

Tree Care Industry Seeks Comprehensive Immigration Reforms



Reforming our immigration system is essential for the economy and the Tree Care Industry.

The Tree Care Industry Association (TCIA) represents approximately 1,400 businesses nationwide that engage in commercial tree care, providing services to residential communities, state and local governments, commercial businesses, and utilities. Collectively, TCIA members employ more than 150,000 people, representing an estimated 75% of all tree care workers in the country.

Finding workers has been a long-standing challenge for our industry. While working in arboriculture can be rewarding, the physical challenges and inherent dangers are not for everyone. The domestic labor market alone has not been able to meet our industry's workforce needs. Many companies have hired immigrant workers in the U.S. on Temporary Protected Status (TPS) and relied on the H-2B visa program for temporary workers to meet seasonal demand. However, complexities in these programs, exacerbated by broader U.S. immigration issues, have made hiring even more challenging. Lawful immigration reform is needed to address the tree care industry's workforce needs of the 21st century, allowing for much-needed access to legal and qualified temporary workers.

The Issue

Current immigration policies hinder industries like ours from accessing a consistent and reliable legal immigration program that responds to labor market demand. To meet the tree care industry's needs, it is essential for companies to maintain their investment in their current legal immigrant workforce and have access to an adequate workforce when American workers are unavailable.

Temporary Protected Status Recipients

The tree care industry employs numerous workers from countries that have been designated for TPS due to an ongoing crisis in their home countries. Designations for TPS last between 6 to 18 months and can be renewed at the discretion of the Secretary of Homeland Security. During this designated period, the program provides TPS holders with work authorization and protection from deportation. Many workers in the tree care industry hail from TPS-designated countries like El Salvador, Honduras, Haiti, and Nicaragua. These workers have been integral to their workplaces and communities, contributing billions in federal, state, and local taxes. However, previous actions to terminate or not extend a TPS designation, and the possibility that a future administration could do so, create significant uncertainty for these workers and their employers.

For more information on this issue,
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H-2B Visa Program

Many in our industry depend on the H-2B visa program to provide them with temporary workers to meet seasonal demand when American workers cannot be found - particularly companies clearing power lines that face increased demands related to severe weather and wildfire seasons. Companies that use the program are committed to maintaining a legal workforce, despite the complexities, costs, and difficulties associated with participation. This includes substantial application fees and extensive requirements for employers to try to fill available positions with American workers before hiring temporary workers. H-2B workers provide an opportunity for U.S. businesses to operate at greater capacity, retain their full-time workers, and contribute to their local economies. However, the current H-2B system does not adequately address the needs of tree care businesses. In a strong economy with low unemployment, the program's congressionally mandated cap of 66,000 does not meet the seasonal needs of our industry.

Congress Must Enact Measures to Improve Our Legal Immigration System

TCIA supports sensible reforms to our country's visa system to address the workforce needs of the tree care industry, anticipate the future flow of immigrants, and eliminate incentives for individuals to illegally enter the country in search of work opportunities, such as:

- **Continued Protections for TPS Recipients:** TPS recipients have been members of the tree care industry workforce for years. In 2021, they contributed more than \$2.2 billion in taxes, including almost \$1 billion to state and local governments. They also held \$8 billion in spending power, supporting countless U.S. businesses.
- **H-2B Program:** Expanding H-2B visas and reforming the overall program will help address the workforce needs of tree care and other in-demand industries in the U.S.
 - *The Closing the Workforce Gap Act of 2024 (H.R. 7574):* Introduced by Representatives Elissa Slotkin (D-MI-7), Jack Bergman (R-MI-1), and John Moolenaar (R-MI-2), this act would provide permanent H-2B cap relief by setting the annual H-2B cap at the number of worker positions certified by the Department of Labor during the previous fiscal year and includes program efficiency and integrity measures.
 - *FY 25 DHS Appropriations Bill:* Enhance the existing H-2B discretionary cap language by mandating the release of supplemental visas when the needs of seasonal businesses cannot be filled with U.S. workers.
- **E-Verify:** Implement an improved E-Verify system with protections for employers acting in good faith to ensure a legal workforce.
- **Overall Reforms:** TCIA emphasizes common sense measures to address the approximately 12 million undocumented immigrants in the U.S., modernizing the employment verification process, and introducing new visa categories for high-demand roles.

By enacting these reforms, we can ensure economic prosperity of sectors like the tree care industry.

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