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**Subject:** Guam Department of Labor Input/Comment on the  
Draft Supplemental Environmental Impact Statement (SEIS)

The following general comments are provided for your review and consideration:

Although the Guam Department of Labor was not mentioned and generally discussed in Appendix D of the Final Draft SEIS (September 2013), it is not listed among the "Public Services Agencies Affected by Increasing Population" nor among the "Public Services Agencies Affected Development. The Guam Alien Labor Processing and Certification Division (ALPCD) was mentioned in part as having impact on permitting and regulatory agencies.

But, the Guam Department of Labor has other divisions that will have some major impacts on its enforcement and regulatory capabilities of labor laws and regulations, both local and federal. For example, the Wage and Hour Division is responsible for enforcing the Fair Labor Standards Act (FLSA), the Davis-Bacon Act, and the Contract Service Act (CSA). The Occupational Safety and Health Act (OSHA) Onsite Consulting Program is responsible for offering free and confidential advice to small and medium-sized businesses, with priority given to high-hazard worksites. The Fair Employment Practice Office serves as the Fair Employment Practice Agency of the U.S. Equal Employment Opportunity Commission (EEOC) and administers and enforces the federal EEO statutes.

In addition, the Department has its Bureau of Labor Statistics (BLS), which is responsible for overseeing the labor market and occupational information systems, as well as providing statistical information regarding Guam's manpower and employment situation.

The following specific comments are made based on the discussion found in the Socioeconomic Impact Assessment Study in Appendix D.

It is important to note that the Draft SEIS had the new projections for the military personnel and construction activities have substantially reduced as compared to what was provided in the 2010 Draft SEIS report. Facilities must be constructed for the 5,000 Marines and 1,300 family members. It is anticipated that such construction will require 7,500 to 10,000 construction workers, with about 75% of such workers coming from outside Guam. This large requirement of construction workers can be satisfied from pools of U.S. citizens located in Guam, the CNMI, other territories, and the 50 States.

Currently, the number of journeyman construction workers that are labor-eligible on Guam is quite limited, both in absolute numbers for the region and because of the distance from the U.S. Mainland. Journeyman workers from the Philippines and other Asian countries can be located for work on Guam, but they must acquire an H-2B visa, which allows the importation of temporary workers for temporary jobs. Nationally, only 66,000 H-2B visas are issued annually. The Guam requirement for construction workers alone is approximately 20% of this nationwide cap. That is the reason why Guam has been requesting for an extension of the Guam H-2B visa cap exemption that will expire on December 31, 2014.

As we plan for construction, we must always consider pay and transportation incentives for attracting labor-eligible journeyman workers from the U.S. Mainland. This will always be a challenge, given that the construction industry has been fully engaged in Hawaii and in parts of California and other Western States.

In addition, there are pools of unemployed and underemployed workers on Guam and in the CNMI who can be trained, placed in apprenticeship programs, fill-in behind journeyman workers for a time, and later become journeymen themselves. But, we need sufficient planning, financial resources, and lead time to make this scenario a reality.

We are currently coordinating our efforts with the U.S. Department of Labor/Employment and Training Administration (ETA) to establish training and apprenticeship programs in Guam. The job opportunities created by such programs will not only benefit the military on Guam, but will benefit the island as a whole. In the short term, the training envisioned will provide immediate economic stimulus for the island. In the long term, it will provide valuable skills and higher incomes for our people.

After the primary facilities are constructed, the new infrastructure on Guam should provide the People of Guam with good job opportunities over the long term. The Federal Government will need to partner with the Government of Guam and with the private sector to ensure that Guam's workforce will be ready to take advantage of opportunities in information technology (IT), management, and other fields, as well as a whole range of opportunities that will result from an expanding economy.

As stated in the Draft EIS, the civilian workforce demand is expected to increase by a maximum of 7,031 full-time jobs in the year 2021 (6,150 related to construction and 881 related to operations). Of the 7,031 jobs, 3,058 are estimated to be taken by Guam residents. At steady state, by the year 2028, the

labor force demand is expected to increase by 1,438 full-time jobs (all related to operations). Out of this number, 762 of the jobs are estimated to be taken by Guam residents.

If you have any questions regarding these comments, please feel free to contact me at [manny.cruz@dol.guam.gov](mailto:manny.cruz@dol.guam.gov) or by telephone at 671-475-7043.

Respectfully submitted,



Manny Cruz