

Guest Worker Proposal Could Widen Area's Labor Pool

Immigration: Service Industries Seen As Benefiting From Changes

By Julie Poucher Harbin

A week after President Bush first unveiled his vision for a guest worker program that would enable undocumented workers in the United States to apply for legal working status, the San Diego business community was trying to make some sense of the new immigration proposal.

The plan would also enable Mexicans and other foreigners not living in the U.S. to come and work for American companies as guest workers. In both scenarios, foreign workers would fill positions that Americans don't want.

"The way it's proposed, it seems to me that it's going to benefit local area companies who are involved in maybe the hospitality industry, janitorial, agriculture, manufacturing," said immigration attorney Gary Perl with the San Diego office of HirsonWexlerPerl. "It will benefit them because you're going to have a legal pool of what I see as semi-skilled and unskilled workers now available that previously were not available."

On average about 164,000 people legally cross from Mexico into San Ysidro and Otay Mesa every day, according to the latest figures released by the Department of Homeland Security (April-July 2003), said [Kenn Morris, director of San Diego-based Crossborder Business Associates](#), a research and analysis firm.

According to a survey done by Crossborder in December, more than one third (and as many as one half) of those making those northbound crossings each morning are coming to work. Patrick Osio Jr., former business owner and current editor of HispanicVista.com, said that the proposal is "on the right track," but it won't really work unless whatever draws so many Mexican workers to leave Mexico is alleviated, and businesses stop employing undocumented immigrants.

George Hawkins, executive vice president of the San Diego chapter of Associated Builders and Contractors, said because there's a shortage of skilled personnel in this region and nationwide, his industry could benefit.

"It will open it up in a very slow process, because these people, many of them, are going to have to be trained up and that's a two, three, four-year time frame," he said.

Part of the problem is language. His industry is already moving toward offering training classes in Spanish, Hawkins said, and would see "increased pressure" to offer classes in Spanish if and when the Bush plan comes to fruition.

Meanwhile, the classified pages in local papers have lately been full of available jobs, mostly skilled, in the hotel and restaurant industry.

Carl Winston, who has owned restaurants in the area and is now director of the Hospitality and Tourism Management Program at San Diego State University, said he has heard recently from three different big chain hotels in the area that they are looking abroad, in eastern Europe and South America, for pastry chefs, other culinary workers, and concierges because of shortages. He predicts as the regional economy picks up for hospitality and tourism in the next 12 to 24 months, there will also be an unskilled and semiskilled labor shortage.

John Dunlap, president of the California Restaurant Association, believes that the labor crunch, at all skill levels, is already here. His organization lobbied Congress and the Bush administration over the last two years to open up the immigration process to satisfy shortages.

"There is a hunger for new workers always," Dunlap said. "In the San Diego region, it's always been kind of a hotbed area for people to come in from Mexico and other Latin American countries to find their way into the restaurant industry."

Dunlap is equally encouraged with Bush's promise to increase the green card limit.

The Hotel Employees and Restaurant Employees union is not so encouraged.

"We think it's a horrible proposal," said Molly Rhodes, research analyst for HERE's local chapter. "It claims that it's being compassionate towards workers, but it's saying you can come here and we'll exploit your work for as long as it's convenient for us and then goodbye."



Under the Bush plan, currently working undocumented aliens and foreigners with job offers, if accepted in the program, would be granted temporary worker status that would enable them to work a maximum of three years with the possibility of renewal and travel back and forth across the border freely. The participants would be required to return to their home country when their job ended, and participation would not be connected to a green card or citizenship.

President Bush argued that by making new avenues for work available, his program would reduce the numbers of undocumented workers who risk their lives in dangerous desert border crossings, though some opponents argue that this plan, like the 1986 amnesty law, would open up the floodgates.

According to U.S. Customs and Border Protection, Southern California border officers apprehended 47,570 immigration violators in fiscal 2003, a 14 percent reduction when compared to the previous fiscal year. Those intercepted with fraudulent documents, 28,200, was up more than 4,000 from the previous year.

Attorney Gary Perl believes there's a "very insignificant amount" of companies that are "actually knowingly hiring illegals," but he conceded that "a lot of the illegal people that are working here have fake documents which the employer is not aware of."

This argument doesn't wash with Osio of HispanicVista.com, who said many companies, starting with agricultural, followed by the service industry — hotels, restaurants, and janitorial services, knowingly hire illegal workers, even though they often make the excuse that it is the labor contractors that do the hiring.

Winston, of SDSU, countered, "This hospitality community in this town does not hire illegals as a practice. Ten years ago there was a sizeable minority who did. That doesn't happen anymore."

Perl said his firm is ready to assist any corporate clients in obtaining the appropriate documentation to re-hire any undocumented workers who might participate in the plan.

The California Chamber of Commerce said the Bush plan "will improve national security while also protecting the ability of businesses to utilize legal means to employ foreign workers."

The San Diego Regional Chamber of Commerce, however, will wait for the proposal to take legislative form, before it makes its recommendation, according to Angelika Villagrana, director of the chamber's public policy division. The chamber has put a subcommittee together to look at how, once these people get employed, they would be affected by minimum wage, health care, and related issues.

Though the city doesn't have an official position on President Bush's proposal, similar concerns were raised during a White House conference call, according to Elsa Saxod, coordinator of the city of San Diego's Office of Binational Affairs.