



Vail Daily

Winter Park faces H-2B visa woes

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WINTER PARK, Colorado — Sam Smith, 22, of Newcastle, England, says the odds of him returning to Winter Park Resort this winter to work as a snowboard instructor are slim.

"They haven't renewed the 'returning workers exemption' law," he said. "I half expected it because they mentioned problems when I left in May, but I still can't believe they haven't done more to renew the law.

"(I'm) kind of disappointed with the government, but the H-2B visas aren't a right I have, so getting them anytime is a bonus for me.

"A lot of states will struggle this winter ... So a lot of people will probably work illegally."

Although he will not come back to the area to work, he would still like to vacation here, he said, though he may try to find work at a resort in Europe or Japan.

Julia "Geordie" Bennis, 25, another instructor from Newcastle, is in the same boat.

"No one has been able to get a visa," she said. "Winter Park lawyers are trying to keep at it, though, but all other companies have given up.

"I'm going to try and get over there but only on a holiday, I won't be able to work, unfortunately, unless they pass it on (Jan. 1), but that's looking very unlikely with it being your year to vote a new president."

"My plans at the moment have been postponed and I will have to stay in the UK for a little while longer rather than my intended date ... I am not a happy person and most people who had planned to come back to Winter Park are obviously in the same situation as myself and will have to find alternative jobs or just come over on an extended holiday."

Dave Penman, 22, of Lincoln, England, is yet another instructor without a visa.

"The U.S. government halved the amount of visas given out to foreign workers," he said, adding that he might still come back this year to vacation. "It has been an ongoing issue for the last few months but we just found out for sure about three weeks ago.

"I like Winter Park and will miss a lot of people if I'm not returning. I'm pretty unsure of what to do — probably do a season in Europe then perhaps come to Winter Park around March for a month or two so I can have some fun in the sun. I love springtime in Winter Park."

Up to half of the foreign workers who worked at Winter Park Resort last winter will not be allowed to return for the upcoming ski season because of federal immigration laws.

The nationwide cap on H-2B seasonal visas for foreign workers went into effect on July 30. The cap limits the number of work visas to a total of 66,000.

During the 2007-08 ski season, Winter Park Resort employed 100 to 140 foreign nationals who were here working on H-

2B visas. Most were from Australia, New Zealand, South Africa, Brazil, Jamaica and Romania.

"If they left the country and returned home, they won't be able now to return because of the H-2B cap," said Karen Gadberry, Winter Park's director of human resources.

"That's unfortunate because they were good employees and brought cultural diversity to our staff. Most would happily come back to work for us, but the regulations now prevent it."

Gadberry explained that under the new federal immigration regulations, those international workers who had H-2B visas last winter and remained in the United States are still eligible to have their visas renewed for this winter. She said her office is seeking visa extensions for "the handful" of last ski season's employees who stayed in this country and want to return to Winter Park this winter.

The resort's positions being affected by the H-2B cap include ski/snowboard instructors, cashier/clerk, cooks, housekeeping and ski area utility worker/lift operator.

Gadberry explained the nationwide enforcement of the cap on H-2B visas was not unexpected.

"The U.S. government has extended the cap for the past three years," she said. "The extension ran out this year and was not renewed for a variety of reasons."

Winter Park Resort employees more than 1,000 seasonal and weekend employees during the ski season. To fill the vacancies caused by the visa cap, Gadberry said Winter Park's human resources had planned ahead.

"We were aware the cap extensions were only short-term fixes and they would expire," she said. "We began an increased recruiting program to hire in markets such as the Midwest, Texas and the East Coast with the goal of enticing domestic workers who would be willing to come out here and enjoy our snow this winter. We're enjoying some success with that program."

The H-2B cap is not only affecting Winter Park, but ski resorts all across the United States. Vail Resorts, which runs the ski areas at Vail, Beaver Creek, Breckenridge, Keystone and Heavenly, employed 2,280 foreign workers with visas last winter as part of its 15,000-member work force. It has been reported that Vail Resorts did not receive most of the H-2B visas it had sought before the cap was imposed on July 30.

"Every resort in Colorado and the rest of the U.S. is being affected," Gadberry said. "We're in the same boat as Vail, but not to the same extent in numbers as they are."