

February 27, 2020

Miller Senate Office Building

11 Bladen Street

Annapolis, MD 21401

SB 742: Labor and Employment-Fair Labor and Transparency Act

TESTIMONY IN OPPOSITION OF SB742

BEFORE THE SENATE FINANCE COMMITTEE

ON FEBRUARY 27, 2020

The Harrison Group in Ocean City MD is the largest private employer in Worcester County. We operate 11 oceanfront hotels and have been an enthusiastic supporter of the Department of State's J-1 Summer Work and Travel (SWT) program as a host employer for thousands of students. In order to fully staff and operate our hotels, we annually hire approximately 800 summer seasonal employees with J-1 students accounting for over 200 of these positions. We are not able to hire enough employees from the surrounding areas despite extensive efforts to do so in the past.

In 2011 Secretary Clinton ordered an extensive review of the J-1 program and enacted strict program regulations and thorough employer vetting after complaints arose from students in Hershey, PA. As an employer in 2020, I am put through a vetting process with both the Sponsor agencies and the Department of State that requires proof of valid business licenses, worker's compensation insurance and an interview. I am forbidden from employing students in hazardous jobs, agricultural jobs, jobs with a commission based salary or shifts that are exclusively from 12a-8am among other regulations. I also must certify that I have not displaced American workers in order to hire a J-1 student. Most importantly, I must demonstrate how students will be exposed to American culture and acknowledge that I fully understand that this is a cultural exchange program and not an employment focused program. Students are not tied to their job and employer in a way that they would be on a traditional employment based visa. Earning a US wage allows students to offset the significant program fees and provides for a safer and more stable experience as not every student comes from a country or family of significant means. As a further measure, all prospective program participants must be a full time

university student and proficient in both written and spoken English. These requirements are more restrictive than those of an employment based visa such as the H2B of which I have also utilized.

The J-1 SWT Program is strictly a cultural exchange program that happens to have an employment element to it. It was the mission in 1961 when President Kennedy signed it into law and it remains the mission today.

The preamble of the Fulbright-Hayes Act/ Mutual Education and Cultural Exchange Act of 1961 reads in part as follows:

"The purpose of this chapter is to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world"

The friendships I made as an American college student working alongside the "foreign students" in my family's restaurant have carried into adulthood. I have been invited to weddings of my former coworkers, watched my American friend meet her husband, seen J-1 students grow up to have children, had couples who met as J-1 students come back to Ocean City on their Honeymoon, have gone to visit friends in six countries and had conversations that stretched late into the night about foreign relations and world history that would rival any classroom setting that I have been in. The J-1 Program facilitates an exchange and understanding that cannot be replaced by a traditional study abroad program or taking a vacation. It allows American students who are not able to afford or attend a study abroad program the chance to participate and interact with people from nations that they might not have ever heard of or would be exposed to. Each year Ocean City locals have approximately 4,000 students from nearly 20 countries visit them for the summer. That's a wealth of knowledge, diversity, language, ideas and future understanding and that no university program can duplicate.

In closing, I respectfully ask that the J-1 Program be excluded from the language of SB742 and recognized for the cultural exchange program that it is by granting an unfavorable report to SB742.

Sincerely,

Ashley Harrison

Harrison Group