

The sea change in summer help



A 1950s group photo shows Chatham Bars Inn's summer staff, made up mostly of American college students. Over time, the Cape's seasonal labor pool has shifted to foreign workers, as seen at the Lighthouse Inn in West Dennis, in inset photo.

By **Sarah Shemkus**
sshemkus@capecodonline.com
March 22, 2009

In the late 1980s, restaurateur William Zammer — like many seasonal Cape employers — was able to staff the Popponeset Inn entirely with American workers.

"Even back 20 years ago, we had no foreign workers," he said.

But the labor landscape changed.

Unable to find sufficient local workers, Zammer turned to the H-2B visa program. By the mid-200s, he was hiring more than 100 Jamaican seasonal workers each year.

And then, last year, a federal cap on the number of visas cut off his ability to hire these employees. Zammer, along with hundreds of other seasonal employers who depended on the program, was left scrambling for workers to keep his business running.

As another summer looms, high unemployment is making it easier for hospitality businesses to fill many of their seasonal positions. This relief, however, is likely to be only temporary, said area employers and experts.

The Cape and Islands' tourism industry was initially driven to foreign labor by a combination of factors more complex and enduring than the current economic crisis, they said.

Therefore, it is still necessary to look at improving or reforming current temporary foreign worker laws, they said, so seasonal businesses are not again left scrambling for employees when the economy turns around.

Traditionally, local workers as well as high school and college students filled the region's summer jobs.

"Our need for seasonal workers, combined with a college student's need to earn money during the season, was a pretty nice fit," said Spyro Mitrokostas, the executive director of the Dennis Chamber of Commerce.

During the 1990s, however, a variety of factors started chipping away at the willingness and ability of students to work these jobs.

The cost of living on the Cape was rising, making it less economically feasible for college students to pay their expense and still save money for their educations, said David Augustinho, executive director of the Cape and Islands Workforce Investment Board.

Then some towns started passing zoning measures that restrict the number of non-related people who can live in one apartment.

"College students couldn't be 10 to a house and party with their friends anymore," said Wendy Northcross, CEO of the Cape Cod Chamber of Commerce. "It was a disincentive to come to the Cape — it was too expensive to rent something."

The attitudes of college students to summer work were also changing. More and more, they preferred internships in their chosen field to washing dishes and making beds.

"Now it is much more important for a lot of students to have more internships and opportunities on their resumes that match up with their courses of study," Augustinho said.

In the mid-1990s, area tourism organizations began a concerted effort to promote the region as a spring and fall travel destination. As they succeeded in lengthening the tourist season, college students simply weren't available for as long as employers required.

"If you listen to the employers, they'll say that the college students were not available the whole time they were needed," Mitrokostas said. "There's no way the college kids were going to be able to cover the season."

For a time, the growing gaps were filled by students from abroad, especially from Ireland. These workers, who come to the country on a temporary visa known as a J-1, can stay for longer periods and often don't start school until late September or October.

"They can stay for four months, which is the time we need people the most," said Paul Zuest, general manager at the Chatham Bars Inn. "The (American) college students, their schooling starts before the end of August."

The J-1 workers were not an ideal solution to lack of American workers, however.

The J-1 visa does not oblige a worker to stay at any one job for any length of time, allowing them to leave their positions for a better opportunity or just to travel. And, by the early 2000s, Ireland was in the midst of an economic boom, making a summer in the U.S. less financially attractive for one of the Cape's main groups of seasonal workers.

In the mid-1990s, the business of the Outer Cape — where seasonal employment fluctuations are the greatest — were the first to start bringing employees in on H-2B visas, Northcross said.

Workers with H-2B visas can stay for up to nine months at a time and their work authorizations bind them to one specified employer.

"Even though there was a lot of paperwork and a lot of expense, they were able to get reliable employees for the set time that they needed them," Northcross said.

Within years, employers across the Cape had seized on the idea.

"By the time the 2000s rolled around, they become totally dependent on that workforce," Northcross said.

This dependence became starkly clear in 2004, she said, when the federal government, for the first time, enforced a limit of 66,000 on the number of H-2B visas that could be issued.

Employers searched for local labor, but came up far short of their needs.

"That's the point at which I became convinced that there are critical issues here and not just employers doing it because it was convenient," Northcross said. "I literally got hundreds of phone calls from employers."

For the next three years, federal legislation allowed returning H-2B workers to obtain visas without counting towards the cap.

But then, in October 2007, these provisions lapsed and were not renewed.

Employers last summer were again unable to find local help. They made do by working extensive hours themselves and hiring a patchwork of J-1 workers and H-2B visa holders who extended their authorizations after working jobs in other areas of the country.

Heading into another summer, employers and business leaders report that, while there is a greater number of local applicants for seasonal jobs, there may still be openings they are unable to fill with American workers.

"We are seeing an increase in applications overall," Stone said. "But we're not finding any increase at all in the people who want basic, entry-level positions, like housekeeping and dishwashers."

Given the breadth and depth of the forces that drove the adoption of H-2B visa workers, the need for some sort of seasonal foreign guest worker program is unlikely to change, even when the economy improves, said those interviewed.

"When we are talking about seasonal, temporary employment, the H-2B program has been the solution for us and I would like to see it continue," Stone said.

Bills that would extend the returning worker exemption is currently pending in Congress, with the support of dozens of members, including Sen. John Kerry and Rep. William Delahunt.

However, with soaring unemployment rates making headlines daily, some wonder whether a measure regarding foreign workers could possibly pass at this time.

"We do know that, with the economic state we're in now, there's no political leg to stand on to ask for some rational change to the H-2B program," Northcross said.