

## **US ski areas, other businesses cope with new limits on seasonal workers from abroad**

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**WASHINGTON:** The bitter standoff in Congress over immigration reform is hitting home in ski country this winter.

Vermont's Stowe Mountain Resort, for example, usually relies on about two dozen seasonal foreign workers as ski instructors. Not this year. Stowe had to do "heavy duty recruiting" for its ski school, including a first-ever hiring clinic in January, said human resources director Julie Frailey.

"We need to find some folks," Frailey said. "We do whatever we can without dropping our standards at all."

Ski resorts are among the first of several seasonal businesses nationwide to feel the pinch from a change in federal law that cut back the number of visas for foreign workers brought in for temporary or seasonal jobs. Hotels, restaurants, seafood processors and landscaping companies are worried about filling jobs they say they can't find Americans to do.

"The timing couldn't be worse," said Parker Riehle of the Vermont Ski Areas Association, noting December was a busy month with plenty of snow.

Before adjourning last year, Congress failed to renew a law allowing foreign workers who came to the United States over the last three years to return for another season without being counted against an annual cap on such workers. The push to renew the returning worker exemption got caught up in the broader fight over immigration reform. Key lawmakers balked at a renewal unless it was part of a comprehensive immigration reform plan.

The number of H-2B visas for non-agricultural seasonal and temporary workers is capped at 66,000 annually. As the program has grown more popular, Congress in recent years has passed extensions that exempted returning workers from the annual cap.

The latest extension expired Sept. 30. That capped the number of H-2B visas at 33,000 for the first six months of fiscal year 2008 — less than half the number of visas issued for the same period a year ago. There were 71,000 H-2B visas granted for the first half of fiscal 2007, including about 38,000 for returning workers.

Ten of Vermont's 19 ski areas rely on foreign, seasonal workers. In recent winters, the resorts have employed roughly 700 H-2B visa workers, Riehle said. They made up about 8 percent of the state's seasonal ski resort workforce of 9,000 employees.

"In order to fill out the final numbers of the seasonal ranks, it's really become a necessity," Riehle said.

Nick Bohnenkamp of Colorado Ski Country USA, a trade association, said the state's 26 ski and snowboard resorts typically use about 3,000 H-2B visas each year. Most resorts got most of the visas they wanted this year, he said, but some ski areas have been coping with shortfalls.

"They have felt an impact," he said. "I'd also say they have been able to make things work with the workers they have."

Seasonal businesses outside ski country are also worried about filling summer jobs.

"They're calling us and they're scared," said Wendy Northcross of the Cape Cod Chamber of Commerce. "We're not mega-businesses here. We are mostly small businesses that make a big chunk of money during the summer and then live on it all year long."

An estimated 5,000 to 6,000 workers come to the Cape each summer on H-2B visas, and many of them are returning workers, Northcross said. Like many employers, Northcross is skeptical that Congress will fix the problem.

"The likelihood of having meaningful immigration reform in a presidential election year is slim to none," she said.

Employers cannot apply for visas until 120 days before the employee will start working. Business owners usually do much of the paperwork and pay fees on behalf of workers. Employers need to provide proof to the government that they cannot hire Americans for the jobs.

William Zammer, president of Cape Cod Restaurants Inc., which employs about 400 workers on the Cape during the peak summer season, said he relies on 103 workers from Jamaica each summer to fill jobs such as waiting tables, cooking and housekeeping. Some of his foreign seasonal help will earn \$800 (€550) or more a week, he said.

"It is the single most important thing I am dealing with," Zammer said. "I have 103 people to find."

Fred Haskett, managing partner of a commercial landscape management business in the St. Louis area, had hoped to use about two dozen workers on H-2B visas. Now, he plans to scale back.

A provision to expand the H-2B program and to make the returning worker exemption permanent was part of the immigration reform bill that collapsed in Congress last year. Sen. Barbara Mikulski, a Democrat, also pushed unsuccessfully for an extension of a returning worker exemption. She's still pressing the issue in Congress.

Despite supporting the H-2B visa program, the Congressional Hispanic Caucus objected to the extension because it wanted the issue to be addressed as part of a broader immigration bill. The group worried that a piecemeal approach would dilute support for comprehensive immigration reform.

"No one wanted to pass this immigration stuff," said Zammer. "All of a sudden we come to the third rail of politics."