

Visa program not delivering as many imported workers

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April 16, 2008--US Lawns employee Ivan Daniel Molina Ramirez, from Mexico, works on a customer's lawn in Creve Coeur.
(David Carson/P-D)

Spring is here.

The grass is coming.

But some of the thousands of people who cut it in St. Louis each year are not, and that has some local landscape companies scrambling.

It's a situation that's also playing out in resort hotels in Branson and Lake of the Ozarks, in crab processing plants in Maryland and anyplace where industries have come to rely on the H-2B visa, a temporary guest worker program that has been caught up in the congressional crossfire over immigration.

In St. Louis, that industry is landscaping. In recent years, dozens of companies have been importing thousands of workers — mostly from Mexico — to do work they say most Americans won't: mowing, trimming and hedging through the summer heat for \$8 or \$10 an hour, then being laid off come winter.

How H-2B works

— **Employers must advertise jobs** locally in newspapers and elsewhere before applying for visas, and report how many applications they received from native-born workers.

— **Employers must prove that the jobs** are seasonal or temporary in nature.

— **Employers must pay the prevailing wage** as set by the state, and pay overtime and Social Security, unemployment and other taxes.

— **Workers must be interviewed** at a U.S. embassy or consulate in their home country before entering the United States.

Last year, more than 3,500 H-2B visas were approved for landscapers to work at companies in the St. Louis area, according to the U.S. Department of Labor. In all, about 130,000 temporary workers came to the U.S. under H-2B.

This year, the national number was cut in half, to 66,000, after Congress let expire a measure that freed returning workers from the program's cap. There's no reliable data on how many local companies didn't get the visas they had applied for, but several said they came up short.

For Matt Voss, owner of Bluegrass Lawn Care in Bridgeton, that has meant a lot of advertising, a lot of hiring, and a lot of training of new workers who may or may not stick around.

"The problem with these low-paying jobs is it's hard to get guys to stay with you in the heat," Voss said. "It gets to be 98 degrees, and they can go work at Wal-Mart for \$8 an hour, and it's air-conditioned there."

In past years, Bluegrass has used H-2B to bring in about a quarter of its 120-person work force. It brings back the same people each spring, and they're well-trained, good workers, Voss said. When the season's done, they go home.

This year, in part because of the lousy economy, he has been able to find some Americans to fill the jobs, but not enough.

"We're going to be OK, it's just disappointing," he said. "You lose 30 guys who know your accounts, know what to do. It's going to be expensive to make up for."

RESORTS FEEL PINCH

The problem is more severe in some other industries, and other parts of the country. Because the visas are issued seasonally — 33,000 in a batch starting Oct. 1 and 33,000 starting April 1 — and the cap was reached quickly this year, companies that needed their workers at a different time, such as in February or June, often missed the cut.

So landscapers in the Northeast, where the growing season starts later, are being harder hit than those in St. Louis. So are

resort hotels in central and southwest Missouri.

At the Lodge of Four Seasons in Lake Ozark, the approximately 100 Jamaicans — one-sixth of the work force — who come each year for jobs as waiters, housekeepers and landscapers are staying home. The resort couldn't get visas for them, said Nancy Adams, director of human resources.

She'll try to fill the gap by hiring locals, if she can find them, and with shorter-term student visas. But, likely, it will mean more work for the rest of the staff.

It's frustrating, Adams said, because the resort has always played by the rules of the highly regulated H-2B program, and now it is being withdrawn.

"It's very perplexing," she said. "Anything that has the word immigration attached to it now is like a bad word."

BILL IS STALLED

In Congress, lawmakers are considering a bill that would restore the returning-worker exemption to essentially double the number of available visas. But so far it has been stalled by the broader debate over immigration reform. The measure got an airing Wednesday at a hearing of a House subcommittee on immigration.

At the hearing were companies being squeezed by the shortage, and also opponents, who say H-2B may take jobs from American-born workers and drive down wages in some industries.

In Missouri alone, there are about 200,000 people 35 and younger with a high school diploma or less, but no job, said Steve Camarota, research director at the Center for Immigration Studies, a Washington think tank that supports tighter immigration restrictions.

Those are the people most likely to take many jobs now filled with H-2B visas, but often they don't even hear about them because employers have come to depend on imported labor.

To qualify for the program, companies must advertise the jobs locally, but those ads often run months before they are to be filled — October for a spring landscaping job — and are unlikely to reach the right people, Camarota said.

"Employers at one time were in touch with clergy, youth leaders, etc., who they used to help them find good seasonal workers. But immigration has curtailed these practices," he said. "You're not going to find these workers by putting an ad in the paper, or by listing a job with the unemployment office. It's not going to happen."

But Fred Haskett, president of U.S. Lawns, in Defiance, said that even when he has found American-born workers, they often don't last. Before he started using H-2B, he had 300 percent turnover on his mowing crews. Last year, he said, it was 5 percent.

As for wages, he might be able to pay more, but then he would have to charge more.

"We're locked into a certain economic strata with our clients," Haskett said. "Can you please explain to them why I'm going to immediately ask for a 30 percent price increase?"

A NEW APPROACH?

Still, the situation has some landscapers considering a new approach, like Maurice Dowell, who runs Dowco Enterprises in Chesterfield.

He has used H-2B for years and says it's a great program. This year he got his visas but six weeks late. And while he was waiting, Dowell subcontracted out more mowing work — typically done by H-2B workers — and tried "aggressively" to hire more locals. For now, at least, it's working out.

To work out long term, he needs people who see landscaping as a career, and to get them he needs to offer year-round jobs and professional advancement, not just \$9 an hour and a layoff each winter. That may mean less focus on seasonal grass cutting and more on installation and brickwork. And more reaching out into schools to recruit and train future landscapers.

But with his labor supply unstable at best, Dowell said, it may be time to start thinking about life after H-2B.

"It's not something I can depend on," he said. "I can't hang my hat on it and guarantee my customers I'll do what I say. Not with the current state of H-2B, no way."