



County council asks feds to get a move on

Thu, Jun 10, 2010 by **Meg Olson**

Whatcom County Council is sending a letter to federal legislators and bureaucrats asking them to act quickly and modify work visa rules to protect local jobs and businesses in Point Roberts.

"The situation is critical and we implore you to provide assistance to allow the "special circumstances" exceptions Point Roberts had until now," stated the letter signed by council members Sam Crawford and Barbara Brenner and approved by council vote at their June 8 meeting. "We urge you to work towards a solution to protect the businesses of the Point Roberts community.

Whatcom County is asking that the special rules that had been being used at the local border for temporary work permits be put back in place, or that a similar alternative be developed. Since September 2009 local businesses have needed to conform to national standards for a visa that doesn't appear to fit local needs.

"Many Point Roberts businesses were not notified until April 14, 2010. With the season beginning in May, the Point Roberts businesses did not have adequate time to learn about the new procedures and process permits in time to fill needed positions for their businesses through the busy season," the letter states. "As a result, many of the businesses will need to alter their formats or close, reducing hours and eliminating needed jobs for U.S. citizens."

Brewster's Restaurant could be the poster child for the current dilemma. On June 2, owner Joan Roberts announced that she would have to cut the restaurant's hours because her application for new temporary worker visas had been denied and existing visas would not be extended. "Unfortunately, this means that local U.S. employees hours will also be cut instead of the increase in hours they would be getting if the permits were granted," she said.

The restaurant's permits were denied because the positions Roberts needs to fill for the summer are part-time, but the H2B visas she is now being required to obtain are for full-time workers only. When Roberts tried to establish her need for temporary workers she wrote, "The community does not have sufficient residents to fill seasonal positions." The department of labor, whose certification of the need for foreign labor is the first step in the cumbersome application process, responded that "a labor shortage, no matter how severe, does not constitute a temporary need."

The response from the department of labor "appears to show a complete lack of knowledge of Point Roberts' special situation," county council stated in their letter, a situation that merits special rules at the border to meet community needs.

Roberts said special rules already exist for certain categories of workers along the northern border. Musicians, for example, can get a visa to work within 50 miles of the border without department of labor certification. "This indicates to me that exceptions are made in unusual situations," she said. "I feel it could be possible to have a similar exception made for Point Roberts based on our unusual circumstances."

Brewster's is the first affected by the new rules, Roberts said, because her existing permits were the first to expire. Other businesses who rely on seasonal labor will soon start to feel the pinch.

"The reality is, if the economy of our community is going to recover, it will be driven by small business," Roberts said. "The temporary work permit does not replace U.S. employees with Canadians but rather allows us to fill needed positions in order to continue operating."

Congressman Rick Larson has already sent a letter to the commissioner of the U.S. Customs and Border Protection stating that "the new rules are having a negative impact on local businesses in Point Roberts and I urge your attention to this matter." He urged the commissioner to work with his counterpart at U.S. Citizenship and Immigration Services to find a solution.