

## Help wanted for seasonal work

### U.S. restores a cap on visas for foreign workers, leaving companies that rely on them with 65,000 fewer immigrants to hire this summer

By Vikki Ortiz  
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Forced to replace 130 seasonal workers who could not get visas, Frank Mariani has held weekly job fairs this spring to try to find new hires for his Lake Bluff landscaping business. He has even offered \$500 incentives for referrals.

But during his busiest time of the year and with a client list that includes the Morton Arboretum and Chicago Botanic Garden, Mariani is still short 30 employees, and he blames that at least in part on the expiration of an [Immigration](#) law provision that allowed extra foreign workers into the country for summer jobs.

"There's no question this is hurting us, big time," Mariani said. "I'm trying to live by the laws, and the federal government is the worst partner you could ever have."

Businesses that depend on seasonal help are grappling with the sobering reality that roughly 65,000 fewer summer workers than last year will enter the U.S. through the controversial H2B program. The change has led to shortages of landscapers, resort staff, amusement park employees and carnival ride operators.

More than 3,600 certified H2B workers landed jobs in Illinois last year, according to federal [Immigration](#) data. Precise figures are not available on how many found work in the Chicago area, but owners of landscape companies and other local businesses say the number is significant.

At Six Flags Great America in Gurnee, for example, officials had to hustle to replace hundreds of water park lifeguards, roller-coaster operators, game attendants and other employees.

Carnival businesses are particularly hard-hit, experts say. One operator in Burbank already canceled several events; another in South Barrington dropped plans for adding eight additional rides at festivals, including Septemberfest in Arlington Heights.

At issue is whether a specific group of foreign workers should be allowed special entry or whether their visas should be put on hold as lawmakers attempt to restructure the nation's [Immigration](#) system.

For years the number of annual H2B visas was capped at 66,000. But in 2005 a provision known as the Save Our Small and Seasonal Businesses Act allowed returning H2B workers to be exempt from that limit.

The act essentially doubled the number of H2B workers, with a high of 129,547 entering in 2007, according to federal statistics. But under pressure from the Congressional Hispanic Caucus and others, the exemption was not renewed, which meant a return to the 66,000 limit this year.

### Separated from all

U.S. Rep. Luis Gutierrez (D-Ill.) has argued that legislators should handle [Immigration](#) reform in a way that helps all immigrants, not just a specific group.

"Once we start dividing and separating and excluding immigrants, we are not only betraying our party's traditional fight for justice, we are betraying millions of hard-working immigrants and their commitment to America and their belief in us," he said.

But as demonstrators marched in downtown Chicago recently in favor of legalization of the nation's 12 million

undocumented immigrants, local business owners questioned why no one seemed to be addressing the plight of seasonal workers who have been coming legally to the U.S. for years.

"I feel bad for them. I feel bad for me," said Rocco Fiore, owner of Rocco Fiore and Sons in Libertyville, who says he is short 75 workers. Fiore expects to turn down 15 percent to 20 percent of his summer business because he does not have enough staff.

"It's one thing not having business," he said. "It's another thing to be getting business and not be able to do it."

Since 1986, employers have been able to apply to the federal government for H2B visas to bring in non-agricultural seasonal help for less than a year.

The application process is complicated, requiring employers to follow strict deadlines, provide meticulous details about the workers' schedules and prove that they have first advertised to recruit American workers. Foreign workers must also pass background checks.

Still, employers who routinely struggle to find workers have welcomed the idea of foreign help.

In the carnival industry, H2B visas offered a much-needed solution to an ongoing labor shortage, operators say. Seasonal help accounted for roughly a third of the staffing at summertime carnivals for the last five years, said Rick Haney, executive secretary of the Showmen's League of America, an industry group based in Chicago.

"Believe me, it's so much cheaper to hire an American worker . . . but we are having a hard time," said Jeff Blomsness, president of All-Star Amusements in South Barrington. "If I offered you a job to work at the carnival, and it's 50, 60 hours a week, and you work at night, and if it's raining you have to work, I guarantee you wouldn't want this job."

## **Report: 'Close to slavery'**

A recent report from the Southern Poverty Law Center branded the H2B system as "close to slavery," citing unsavory recruiters, abusive employers and substandard wages.

"This program should be significantly reformed," said Mary Bauer, author of the report and director of the center's Immigrant Justice Project. "In a few years, there could be literally millions of H2B workers, and we would be expanding the program without any kind of real system to protect those workers."

Several local business owners balked at the argument that workers have been treated poorly, among them Mariani, who inherited the business from his father. He went out of his way to show his workers gratitude, he said, offering competitive wages and 401(k) plans. Several times each summer, Mariani said, he surprised employees by delivering hundreds of breakfast burritos to job sites.

"If [legislators] truly are for the little person and small business, then somebody needs to step up to the plate and do an [Immigration](#) law that is fair for everybody," he said.

Dan Wanzung, a partner of American Gardens Inc. in Elmhurst, had 30 or more experienced workers for landscaping projects. But this year he lost 12 H2B workers. Wanzung admits he worries about layoffs because without landscapers to do the work, there is not as much need for landscape architects and other customer-service employees.

"It really starts to have that ripple effect," he said.

Rosalio Varelas, a landscape foreman at American Gardens, said he is already feeling the impact on a personal level.

For the last five years, the H2B program has allowed his three brothers and nephew to come legally to the U.S. from Durango, Mexico. They worked side by side and at night played basketball and ate meals together. Their summer jobs allowed two of his siblings to build new homes in Mexico, he said.

But this year his brothers are still in Mexico, waiting for a last-minute phone call.

"That's the rules," Varelas said. "There's really nothing we can do."

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