

DO YOU NEED RECRUITMENT OR COMPLIANCE ASSISTANCE?



New Limits on Seasonal Workers under the H-2B Visa Program

Recently, all we hear about in the news is about illegal workers in the United States and the **H-2B Visa Program**. These workers are employed in various businesses that are part of our daily lives. But unfortunately some of these seasonal jobs will be impacted this year by the *new H-2B Visa Program*. These jobs include workers in the following businesses that impact the mainstay of our local economy. Businesses such as **resorts, hotels, restaurants,**

landscaping/lawn care firms, bus drivers, and farm workers, to name a few.

The economic impact of sending these individuals back to their native country would have a devastating blow to the economy of the United States. However the fact remains that the latest extensions **expired on September 30th 2007**. This capped the number of **H-2B visas at 33,000** for the **first six months of fiscal year 2008**, which is less than half the number of visas issued for the same time period a year ago. The **first half of fiscal year 2007** there was **71,000** H-2B visas granted, including about 38,000 for returning workers.

The likelihood of having meaningful immigration reform in a presidential year is slim. Employers cannot apply for visas until 120 days before the employee will begin employment. Business owners usually compile most of the paperwork and pay fees on behalf of the workers. All employers need to provide proof to the US government that they cannot hire Americans for these open positions.

Documents required for employing a foreign worker include social security cards, work visas, green cards and filling out I-9 forms to verify each person's eligibility for employment.

If a company was previously caught employing illegal immigrants, civil penalties were imposed and some employers just shrugged them off as the cost of doing business. But all this has changed since the Department of Homeland Security imposed criminal charges on suspected violators.

For companies seeking compliance to the law, we suggest an audit of all I-9 forms for employees. This demonstrates a good faith attempt to abide by the law. These checks should be done for everyone, not just one particular ethnic group. Copies of documentation accepted for an individual's employment, such as Social Security card or work visa is also required. Don't get caught short!

Quality Transitions, Inc. can provide recruitment support along with a review of your employee documents to ensure compliance. Please give Dave Nichols a call if you would like to set up an appointment. **Dave can be reached at (401) 213-6260.**