

# Employers Eager For New Foreign Worker Program

Sam Hananel, Associated Press

WASHINGTON (AP) -- As desperate as unemployed Americans are to find work, there are still some jobs that many would never consider applying for because they are seen as too dirty, too demanding or just plain unappealing.

But employers that struggle to fill those jobs — washing dishes, cleaning hotels, caring for the elderly — could soon get help now that business groups and labor unions have agreed on a plan to allow thousands of new low-skilled foreign workers into the workforce.

The deal, which still needs final agreement from lawmakers, is one of the last major hurdles to completing immigration overhaul legislation this year, one of President Barack Obama's highest priorities. It is expected to be part of a broader measure that would address the status of the 11 million immigrants who either arrived in the U.S. illegally or overstayed their visas.

The new program, called the "W" visa, is crucial for companies like Medicalodges Inc., a Kansas-based company that wants foreign workers to help run its chain of nursing homes and assisted-living facilities and perform in-home care for the elderly and people with developmental disabilities.

"We've offered signing bonuses, set up tables in grocery stores, sent direct mail, posted job openings on the Web, even laundromats, and it's still not enough to fill positions," said Fred Benjamin, chief operating officer for the company that operates in Kansas, Missouri and Oklahoma.

"It's tough work taking care of people with Alzheimer's and dementia that may strike somebody or scream at people, may be incontinent, have difficulty getting in and out of bed, or need help feeding," he said. "But we believe there are a lot of people from other countries who would gladly take these jobs."

The average salary for nursing assistants is \$9.50 an hour, while licensed practical nurses with at least two years of college training can earn about \$16.50 an hour. But the company says it has little room to increase wages to attract workers because most of the patients they care for receive fixed Medicaid or Medicare payments.

The new W visa program would admit 20,000 low-skilled foreign workers starting in 2015 and could gradually grow up to a cap of 200,000 after five years. The number of visas would fluctuate, depending on unemployment rates, job openings, employer demand and other data.

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It would fill a gap in current law, which doesn't give employers a good way to bring in such workers for year-round positions. The existing H-2B visa program for low-wage nonagricultural workers is capped at 66,000 per year and applies only to seasonal or temporary jobs.

If other temporary worker programs are any indication, most of the foreign workers taking advantage of the new W-visa program would come from Mexico, Jamaica and Guatemala. About 80 percent of workers in the H-2B visa program in 2011 were from Mexico, according to State Department data.

"It's not perfect, but it's probably as good as it can reasonably be to make both sides happy in a way that protects the interests of U.S. workers while also bringing workers in when employers truly need them, not just when they say they need them," said Daniel Costa, immigration policy analyst at the liberal-leaning Economic Policy Institute.

Labor unions have criticized other temporary worker programs, claiming that businesses don't look hard enough for American workers to fill the jobs and that foreign workers depress U.S. wages and have no chance for advancement. But unions made sure more protections were built into the new program.

The number of workers admitted each year would fluctuate based on actual employer needs determined by a new federal bureau to monitor the job market. Workers would earn the same wages paid to U.S. workers or the prevailing wages for the industry they're working in, whichever is higher. And it would allow foreign workers to move from employer to employer, petition for permanent residency after a year, and eventually seek U.S. citizenship.

Not all business groups are pleased with the deal. Several major construction industry groups issued a statement criticizing the agreement for limiting the number of visas for construction workers to 15,000.

"A guest worker program that fails to provide a sufficient number of visas to meet market demand as the construction sector recovers will inevitably make it harder to fill critical labor openings," said a statement from Associated Builders and Contractors, the National Association of Home Builders and other groups.

Labor unions, worried about members losing jobs to foreign workers, argued that construction should be treated differently from other industries because it can be more seasonal in nature and includes a number of higher-skilled trades.

But the agreement is seen as a boon to employers in long-term care, the hotel and restaurant industry and other low-wage service sectors that are among the fastest-growing job categories in the nation. Seven of the 10 largest occupations in the country now pay less than \$30,000 a year, according to the Bureau of Labor Statistics.

"We want to hire Americans, we do everything we can to hire Americans, but if no more Americans are available we would like access to those foreign-born workers,"

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said Shawn McBurney, senior vice president of government affairs at the American Hotel and Lodging Association.

Many hotels pay \$10.50 an hour and up for entry-level housekeeping jobs, McBurney said, and offer employees the potential of working their way up to better jobs.

"Even though the employment rate isn't what we'd like it to be, there are jobs at hotels that Americans just don't want to take, despite the amount of pay we offer, the benefits and the upward mobility," McBurney said.

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