

# Morning Sentinel

## Temporary worker standoff irks businessowners

BY JONATHAN E. KAPLAN  
*Blethen Maine Newspapers*

04/27/2008

WASHINGTON -- Jake and Ky Wolterbeek need less than a dozen seasonal foreign employees this summer and fall to work in the kitchens of their two restaurants in Wells, Maine.

But gridlock in Congress over how to reform the nation's immigration's laws could stop the Wolterbeeks from rehiring the mostly Jamaican temporary workers who have come to Maine for five to seven months, year after year, to work as dishwashers and cooks. The Wolterbeeks are anxious and angry that the legislative stalemate could force them to scale back their hours at their Route 1 eatery, Jake's Seafood, or stop serving breakfast at the Hayloft Restaurant.

"If I don't get cooks and dishwashers, I am going to have to cut back on wait staff and those are American kids trying very hard to pay for college," Jake Wolterbeek said. "By not bringing in foreign workers, it'll cost American jobs."

Seasonal hotels and restaurants in tourist hot spots around the country rely on thousands of unskilled foreign workers when there are not enough high school and college students to fill jobs. Foreigners who want to work on a temporary or seasonal basis in the United States need what is called an H2B visa.

The government has capped visas nationwide annually at 66,000, and the cap was met Jan. 3. Maine business owners have long complained that the quota favors tourist-centered businesses in the South that cater to Northerners escaping the winter, since those businesses get first crack at the workers.

In past years, Maine business owners have been helped by a 2005 law signed by President Bush that enabled foreign workers who received a visa in the past three years to return without counting against the cap. But that measure expired last year, and it has not been renewed amid the immigration debate that has paralyzed Congress.

The Congressional Hispanic Caucus, which includes only Democratic lawmakers, has vowed to block any legislation providing relief for small businesses unless it is included as part of a sweeping overhaul of the nation's immigration laws.

The caucus' members are furious that Democratic leaders have held hearings and pushed legislation that focuses on enforcement rather than creating a path to citizenship for undocumented workers.

"Immigration reform needs to take on a comprehensive nature," Rep. Luis Gutierrez, D-Ill., said last week. "Can the Congress truly respond to one group of immigrants and one select group of visas without responding to the fact that soldiers in Iraq have spouses being deported from the United States?"

Business owners like the Wolterbeeks argue that this is a labor issue, not an immigration issue.

They are furious with Democrats even though many want to pass the law allowing businesses to rehire foreign workers who have helped them in the past.

"It's a political thing, that's all it is and they managed to get it tied up with 12 million illegal immigrants," Wolterbeek said. "They're holding everything up, saying, 'If we don't get our buddies made legal, you don't get jobs.'"

If the law is not renewed, Maine's seasonal businesses could take a financial hit. The population of Wells explodes from 10,000 to 50,000 during the summer and businesses cannot find enough workers.

Tourism is the largest single contributor to Maine's economy, generating more than \$13 billion a year in sales and services and supplying roughly 176,000 jobs, according to the state's tourism office.

Foreign workers are an important piece of that because their work schedules can be adjusted to the business' needs, unlike those of other seasonal workers. College students, for instance, typically are available later in the spring than foreign workers and have to leave in late summer.

Rep. Tom Allen, a Democrat, and Republican Senators Olympia Snowe and Susan Collins, have cosponsored legislation that would extend the program and lift the cap for returning workers.

Last month, the director of the U.S. Citizenship and Immigration Services told a bipartisan group of lawmakers, including Allen, that Bush "was sympathetic" to the issue, but he could not increase the cap by executive order because it would be inconsistent with the intent of the law.

The Wolterbeeks are uncertain how they will get through the summer and fall when they will need as many as 65 employees at the Hayloft and 35 at Jake's Seafood. In winter, he carries 25 full- and part-time employees at the Hayloft and 10 at Jake's Seafood.

Wolterbeek said he would have to eliminate breakfast at the Hayloft restaurant, close a couple of days a week or both if the law is not renewed.

Allyson Cavaretta, the owner of the Meadowmere Resort in Ogunquit, normally relies on 20 returning foreign employees who spend five to six months at the resort each year. But this year, she expects only 10 will return to work.

That could affect the standard of customer service her guests have come to expect. "When you have three hours to clean 130 rooms, bathrooms, balconies and everything that goes into making that hotel room pristine, we won't be able to do that," she said. "There will be a portion of rooms where we'll always be behind."