

Seasonal workers

Raise visa limits to meet business needs

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The Bush administration is revising regulations to make it easier for resorts, restaurants and other seasonal businesses to get foreign workers.

Absent comprehensive immigration reform to raise the cap for 66,000 H2B visas, the new rules will streamline the application process to speed up approval for the temporary workers needed mainly in the summertime in construction, landscaping and other short-term work.

The regulations proposed by the Department of Labor will allow employers to bypass state review of applications and submit them directly to the federal government.

Paperwork requirements will also be eased to allow employers to attest under oath that they have complied with the visa program requirements.

"Duplicative requirements" in the program have prevented employers from getting immigrant workers in a "timely fashion," according to Labor Secretary Elaine Chao.

To protect American workers from losing jobs to immigrants, foreign workers will still have to apply annually for a visa. Labor markets will be examined yearly to make sure there are no available U.S. workers for the vacant jobs so they do not lose out to cheaper labor.

Another change will expand the definition of "temporary" from 10 months to three years so businesses can depend on having workers. "Sometimes temporary work is not confined to one year," Secretary Chao told the Los Angeles Times.

The lack of seasonal workers is forcing some businesses to cut back on their operations. The new regulations may streamline the visa process and reduce bureaucratic delays, but they do not address the underlying need for more visas. They have been limited to 66,000 a year since an exemption on the cap expired in September. Since then, thousands of workers are no longer able to obtain visas to enter the country legally.

Congress can resolve that by increasing the number of visas.