

Forest firm relies on seasonal workers

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Stephen St. John (pictured), vice president of May Bros., uses the H-2B program to find seasonal workers for the firm. Staff photo by Kim Raff

From March to December 2007, David St. John and his brother, Stephen, advertised 16 positions within their Forest site- contracting firm.

The job description: pouring concrete, laying pipe and heavy- lifting construction work for roughly \$8 an hour.

Seven Americans applied. Two interviewed. One accepted. He quit within weeks - a typical response, according to the St. Johns.

The difficulty in filling those jobs is the key reason their company participates in a federal program that for the past four years has brought about 20 seasonal workers each year from Mexico to work at its construction sites.

"Frankly, I need the labor," said David St. John, president of May Bros. Inc. "If I didn't have this avenue, I wouldn't be able to get the help I need."

The seasonal workers are at the center of a controversy in Bedford County, where May Bros. has proposed building five town home units off Hooper Road to house them.

That plan has sparked protest from some residents in Forest, who worry about the town homes' proximity to Jefferson Forest High School, among other concerns.

The seasonal workers, brought in under a program known as H-2B, are among nearly 300 such workers employed by 17 firms in the Greater Lynchburg area in 2007, according to the U.S. Department of Labor. Last year, Virginia had 10,100 guest workers. Wages ranged from \$5.13 to \$33 an hour, depending on the work, and averaged \$7.75 an hour in the Greater Lynchburg area.

The St. Johns' workers are for construction purposes, but H-2B workers can also plant trees, shuck oysters, monitor children, cook, work in restaurants and do landscaping, forestry and housekeeping work. The St. Johns said they can rely on these workers because they come here to send money back to their families.

"All of us learn a lot about them and their families and they learn about us and our families," David St. John said. "It's an employee relationship like any other."

That bond has come under public scrutiny in recent weeks.

Neighbors have complained that they feel the town homes aren't proper for the surrounding neighborhood. They have said it will set a bad precedent for more such projects, lower property values and warrant safety concerns due to its location near Jefferson Forest High School.

The St. Johns said having their own homes for the workers will save a lot of time and hassle in transporting them from apartments they currently lease in Forest and surrounding areas. The workers typically arrive in early April and stay until late November or early December, they said.

The Bedford County Planning Commission already approved a special-use permit for the homes. Next month, county supervisors will have the final ruling on the proposal.

Fred Fralick, the commission's chairman and a Forest resident, said he felt the Jan. 23 approval was a land-use decision that separated itself from debate about the workers themselves. The unanimous vote was taken after a two-hour public hearing that drew about 50 people. One commission member that night said the issue reminded him of when Bedford was segregated.

Guest workers have been coming to the United States since the 1940s, said Elizabeth Whitley, whose Nelson County firm takes care of H-2B applications for the St. Johns and more than 600 employers across the country.

But they are now coming in greater numbers because of the growing availability of jobs that many Americans don't want to do, Whitley said.

The H-2B program, which Whitley calls a descendant of a federal H-2A program that gives agriculturalists year-round help, is a better option for Mexicans who long to work in the United States short-term instead of long-term through illegal means.

Rather than sneaking into the country through cars or desert treks that prove dangerous, Whitley said H-2B participants could leave on an air-conditioned bus and know where and for whom they are working. "The program eliminates the pathology of illegal immigration," Whitley said. "I firmly believe if this country had a commitment to a guest-worker program 20 years ago, we would currently not have 15 million illegal aliens."

There were 14 states that each had at least 5,000 H-2B guest workers in 2006, according to the U.S. Department of Labor's Web site. Texas had the most, with more than 26,000 workers and just fewer than 1,000 employers.

The Virginia Employment Commission and the federal labor department require that all employers aggressively test their local labor market to find the "prevailing wage" in their area. H-2B regulations require that they pay no less than the prevailing hourly wage, which for the St. Johns last year was \$7.93. Employers' applications to the U.S. Citizenship and Immigration Service then have to be approved for a

visa petition before they can transport workers.

Meanwhile, the prospective worker applying to the program has to obtain a visa from the U.S. State Department, which requires tests. Questions include political affiliations, criminal background, deportation history, terrorist affiliation and knowledge of firearms. The department also searches their police records, FBI and CIA files and drivers' licenses.

The average age of male workers in the H-2B program is 35, Whitley said. David St. John said his workers range from 20 to 52.

The St. Johns aren't alone in their need for seasonal workers among area employers.

Campbell County had the highest worker total in 2007 at 110, with three separate firms needing forest workers, housekeepers and landscape workers.

Lynchburg had 50 workers, with all but one working in construction, according to statistics from the U.S. Department of Labor. Bedford County had 50 workers in construction and landscaping, Nelson County had 55, Amherst had 11, and Appomattox had eight.

Whitley, who serves on the National Council of Agriculture Employers, started her company in 1995. While the program has grown, she said some challenges remain. A 66,000-worker limit set on H-2B visas annually in the United States prevents some industries from filling necessary jobs, she said.

"The entire Virginia seafood industry in the northern neck of the Tidewater uses H-2B labor to pick crabs and shuck oysters," Whitley said, "and they're not going to get their workers this year."

Congress set the worker limit in the early '90s, she said, and it was reached for the first time in 2004. Though he has faced expenses and public criticism for hiring foreign workers, David St. John said it's worth it. He recommends the program to colleagues.

The workers' willingness to show up for the job and the quality of their work is reassuring, he said. "They are like family."