

Visa shortage hits state's businesses

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The National Federation of Independent Business was on Capitol Hill on March 12 with small-business owners to meet with members of Congress to discuss the negative effects an H-2B visa shortage will have on small businesses that rely on temporary seasonal workers.

In Michigan, many businesses in the tourism industry will suffer job reductions and economic losses if they are unable to secure workers for the upcoming summer tourism season.

In addition, many other Michigan seasonal small businesses, including those in landscaping and accommodations, and those in the food-service industry, are in similar situations.

H-2B workers are nonimmigrant workers who are hired for seasonal, temporary or peak-load need in nonagricultural jobs for generally one year or less, after which they return home.

Before hiring an H-2B worker, employers must perform extensive outreach and recruitment domestically for American workers for 60 days, after which state employment agencies certify that no American worker is available.

Applications for H-2B visas can be submitted no sooner than three months before they are needed. There are 66,000 H-2B visas allotted each fiscal year -- 33,000 for October through March, and another 33,000 for April through September.

The 66,000 figure is a statutory limit. It does not accurately reflect the number of workers needed for temporary and seasonal jobs.

In the past two years, Congress has addressed the worker shortage by exempting returning H-2B workers from the cap.

However, the last exemption expired on Sept. 30, and this year the cap was met on Jan. 2.

It is important to remember that under the H-2B program employers cannot apply for workers more than 120 days before they are needed. So, many Michigan spring and summer employers have been frozen out of hiring the workers they needed to operate their businesses.

The NFIB also is working with the H-2B Workforce Coalition to pass legislation expanding the H-2B visa program and has urged Congress on several occasions to provide immediate H-2B relief.

The federation supports S.988, which would exempt for five years returning H-2B workers from counting towards the overall fiscal year cap of 66,000, and H.R. 1843, which would exempt returning workers permanently.

The NFIB believes that workers who have held H-2B visas during one of the past three years and have completely followed the law should not count towards the annual limit.

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