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RUNNING A BUSINESS

New Visa Curbs Hit Seasonal Employers

By KELLY EVANS

With summer approaching, U.S. businesses that rely heavily on seasonal immigrant workers are grappling with a crippling labor shortage. The reason: Increased restrictions on H-2B visas, issued for nonagricultural seasonal workers.

The ski industry was the first to feel the impact of the shortage of seasonal workers. Now landscapers, hotels and restaurants are among those being hit hardest.

Anna Spalings, who along with her husband manages two Best Western Inns near Yellowstone National Park in Montana, usually hires more than a dozen housekeepers every summer under the H-2B program. This year, she wasn't able to hire any workers under the program. "Summer is the only time we make money, and if we aren't able to get all the rooms clean, we can't check people into them," she said.

Labor Shortage

Businesses that rely on seasonal immigrant workers may be hurt by tightened restrictions on H-2B visas.

Sectors with the most H-2B workers certified, FY 2007:

Landscapers and groundskeepers	69,200
Maids and housekeepers	24,387
Construction workers	17,697
Forestry workers	11,496
Welders	10,110

Note: Fiscal years end Sept. 30
Source: Foreign Labor Certification Data Center

The U.S. issues 66,000 H-2B visas a year, half for the fall and winter and half for the spring and summer. But in the past few years, Congress exempted from the cap foreign workers returning to the U.S. to do seasonal work. This year, efforts to extend the "returning-worker" exemption, which expired Sept. 30, got tangled up in a broader battle over immigration reform, and both sides say there's little hope this year for congressional action. Meanwhile, the cap for summer visas was reached in January.

Patti Sorour, director of human resources for Denver's Brown Palace Hotel & Spa and the adjacent Comfort Inn, wanted to hire 10 to 15 workers to clean rooms and work in food services under the H-2B program this year. But the visa shortage derailed her plans. "It puts a huge burden on the current work force and makes it harder to take care of customers," she said.

The Professional Landcare Network, a trade group based in Herndon, Virginia, estimates that small landscape businesses could lose as much as \$3 million this year because of the shortage.

The concerns are overstated, some say. "I find it beyond belief that there's any place in the country where you can't find landscape laborers if you pay them a decent wage," said Ross Eisenbrey, vice president of the left-leaning Economic Policy Institute, a think tank in Washington.

Mr. Eisenbrey argues that the shortage of immigrant workers will force businesses to hire American workers -- a good thing, considering the weakening labor market and high teenage unemployment.

But many employers say they can't find Americans to do the work. In fact, employers must attest to that to be eligible for the H-2B program.

Every year, Jennifer Fraser, 34 years old, and her husband spend the summer traveling from fair to fair in California, selling barbecue, teriyaki and corn dogs from their concession stands. She says American workers are rarely interested. "This is a hard job," she said, with long days and constant travel.

She and her husband usually hire about nine H-2B workers every summer. But this year, most of their previous employees can't get visas, so the couple is scaling back on the number of food stands they're operating. The result: longer lines.

The labor shortage isn't limited to low-skilled workers. H-2B visas can be used for a range of jobs including electricians and pilots. Ian Thomas Hardin, owner and managing partner of Immigration Law Associates in Cape Girardeau, Missouri, says he gets calls from recruiters in other countries "at least once a week" trying to get their skilled workers into the U.S.

Still, most of the jobs involve low-skilled work in landscaping, forestry and housekeeping. Dede Gotthelf, who owns and manages the Southampton Inn and OSO restaurant on Long Island, says she usually uses the H-2B program to double her work force to 80 over the summer. This year, she has had to look elsewhere for workers to fill positions.

"We reached out right away to American college students," she said. Her daughter, who will start college in the fall, and her daughter's friends will help replace the workers from Ireland and Croatia that can't get visas this year. She says the arrangement isn't ideal: College students usually aren't available for the entire April-October season, and their work ethic sometimes isn't as good as that of foreign workers. Plus, some have "an arrogance and independence" that may not be good for business, she added.

Roberta Gosman, who owns Gosman's Dock Restaurant with her brothers in Montauk, New York, relied for years on the same 10 Jamaican women to fill kitchen and serving positions during her six-month season. This year, only one could get a visa to return.

"It's very hard to get help out here," she said. The costs of living are high in Montauk, and fewer workers are willing to commute from elsewhere because of high gas prices. To help ease the shortage, Ms. Gosman took a trip to Prague in April to try to recruit foreign students under the J-1 visa program, which many other employers also are trying to tap. She's hoping that foreign and American students can get her through the season.

"It came as a big shock to everybody when we found out we couldn't get our seasonal employees back," she said. "I don't think people realize how far reaching [the problem] is."

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