



FEWA Newsletter

November 26, 2007

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Have you taken advantage of your FedEx discount as a member? If not, contact your FEWA guide, or click [here](#) for more details.

Member Referral Program

Know someone interested in becoming a FEWA member? Submit the form attached [here](#).

President's Notes



Dear FEWA members,

As of this writing, we still do not have an H2B cap fix for your 2008 season! Your FEWA staff is completely plugged into Washington and all the groups that are working on an H2B cap fix. Dana LaQuay from your FEWA staff has been an integral part of bringing the entire H2B

community to this point. Please read his article in this newsletter and take action. Only you, the constituent, can make Congress see that your company and all your US workers need the H2B cap relief to stay in business.

Please join me in welcoming a new FEWA staff attorney, Wesley Mathis. Wesley will be in the Bay City Office, and can be reached at wmathis@h2b-fewa.org. He will be working with all FEWA members, in particular those participating in the Permanent/Elite program. One of the most important membership benefits over the years for all FEWA members has been the ability to speak to the FEWA attorneys related to employment based immigration needs.

After years of hard work, FEWA's efforts with the Mexican government and with Banamex have paid off. It took countless hours by multiple staff members, but FEWA worker members will now be able to pay for their FEWA membership along with their visa application fee at Banamex branches in Mexico. The workers will be making two payments as separate transactions, but can do so at the same time at the same place. This will remove the burden on employer members to send the worker membership dues as you have done in the past.

Please see the Worker Member Services section of this newsletter for

more information.

Additionally, FEWA has received a special designation from the Mexican government. The designation is Asociacion Civil (Civil Association), and it will appear behind the FEWA name in Mexico in its abbreviated form (A.C.). This designation was received because of the work FEWA has done and continues to do for the workers in Mexico. FEWA will continue to work with the Mexican government and workers in an effort to provide excellent services to FEWA members. Thanks to all you FEWA members for your continued membership and to all the FEWA staff whose hard work contributed to this accomplishment.

Scott Evans
President, FEWA

Worker Member Services



In order to better serve your workers in the upcoming season, FEWA is introducing a new program designed to reduce the amount of work for returning workers in the visa application process. FEWA's new program, ProcesoRapido™ will decrease the amount of time it takes a returning worker member to complete the application forms required by the consulate.

Participation in the

ProcesoRapido™ program will only require the returning worker's FEWA Membership Card that he/she received this year. The worker simply needs to hand his/her FEWA Membership Card to a staff member in the FEWA offices in Mexico and FEWA staff will obtain a copy of your returning workers application forms from last year.

They will be asked to verify that the information is correct, and/or make the necessary changes they denote. The returning worker member will then initial the final copy and the FEWA representative will proceed to submit the forms electronically to the consulate. The returning worker must present his/her FEWA Membership card in order to participate in the program.

Banamex Receipts:

Your company will no longer have to send worker membership dues for workers in Mexico directly to FEWA!

After years in the making, your workers can now pay their own FEWA membership dues in Mexico at any Banamex branch at the same time they pay their visa application fee for the consulate.

The workers will need to take in their dues to Banamex along with these instructions ([attached here](#)). The workers will hand their cash for the payment of dues to the teller along with the instructions. They will then

receive a receipt that they will need to bring with them when they meet at the FEWA office. Workers without their receipts will not be able to receive assistance. FEWA offices will not accept cash payment, all payments must be deposited at Banamex and the deposit receipt brought to the FEWA office.

You may continue to make arrangements for payment of worker membership dues if you prefer, but these arrangements need to continue to be PRIOR to the appointment with FEWA. If you choose to continue making the payments for the worker membership dues, now is the best time to pre-collect from the workers for next year's season. For workers from countries other than Mexico you will continue to receive an invoice for worker membership dues.

Jarrold Sharp
Worker Member Services Director

Consulate Corner - Guatemala



FEWA senior staff recently met with the U.S. Embassy in Guatemala in a groundbreaking meeting. All the hard work that you and your FEWA staff did last year in regards to the U.S. Embassy in Guatemala and the Department of State in Washington D.C. is paying off. The new management that is now in place this year at the embassy reinforced their willingness to assist FEWA in the coming year.

The embassy did explain that the administrative processing that they experienced last year was a result of using an index fingerprint system only. The embassy is implementing a 10 print fingerprint system that should remove the need for administrative processing for individual workers.

The embassy did raise some concerns that we would like to pass on to all members. They have been encountering more DUI/DWI cases than in the past. They expressed that it will be difficult to give these individuals visas when there are so many other willing workers looking for the **opportunity** to work in the U.S. and that don't have these blemishes on their record. Please warn your workers to be safe and to avoid any criminal activity as it could have a negative affect on visa issuance in the future.

Also, all Guatemalan workers will need to return to the embassy at the end of their visa to check in, so don't forget to have your workers do this when they return at the end of your season.

Jarrold Sharp
Worker Member Services Director

Legal Corner

Backlog Eliminated in Foreign Labor Certification Process

On October 4, the Department of Labor (DOL) announced that it eliminated its backlog of permanent labor certification cases. This is a

major step in the transition from the pre-2005 regulations and PERM (the current rules) for the DOL. You may recall that the adoption of PERM regulations in late 2004 set a series of changes into motion which have the overall effect of streamlining the permanent labor certification process. Among them was the elimination of the Backlog Elimination Centers (BECs) - the processing facilities that issued notices of findings, recruitment instructions, and (sometimes) certifications. Of course, something had to be done with the cases that were initiated under the prior regulations and had to be processed under those regulations.

The DOL's solution was to consolidate. All ongoing cases filed prior to March 28, 2005 were packaged and shipped to two processing facilities - Dallas and Philadelphia. At that time, no one expected workers at these two facilities to eliminate the backlog on permanent certification cases anytime this century. Much to everyone's surprise, they did, and the immigration world has been abuzz ever since. In a press release, U.S. Secretary of Labor Elaine Chao understated the Department's success, calling the initiative a "job," which was completed "on-time, as promised." For our purposes, this should be encouraging news. If the DOL can get "caught up" on labor certifications, why couldn't Citizenship and Immigration get caught up on visa petitions?

Important USCIS Update:

USCIS has issued a revised Form I-9, Employment Eligibility Verification, which becomes effective December 7, 2007. The revised form eliminates five documents from the list of acceptable documents under List A (located on the back of the form).

Members are reminded that an I-9 must be completed for each new employee to verify his or her eligibility to work in the U.S. The new form can be downloaded [here](#). USCIS has also issued a fact sheet regarding the form with questions and answers that can be found [here](#).

Wesley Mathis
General Counsel

Technology Corner



FEWA has released its newest exclusive membership benefit, MemberAdvantagePro™. This software system will allow increased responsiveness from your FEWA staff as well as better tracking of your case status. Coupled with the individual service you are receiving through your Guide, the MemberAdvantagePro™ system will result in noticeable changes for all members.

Increasing service levels to members is top priority for FEWA and we will continue to strive to increase the effectiveness of your experience utilizing government visa programs. FEWA will continue to expand the

capabilities of MemberAdvantagePro™ in an increasing effort to expand communication and service levels to members.

Kyle Freeman
Database Administrator

Communications and Legislative Update

This update will be somewhat different than those offered previously. Separate sections will identify issues that either directly or indirectly have an impact on your business and/or personal lives. The intent of this article is to accomplish several things:

1. Bring to the forefront the importance of taking action on email updates
2. Address different activities in Washington DC
3. Draw your attention to issues that may be relevant to the operation of your business

Hopefully you have been keeping a watchful eye on the many different actions that have been coming out of Washington DC with our federal government and at the same time monitoring activities with state and local governments. Because FEWA is comprised of employers that utilize various federal government guest worker visa programs, it is of utmost importance to be connected at various levels to effectively meet the needs of the entire membership.

There are many issues that have either come before your elected officials or are scheduled to be addressed in the very near future. In an attempt to keep everyone informed on issues that are both topical and timely, FEWA utilizes the fastest method of communication. Email updates, alerts, executive summaries and calls to action are prepared to enable you as the reader to quickly grasp an understanding of a particular issue and then proceed accordingly with a prescribed course of action.

Please communicate with FEWA if email updates are coming into your office but need to be addressed to someone other than the current recipient. Perhaps there are several people within your organization that need to be made aware when action is required. FEWA wants to provide the information in whichever form of communication best suits your needs.

Over the past several months, there are four major issues that have caught the attention of FEWA employers and workers across the U.S.:

- 1.H-2B legislation to extend the exception of returning workers from the numerical cap of 66,000 visas for FY 2008 [click here](#)
- 2.The Farm Bill and AgJobs [click here](#)
- 3.No-Match letters and the case filed against USCIS [click here](#)

4. The Dream Act [click here](#)

Because of the action from organizations such as the H-2B Workforce Coalition, Essential Worker Immigration Coalition (EWIC), Texas Employers for Immigration Reform (TEIR), Colorado Employers for Immigration Reform (COEIR), and other "EIR" groups, FEWA is proud to partner with Tamar Jacoby, Senior Fellow, Manhattan Institute and the National Restaurant Association for the "American Employers for Immigration Reform Summit". This Summit is scheduled for Wednesday, November 28, 2007, in Houston, TX. To read about this event please [click here](#).

Working with our government is a dynamic and on-going process. Just within the text of this article, hopefully you found at the very least, one issue that has a direct impact on you and that you will make time to get involved, regardless if it's in your local area or on a national scale. Remember that the United States of America is a government **Of the People, For the People and most importantly - By the People!**

Dana LaQuay
Director of Communications and Governmental Relations

5th Annual H2B Summit & Retreat February 6-9, 2008

Melia Cabo Real - Cabo San Lucas, Mexico

It's that time of year again:

2008 marks the 5th year for FEWA's National H2B Summit & Retreat. It will be our second year in beautiful Cabo San Lucas, Mexico. Once again this year we are fortunate enough to be staying at the Melia Cabo Real, an all inclusive resort familiar to last year's conference attendees. Sandy Darley from Polk Majestic Travel continues to be our travel agent, if you need any assistance with your travel needs please contact Sandy at 800-875-7655.

The format for this year's conference is sure to please everyone. Tamar Jacoby, Senior Fellow at the Manhattan Institute for Policy and Research, who's area of expertise is immigration and citizenship, will speak to us about State Employers for Immigration Reform as well as the future of Comprehensive Immigration Reform. Shawn McBurney, Co-chair for the H2B Workforce Coalition, will bring us the latest information from "inside the beltway." FEWA's very own Dana LaQuay, Director of Communications and Governmental Relations will talk to us about the many organizations and groups he has been involved with while representing the concerns of the FEWA membership in Washington DC.

It is our goal to have each conference participant leave with a better understanding of what the future holds for employers of H2B workers.



Cabo San Lucas sits on the edge of the long Baja California Peninsula, known as "Land's End" where the Pacific Ocean meets the Sea of Cortez. Blessed with a perfect climate thanks to an average year round temperature of 78 degrees, Cabo has become renowned for its championship golf courses, spectacular sport fishing, diving, and legendary nightlife. *I think some of our conference attendees helped to add to the legendary nightlife last year!* I would be remiss if I did not mention the unbelievable whale watching experience we had last year. I have personally been on many whale watches, all of which paled in comparison to the one we were on in 2007. Magnificent only begins to describe the experience.

I hope to see you at this year's conference. Please check the FEWA [website](#) for updates.

Vandra Dagles
2008 H2B Conference Coordinator

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