

## Shortages expected as visa threshold reached

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(Jan. 15, 2009) Island businesses are again bracing themselves for staffing shortages this summer after the federal government announced the quota had been reached on its seasonal H-2B visas, which permit foreign workers into the country for nine months at a time.

Seasonal businesses on Nantucket and Cape Cod rely on the foreign help to take those menial jobs Americans are generally reluctant to perform, said Nantucket Chamber of Commerce executive director Tracy Bakalar. Each year only 66,000 H-2B visas are granted, less than half the demand, in two seasonal waves. Estimates indicate around 1,000 H-2B workers filled island jobs each summer in recent years.

Employers may apply for the visa no earlier than 120 days before the position's opening, making it impossible for summer businesses in the Northeast to place requests should caps be reached in early January as they were the past two years by employers in southern resort communities or ski towns.

"It's a problem that's been continuing to build over the last 10 years," said Mark Forest, Congressman William Delahunt's chief of staff. "There's growing national competition for seasonal workers and the fixed cap is out of date and needs modernization." Bakalar said shady, ticket-scalping-like tactics are partly to blame. Large brokerage agencies apply for many visas and essentially sell off blocks of visa-holding workers at marked-up fees. She said the practice has drawn the attention of politicians such as Delahunt and U.S. Sen. John Kerry.

"There is an element of that (visa brokerage houses)," said Forest. "There's a lot of interest in trying to do something about that. It will be one of the issues that will be looked at."

Last year's staffing shortage strained workers and business owners who were often forced to log 80-hour weeks to keep up with customer demand, Bakalar said.

Unlike last year, businesses anticipated this year's visa shortage. Nantucket Island Resorts, one of the island's largest employers, has already begun recruiting H-2B workers currently employed at ski resorts. New employers can extend foreign workers' H-2B visas up to three years, so collaborations between summer and winter seasonal businesses are becoming more common, said Nantucket Island Resorts director of human resources Sally Remick.

"We're definitely better off than we were when this happened last year," said Remick. "We've anticipated this would be a theme this year, and encouraged our employees who wanted to come back to go to winter companies so we could extend their visas. (But) there's still a lot of employees who've worked for us for years that can't come back."

Remick said roughly 30 out of 210 seasonal positions at NIR have so-far been filled, which puts the company on pace to start this summer season with adequate staff as it ramps up recruiting. But having elevated some employees to management positions after as many as 20 years of service, the loss of veteran talent will pose multiple problems, said Remick. Those returning long-term employees who worked in winter resorts are expected to help recruit reliable help from other visa-holders.

Another short-term fix is hiring foreign workers attending hospitality schools and universities from countries such as Barbados on J-1 visas, which allow students to work in America for four months at a time.

Most businesses said they prefer to hire locally, but Americans' resistance to such low-level jobs like housekeeping and dishwashing, and the island's high cost of living have made attracting home-grown staffs nearly impossible. Furthermore, American students' summer breaks are too short to make them ideal workers when the island's shoulder seasons extend from before school lets out for the summer until after it resumes in the fall.

It's possible that the downturn in the economy will force more American workers to apply for the positions filled by H-2B workers in recent years, but Bakalar and Remick saw no indication of such a trend thus far.

Federal legislation has been proposed to lift the H-2B visa caps, which were not so stringently enforced until immigration policies were tightened by the federal government in the wake of the Sept. 11 terrorist attacks.

"I think that there will be certainly some discussion legislatively, but it's unclear what remedy or what action will be taken," said Forest, adding that changes to the H-2B issue were complicated by debate over sweeping immigration reform that precluded smaller alterations.