



## Golf Businesses and Current Labor Issues

Golf sustains two million American jobs, with \$55.6 billion in annual wage income. One out of every 75 jobs in the United States is impacted by the golf industry. The golf industry needs a trained, legal, and available workforce in order to keep golf facility doors open for business and support American jobs. However, certain federal labor policies are negatively impacting the golf industry.

- ◆ **H-2B Visa Cap and Processing Delays**—The H-2B Nonimmigrant Temporary Worker visa program enables the golf industry to fill crucial seasonal jobs when American workers are unable or unwilling to fill them during the high season. However, the program’s statutory cap of 66,000 visas per fiscal year is far too low to satisfy the staffing needs of seasonal employers. In addition, countless employers experience unnecessary 30 to 60-day delays in the processing of H2-B applications. Recognizing these issues, Congress took the important first step of authorizing the Department of Homeland Security to approve additional H-2B visas for FY18 – though the process is not yet over.
  - ❖ **Take Action:** Please urge the Department of Homeland Security to authorize the issuance of the maximum number of additional visas allowed by the FY18 Omnibus H-2B cap relief language and urge the Department of Labor to efficiently process applications.
- ◆ **Healthcare Mandate and Seasonal Workers**— The lack of clarity regarding the Affordable Care Act (ACA) employer mandate’s seasonal worker exemption is an ongoing problem for industries that rely on seasonal workers. It is critical that the golf industry’s wide array of small and large businesses have a clear definition of seasonal employment, in order to efficiently and consistently comply with the ACA. To that end, golf organizations support distilling the separate definitions for “seasonal worker” and “seasonal employee” into one consistent definition.
  - ❖ **Take Action:** Please support H.R.3956, the “Simplifying Technical Aspects Regarding Seasonality (STARS) Act of 2017,” to create one definition of seasonal employment in the ACA employer mandate. In the Senate, please lend your voice to help generate momentum to address this longstanding lack of clarity for employers.
- ◆ **Overtime Pay Rule** – In the wake of court rulings curtailing the Obama Administration’s 2016 overtime pay rule and the Trump Administration’s signals that it will propose a new rule, the golf industry has maintained a strong interest in how this issue will be addressed by the federal government. Like many other industries that would have been heavily impacted by the 2016 rule’s new threshold for the executive, administrative, and professional (EAP) employee exemption, the golf industry seeks a renewed dialogue with the federal government on this issue.

- ❖ ***Take Action:*** Please urge the Department of Labor to take a fair and reasonable approach in proposing a new minimum salary threshold for the EAP exemption.

Like other employers, golf businesses want to do well by their employees. Please work with us to support the promulgation of reasonable, clear labor statutes and regulations—and help keep the golf industry strong.