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CONGRESSIONAL HELP UNLIKELY AS CAPE COMPANIES SCRAMBLE FOR WORKERS

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STATE HOUSE, BOSTON, APRIL 24, 2008.....With comprehensive immigration reform likely shelved until after the November elections, Sen. Edward Kennedy's office is pushing for a short-term solution for the thousands of businesses around the country – including tourism-heavy Cape Cod – that find themselves scrambling for workers as the summer tourism season heats up.

Restaurants and hotels on the Cape often depend on seasonal workers, especially immigrants, to fill their ranks. Many of these employees, in turn, rely on H-2B visas supplied by the federal government that allow temporary entry to the country for seasonal work. But with last year's collapse of immigration reform in Congress, the expected renewal of a provision to exempt returning workers from counting toward the cap on H-2B visas failed, leaving businesses around the country far short of their required staffing levels.

Currently, 66,000 seasonal workers are allowed into the United States each year, a quota that was filled in January by companies requiring workers in the winter. With the expiration of the returning worker provision, thousands of experienced workers are now unable to enter the country.

“Action by Congress is urgently needed to see that businesses in the Commonwealth and across the country have the employees they need,” Kennedy said in an e-mailed statement. “American workers should always be first in line for these jobs, but the H-2B program is a vital backup when enough American workers aren't available.”

In the case of Cape businesses, seasonal immigrant workers had become an integral part of the workforce, and the lack of available visas presents a considerable challenge.

“I think this summer we're going to see hotel owners and managers making beds and we're going to see restaurant owners behind the lines cooking,” said Rep. Sarah Peake (D-Provincetown). “We're suffering here. Some businesses are delaying their opening. They are not open now and scrambling for workers.”

Richard Neitz, chairman of the board of the Cape Cod Chamber of Commerce, said worries became so intense that a local business owner contemplated marrying a female employee to keep her in the country. He declined to identify the business owner.

“It is a blow,” said Neitz, adding that the shortage of workers sparked “fears that it could have a devastating effect on hours being cut back and menus being cut back” for Cape businesses.

Neitz added, however, that most of chamber's member companies had aggressively sought help from local workers and would scrape by this summer, with or without Congressional help.

“Most of the people that I've spoken to in the last couple of weeks have kind of pieced together a patchwork solution for this summer,” he said. “We're suffering here. Some businesses are delaying their opening. They are not open now and scrambling for workers.”

Peake and Neitz emphasized the human cost of Congressional inaction, noting that many of the seasonal

workers had become part of the fabric of the Cape community and relied on their wages to put their children through school.

“Some of these people were like mothers and fathers to some of the staff members,” Neitz said.

Both said college students had become less and less of a factor in seasonal employment because their summer vacations start too early and end too late to be of use to local businesses.

Peake noted that the Patrick administration’s Executive Office of Labor and Workforce Development had helped sponsor job fairs on behalf of the employee-strapped companies with “mixed success.”

Sen. Rob O’Leary (D-Barnstable) said he thinks the problem for Cape businesses is “going to get worse.” He said businesses should look to high school-age or inner-city kids to come out to fill vacant positions.

“That was the way this was done years ago. Then it moved to these foreign workers,” he said. “Maybe we’re going to have to start thinking about going back in the other direction. Maybe we need to think about maybe beefing that kind of effort up. I don’t have an easy answer.”

Staffers from Kennedy’s office say the senator is seeking a short-term fix to the problem before the larger question of comprehensive immigration reform reemerges. They have run into opposition from Congress’s Hispanic Caucus, which has argued against taking up small pieces of immigration reform without taking up more comprehensive proposals.

According to the National Journal’s CongressDaily blog, Hispanic Caucus Chairman Rep. Joe Baca blasted his colleagues today for attempting to take up limited reforms.

“Several House committee members are preparing to hear immigration hearings on piecemeal legislation,” the California Democrat said at a news conference, according CongressDaily. “These bills are nothing more than a Band-Aid being used to cover up a gaping wound.”

Massachusetts Restaurant Association President and CEO Peter Christie said the Hispanic Caucus was using the H-2B issue as a “political football” in “an effort to make a crisis out of immigration.”

“Well they’ve certainly done that on Cape Cod,” he said. “It’s pretty damn mean-spirited.”

Christie said he hoped supportive federal lawmakers would force the issue by attaching the H-2B reform bill to a pending Iraq supplemental funding proposal.

“This is not someone yelling wolf,” he said. “This is for real.”

Ali Noorani, executive director of the Massachusetts Immigrant and Refugee Advocacy Coalition, echoed concerns of business leaders, saying lawmakers blocking immigration reform efforts were in effect harming American commerce.

“It seems like the anti-immigrant forces are so against any sort of progress that they’re willing to gut our economy,” he said.

Asked whether a new president would help change the tone surrounding the issue, Noorani said, “It can only get better.”

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