

FROM THE PUBLISHER



The Immigration Reform Act of 1987 is expected to take effect on June 1st. I guess we are all wondering how it will impact our business. There is no doubt that there will be some adverse affects to the horticultural industry. After all, in many regions of the country we probably employ more undocumented workers than any other industry.

We must find ways to comply with the new regulations yet still preserve our labor pool. Although it is still too early to tell exactly what the parameters will be, rest assured it will take more of our time to keep better records which will contribute to a higher cost of doing business. The bill, which prohibits hiring new employees who are illegal aliens, was signed into law by President Reagan last November. It provides for a six-month educational period which ends the last day of May. After that the government may issue warnings, followed by fines and possible jail sentences for repeated violations by employers. Although not all of the rules and procedures are available to date, the intimidation of conditions and penalties will cause an increase in blood pressure of those employing Spanish-speaking workers. Employers are scrambling to learn the conditions and penalties of hiring alien workers.

Seminars and articles abound to make employers aware of their liability and procedures to follow in order to protect themselves from costly fines and possible jail sentences. Attorneys specializing in naturalization "are anxious to prosper by the fears and anxieties of employers and unauthorized aliens around the country." These anxieties prompt the thought of replacing the Spanish speaker as the backbone work force in the green industry around the country. It would be a shame to lose some of these "illegals." They are hard working, productive people trying to achieve more comfort and joy in their lives. There are many who are highly skilled.

More importantly, who is the future labor force, and are they willing to do the hard work that is required? How much will it cost to train this new labor force, and how long will it take them to reach a productive level? Although an amnesty program to legalize these people is part of the immigration reform bill, there will be an exodus of Spanish-speaking workers out of the United States. Many of them may qualify for amnesty but are too timid or untrusting and will not make the effort.

I believe that employers may find it worth their time and effort to help these employees obtain amnesty-and, in so doing, keep a trained and loyal employee in the job. The employer must require all employees hired after November 6, 1986, to complete and sign the verification form certifying that they are eligible for employment, even though the verification form (I-9) will not be available in final form until June 1, 1987. Employers are also advised to follow a specific policy of hiring only U.S. citizens and aliens authorized to work in the United States. On the other hand the government states that you should not discharge present employees or refuse to hire new employees based on foreign appearance or language. Kind of like talking out of both sides of your mouth.

I have been watching this bill for a number of months now. I can understand the need for the government to put a stop to the influx of people from other countries who sneak into this country, work and earn a living, use our schools, hospitals and welfare programs, yet pay no taxes. It has indeed become a burden to many communities. On the other hand, I can see why labor intensive industries need this labor pool. It is difficult, or near impossible to find laborers who are willing to do that kind of work. Either side you take, transitioning this one will be trying for all involved.