

Cap reached on H-2B program, cutting off source of seasonal workers

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Cape, Islands again left short as program applications reach cap *Businesses look to other sources for seasonal help*

By James Kinsella

For the second year in a row, the door has slammed shut on the H-2B foreign seasonal worker program before Cape Cod businesses could get access to those workers.

Given the slowdown in the economy, however, tourism industry officials say they anticipate demand among Cape employers for H-2B workers would be down anyway.

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In a news release issued today, [U.S. Citizenship and Immigration Services](#) announced that it has received a sufficient number of petitions to reach the congressionally mandated H-2B cap of 33,000 workers for the second half of the current fiscal year.

The agency said it would reject petitions for new H-2B workers seeking employment start dates prior to Oct. 1 that arrive after Wednesday, Jan. 7.

The H-2B program allows employers to bring in foreign workers for positions that remain unfilled after local help-wanted advertisements are placed.

Workers hired under the program can work up to nine months, helping businesses function in the spring and fall "shoulder seasons" when American students aren't available.

For members of the [Cape Cod Chamber of Commerce](#), "our estimation is that it is not quite as dire, because of the state of the economy," said chief executive officer **Wendy Northcross**.

Northcross said a number of members already have laid off full-time workers this winter, and plan to hire them back once the season begins rather than new workers.

"They didn't even apply for H-2B workers," she said of those members.

Spyro Mitrokostas, executive director of the [Dennis Chamber of Commerce](#), and **Deborah Converse**, chief executive officer of the [Hyannis Area Chamber of Commerce](#), question to what extent area businesses will ramp up this summer, given the soft economy.

"You do wonder if they're going to be cutting back a little anyway," Converse said.

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Mitrokostas said the rise in unemployment over the past year on the Cape may provide a pool of workers who will be more willing to take seasonal jobs.

He points to the November unemployment rate of 6.5 percent for the Cape, up a full two percentage points over November 2007.

"There's a number of a couple of thousand more bodies walking around, looking for work," he said.

Many Cape employers, he said, "are going to have to look to local residents to fill these slots." Another possible scenario cited by Converse and Mitrokostas, especially in the smaller family-owned tourism businesses: family members will be working longer hours in place of hired workers.

"I think they'll be doing a lot more of the work themselves," Converse said.

Jane Nichols Bishop, the owner of [Peak Season Workforce](#), has been helping Cape businesses meet their seasonal employment needs for years through programs such as H-2B.

"The cap being met is not a surprise," Bishop said. "My businesses on the Cape who rely on H-2B are not surprised. Cape Cod and the Islands are on the tail end of the geographic calendar, so we're not surprised."

Bishop, who works with between 50 and 75 business clients, said many of them already had taken steps outside the H-2B program, such as hiring more part-time workers, college students, retirees and foreign students, the last through the J-1 student visa program.

Even though demand for seasonal workers is down, Jane Bishop Nichols said a need still exists for workers that a H-2B program otherwise would provide.

Also, having anticipated the cap would close early, Bishop said her business has access to more than 200 H-2B workers already in the United States for the winter period who legally can come to work on the Cape and Islands this summer.

Even though demand for seasonal workers is down, Bishop said, she said a need still exists for the workers that a H-2B program otherwise would provide.

The figure that she's heard quoted (and for which she would like to know the source) is that Cape and Islands businesses need between 4,000 and 6,000 or 7,000 H-2B for the season.

While she said some businesses may view the closed cap as bad news, she assures them that "there are solutions. There are workers looking to work on Cape Cod and the Islands."