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National Association of Landscape
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Association

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American Horse Council
American Moving & Storage Association
American Rental Association
American Sugar Cane League
American Trucking Associations
Asian American Hotel Owners Association
Associated Builders and Contractors
Associated General Contractors of America
Brick Industry Association
Building Stone Institute
Crawfish Processors Alliance
Essential Worker Immigration Coalition
Federation of Employers and Workers of America
Forest Resources Association
Golf Course Superintendents Association of
America
Gulf Seafood Institute
ImmigrationWorks USA
Interlocking Concrete Pavement Institute
International Association of Amusement Parks and
Attractions
International Association of Fairs and Expositions
International Franchise Association
National Alliance of Forest Owners
National Association of Home Builders
National Association of Realtors
National Association of State Departments of
Agriculture
National Club Association
National Council of Agricultural Employers
National Electrical Contractors Association
National Federation of Independent Business
National Fisheries Institute
National Hispanic Landscape Alliance
National Restaurant Association
National Roofing Contractors Association
National Ski Areas Association
National Thoroughbred Racing Association
Outdoor Amusement Business Association
Outdoor Power Equipment Institute
Small & Seasonal Business Legal Center
Snow and Ice Management Association
Society of American Florists
Tree Care Industry Association
U.S. Apple Association
U.S. Chamber of Commerce
Utility Sprayer Alliance

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Without the H-2B Returning Worker Exemption American Businesses and Workers will Suffer

As representatives of small and seasonal employers throughout the country, the H-2B Workforce Coalition is extremely disappointed that Congress allowed the 2016 H-2B returning worker exemption to expire. Failure to renew the H-2B returning worker exemption means that employers in 48 states may be without the critical workforce they need to operate. These businesses may not be able to fulfill contracts. They could be forced to turn away customers, lay off American workers whose jobs are supported by H-2B workers, or in some cases shut down their operations entirely.

The returning worker exemption was in effect for much of fiscal year 2016, but expired on September 30, 2016. The House included the same provision in the FY17 Department of Homeland Security (DHS) Appropriations bill. Unfortunately, the continuing resolution to fund the government through April 28 did not address this critical issue for small and seasonal employers.

The H-2B program is essential to employers who cannot find local temporary workers to fill jobs in seafood processing, horse training, hospitality and amusement parks, forestry, landscaping, circuses, carnivals, food concessionaires, swimming pool maintenance, golf courses, stone quarries and other seasonal industries. Most of these seasonal businesses need H-2B workers to supplement their American workforce during the spring and summer and will be applying for their workers during the time the continuing resolution is in effect. Because the program's annual 66,000 cap (33,000 for each half of the fiscal year) is not adequate to meet the demands of a growing economy, many seasonal businesses will be shut out of the program. In FY 2015, the first-half cap was met on January 26, 2015 and in FY 2016, the first half cap was met on March 15, 2016.

The H-2B program relies on returning workers who come to the U.S. for seasonal employment and then go home. These workers are not immigrants. They provide an opportunity for U.S. businesses to operate at a greater capacity, retain their full-time workers and contribute to their local economies. Seasonal workers help support many upstream and downstream jobs. Every H-2B worker is estimated to create and sustain 4.64 American jobs.

We hope that 115th Congress will act early next year to reinstate the H-2B returning worker exemption so that U.S. businesses, their American workers and the local communities do not suffer.