labor
  - Wage and Hour
  - OSHA
- Veteran’s Employment & Training Service
- Office of Federal Contracts & Compliance Programs (OFCCP)
  - Executive Order 11246, as amended
  - Section 503 of the Rehabilitation Act of 1973, as amended
  - 38 USC 4212 – The Vietnam Veteran’s Readjustment Assistance Act of 1974, as amended
  - Immigration Reform and Control Act of 1986
  - Title I of the American with Disabilities Act of 1990 (ADA), as amended

**U.S. Citizenship and Immigration Service:**

- Prevailing Wage Rates - Construction
  - Low prevailing wage rate affects ability to recruit
  - Service Contract Act of
    - Base Operations Support
  - Visa Cap
    - The Northern Mariana Islands Labor, Immigration and Security Act (H.R. 3079)

**Off-Island Recruitment:**

- Priority recruitment from U.S. eligible pools
- U.S. Territories
- Freely Associated States

- Veterans

In addition to IGIA federal representatives and Guam's CMTF Chairs, the following key officials were at the IGIA quarterly meeting:

Guam Governor Felix Camacho  
Secretary Kempthorn, Department of Interior  
Congresswoman Madeleine Bordallo  
Assistant Secretary of Navy B.J. Penn  
Major General (Ret) David Bice, Joint Guam Program Office  
Captain Robert Lee, Joint Guam Program Office (Guam)

### **27 February – Meeting with Education Officials from Chuuk Federated States of Micronesia:**

**Background:** Chuuk is one of the four island states that comprise the Federated States of Micronesia, the other three being Pohnpei, Kosrae and Yap. Chuuk, in the Caroline Islands, encompasses fifteen large islands, 192 outer islands and 80 islets and has one of the largest lagoons in the world. It measures 85 kilometers at its widest point and encloses an area of 822 square miles.

Mr. John Sound, Education Advisor and Mr. Rock Hudson Tommy, Workforce Training & Development of Chuuk, met with Ms. Vera Topasna, Civilian Military Task Force (CMTF), Special Project Coordinator, Guam Department of Labor (GDOL) to discuss training options for the people of Chuuk. Mr. Sound requested that Chuuk be included as a member of the Regional Workforce Development Council (RWDC). Mr. Sound expressed his interest in creating a Training Center and One Stop Career Center in Chuuk and requested for Guam to provide technical assistance. Chuuk representatives also explained funding availability from the Department of Interior under the Compact Impact that could be leveraged in developing education/training strategies in Chuuk. Present at the meeting were:

Mr. John Sound, Training/Staff Development Officer, Chuuk

Mr. Rock Hudson Tommy, Training & Education, Chuuk

Vera Topasna, GDOL/AHRD

### **28 February - U.S. Department of Labor, Employment Standards Administration, Office of Federal Contracts and Compliance (USDOL ESA – OFCCP):**

**BACKGROUND:** The Office of Federal Contract Compliance Programs (OFCCP) is part of the U.S. Department of Labor's Employment Standards Administration. OFCCP

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is responsible for ensuring that employers doing business with the Federal government comply with the laws and regulations requiring nondiscrimination.

On 28 February 2008, Maria Connelley, Director, Guam Department of Labor (GDOL) paid a courtesy visit with OFCCP San Francisco Regional Director William D. Smitherman to discuss the anticipated military buildup on Guam. While most of the labor required by the military expansion will likely be sourced from Asia, it is necessary to ensure that the residents of Guam and the surrounding U.S. affiliated islands are prepared to take maximum advantages of the upcoming opportunities. The federal contractor work that will result from the military construction projects will require monitoring on the part of OFCCP to ensure federal contractors and sub-contractors are in compliance with EEO regulations and applicable federal statutes requiring nondiscrimination.

It is anticipated the OFCCP Hawaii Area Office will visit Guam in FY08 and the purpose of the visit is to:

- Conduct supply & service reviews of Base Operating Support (BOS) federal contractors on the military installations. Conduct construction reviews of the larger construction companies that may or may not have been previously reviewed by OFCCP and companies for review will be identified through contract award documents, subcontractors listings, pre-award requests, and military contracting offices;
- Provide compliance assistance and seminars through the Guam Industry Liaison Group and Guam Contractors Association to inform federal contractors and subcontractors of their EEO obligations, including their obligation to participate in apprenticeship programs and conduct outreach and recruitment for protected groups;
- Conduct meetings with the Guam One Stop Career Center and the local collage to learn about the employment services and apprenticeship training programs available to federal contractors, subcontractors, and contracting agencies.

OFCCP is interested in improving the relationship with its customers and improving the compliance assistance information and materials provided to the public.

Present at the meeting were:

William D. Smitherman, Regional Director, Office of Federal Contract Compliance Programs

Maria S. Connelley, Director, Guam Department of Labor

## **29 February - Federal Regional Council (FRC), Region 6, San Francisco.**

Guam Governor Felix Camacho and Civilian Military Task Force (CMTF) Sub-Committee Chairs met with members of the Federal Regional Council. The HHS and FRC Chair Tom Lorentzen and designated representatives provided a report on their respective department/agency's activities as it related to the Action Plan for Guam (listed below):

### **Action Plan for Guam**

#### **Communications**

- Each FRC member will designate a single point of contact (POC) on matters related to Guam to ensure timely communications both with the FRC, its Outer Pacific Committee, and within their own agency.
- The FRC Secretariat will post planned travel to Guam on the FRC website calendar based on POC submissions and by other means.

#### **Resource Identification**

- The FRC's Outer Pacific Committee (OPC) issues a report each year on "Grants to the Outer Pacific," the last one reflecting FY2006 awards. The OPC will give first priority to collecting data on FY2007 grants awarded to Guam in an effort to provide this information to the Governor on an expedited basis. OPC will continue to collect the data for the other Pacific Jurisdictions with a goal of completing its annual report after the beginning of the new calendar year.
- FRC members will, when possible, identify new or supplemental funding opportunities that may be of assistance to Guam. This includes existing programs which Guam has not utilized but for which it is eligible. This would also include Federal personnel on detail or on loan to the government of Guam.
- FRC members will, when possible, inform Guam of non-federal opportunities offered by the private sector and the philanthropic community that will support Guam in meeting domestic needs or assist in making institutional changes.
- FRC members will identify any federal programs under their jurisdiction that may have links to the military, e.g. the Child Support Enforcement program under the Administration for Children & Families in HHS. This information will hopefully expand social opportunities for assisting the military and its dependents.

#### **Training and Technical Assistance (T/TA)**

- As an overall FRC effort, the FRC Chair will send a letter to the Deputy Assistance Secretary for Insular Affairs, DOI, making reference to the DOI's "Federal Grants Program Accountability and Audit Conference" that was held in San Francisco in June 2007 and the Special FRC meeting held with Guam Governor Camacho in September 2007 to underscore the need for DOI's

contractor, USDA Graduate School, to give priority consideration to T/TA needs of Guam and the other Pacific Jurisdictions as it develops its training calendar for 2008 and beyond.

- T/TA efforts by FRC members need to focus on sustainable grants and financial management efforts to enable Guam to be more fiscally responsible and more effective grantees.
- Since the Governor complimented the Department of Labor in working with the Guam Department of Labor for shifting from a training paradigm to a mentoring paradigm, DOL will plan to give a presentation on this “best practice” at a future OPC meeting.

### **Partnership with Guam**

- Since Guam Governor Camacho expressed an interest and willingness to meet quarterly in San Francisco, the Action Plan serves as an initial framework for measuring progress at these quarterly meetings. The Action Plan is an evolving document that can adopt new initiatives and opportunities as well as complement and support efforts by the Interagency Group on Insular Areas (IGIA), Guam Environmental Forum, and other entities.

The FRC – Region IX Points of Contact (POCS) for Guam (as of 26 February 2008):

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- FRC/OPC John Walmsley (415) 437-8114
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- HHS Tom Lorentzen (415) 437-8500
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**resentations by the Government of Guam:**

Governor Felix Camacho on Guam Buildup Issues

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Larry Perez Guam Department of Public Works

Carlos Salas Guam Port Authority of Guam

Simon Sanchez Utilities

J. Peter Roberto Health/Education

Maria S. Connelley Guam Department of Labor

Ron DeGuzman Socio-Economic

Lorilee Crisostomo Guam Environmental Protection Agency

Tony Lamorena Natural Resources

