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Seasonal businesses face labor crisis again

By Michael Wright

Dozens of East End business owners are facing crippling labor shortages come the summer because of continuing problems with a federal visa program that brings thousands of legal foreign workers into the country every summer season.

But unlike last year, when back-ups in the U.S. Department of Labor delayed the arrival of many workers by as much as three months, this time around the workers may never arrive at all.

Nursery owner Ron Jawin was blunt about the prospects without the H2-B workers: "There is a train-wreck coming, it's inevitable," he said.

"It will affect not only our businesses and the workers, it will affect everyone in this room," Paul Monte, owner of Gurney's Inn resort in Montauk, said at a public meeting on the topic hosted by U.S. Representative Tim Bishop in Bridgehampton on Monday night. "It will affect the entire economy of Long Island."

Mr. Bishop, whose office was instrumental in breaking the logjam of visa delays last spring, was unable to offer much reassurance that the visa program, known as H2-B, would be fixed in time to help East End businesses meet their staffing needs this summer season—which starts as early as March for some businesses.

"I would be disingenuous if I said that this would be resolved by February," the congressman said. With business owners asking who they can call and whose feet they can hold to the fire, the congressman offered himself as the best person to hold accountable—but he noted it still may not be enough. "You can hold my feet to the fire. That doesn't mean I can deliver. I'm still only one of 435."

The H2-B program allows workers with pre-arranged jobs to come to the United States legally for up to 10 months. The employers who sponsor them must pay full Social Security and Medicare taxes and insurance for the workers they bring in and, in many cases, provide them housing during their stay. The workers must return home for at least two months before returning.

Business owners say the program provides them with employees to fill manual labor jobs that Americans are unwilling to do at the wages owners can afford to pay. Losing the H2-B program would force many to turn to illegal immigrants to fill their needs, some say.

Some local business have been relying on the H2-B program for more than a decade and have had the same workers come back to them year after year, which saves them work in training new employees.

"This is the kind of program that should be expanding, not contracting," County Legislator Jay Schneiderman said after the meeting. "This punishes the people who are trying to do the right thing."

Problems in processing H2-B applications last spring because of federal funding cuts caused major delays, which crippled early-season businesses such as landscaping companies. This time around, the problem is more complicated than simple processing backups.

As the U.S. Congress became mired in the debate over comprehensive reforms to federal immigration policies over the past year, Mr. Bishop explained, a bill that would have allowed workers return if they had been here legally in the past failed to garner the votes it needed to pass. As a result, returning workers have to be included among the 66,000 H2-B visas issued each year. But the cap has already been filled, largely by employees of ski resorts and businesses in southern states, where winter is the busy season. Without exemptions for returning workers, as had been granted in recent years, summer-season

businesses are going to be left out in the cold.

With panic in their voices, the owners of hotels, restaurants and landscaping companies that rely heavily on workers from Latin American and Caribbean countries spoke about their business's survival after Monday's meeting.

Mr. Bishop lamented the tangled situation that has left local business in such a lurch and pledged his continued efforts to revive the program. But he also bluntly acknowledged that entrenched factions in the overall immigration debate have hijacked much of the discussion.

A legislative effort to expand the H2-B program for returning workers failed just before Congress adjourned in December, despite a protest by business owners and their advocates in Washington D.C. With the realization that the program may not be an option for them this year business owners began wondering about other options immediately. Gathered outside the meeting room at the Bridgehampton National Bank headquarters, a small group began discussing what they could do next.

"They can't fix it in the time we need it—I think that writing is on the wall," said Legislator Schneiderman, who also owns a hotel in Montauk that relies on H2-B workers each summer. "We can't give up the fight but we need to think about what we can do on our own."

Mr. Schneiderman and Mr. Monte said that one step would be to expand efforts in recruiting European students to come to the area for the summer season. Montauk once drew large numbers of mostly Irish students each summer but the numbers have dwindled as the U.S. dollar has plunged in relation to the Euro. Eastern European students have shown a willingness to come; Mr. Monte said he has a recruiting office in Prague and Roberta Gosman, who runs the restaurant at Gosman's Dock, said she personally traveled to Prague to recruit workers last year.

But student workers cannot fully meet the needs of businesses such as hotels and landscape firms that need workers during the shoulder season months of April and May and September and October.



Dozens of East End business owners came to a "town hall" style meeting with U.S. Representative Tim Bishop on Monday night in Bridgehampton to plead with him to rescue the visa program that brings foreign workers to the East End in the summer. **MICHAEL WRIGHT**



Attorney Melinda Rubin, who works with local employers to get visas for foreign workers, speaks at Monday's meeting.
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