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One man's crusade against outsourcing American jobs

Replaced by an Indian, Florida man runs for office on antivisa agenda.

By Marilyn Gardner | Staff writer of The Christian Science Monitor

LONGWOOD, FLA. - Michael Emmons had logged almost six years as a software developer when he and more than a dozen colleagues received bad news: Their employer was replacing them with workers from India.

And instead of outsourcing the jobs to India, Siemens ICN had a plan that was every bit as controversial - importing Indians to do the work here. The Americans even had to train their Indian replacements in order to receive severance pay. "They told us this is the wave of the future, and we just have to go with the flow," Mr. Emmons says.

The experience radicalized him. Once casual about politics, he is planning to run for Congress from Florida's Seventh District to fight anti-outsourcing.

It's uncertain whether he'll go to Washington, or whether broad restraints on outsourcing will be enacted. But the issue has already captured public attention and sent both federal and state lawmakers scurrying to respond.

The economics of outsourcing are complicated, making it difficult to craft a broad policy response. But to Emmons, action can be taken on the particular challenge that cost him his job: programs that let high-skilled foreign workers into the United States when sought by certain employers. Some in Congress agree, and are sponsoring bills to change the visa programs in question.

Emmons blames his pink slip on the L-1 visa, which allows multinational corporations to transfer overseas employees to their US subsidiaries for up to seven years. Critics argue that the practice drives down salaries for American employees because foreign replacements often work for lower wages and no benefits.

Paula Davis, a Siemens spokeswoman, describes the company's decision to hire Tata Consultancy Services in India as "part of a global restructuring effort." She says it is "more economical to outsource this particular function." Referring to the company's requirement that laid-off employees train their foreign replacements, she adds, "It's industry standard when you're outsourcing work to any firm that you're going to have to train the new consulting firm."

As one sign of the company's commitment to American workers, Ms. Davis says, Siemens expects to add about 3,200 manufacturing jobs in the US.

That is small consolation to people like Emmons. "My job still exists," he says. "It's being done by foreign workers."

Relaxing at his home near Orlando on a Saturday afternoon as his children, Hanna and Troup, play with the family's dogs, Emmons recounts the events beginning in July 2002, when he learned that Indian workers would be filling the department's jobs. Although as a contract worker he was not eligible for severance pay, his colleagues were Siemens employees.

"It wasn't fun training our replacements," he says. "There was a lot of rage going on in the building. Two people left without taking severance." He trained three Indian workers to do his job.

Emmons now works as an application developer at the state district attorney's office, but he took a sizable pay cut. Some of his colleagues struggled to find new jobs. One cut grass, another worked at the post office before eventually landing a job in South Carolina.

"The visa program has got to be fixed," Emmons continues. "Visas have got to be for what they say they're for - when employers can't find American workers."

As one way to prevent such job losses, Rep. Rosa DeLauro (D) of Connecticut has introduced a bill requiring companies to pay L-1 visaholders the prevailing wage. Any firm that has laid off American workers within the past six months would not be eligible for L-1 visas.

"It's a very serious problem," Representative DeLauro says. "I'm supportive of guest-worker programs. They have a place in our economy. But L-1 visas are just being used as a way to bring in people to take jobs from Americans and not pay benefits or prevailing wages."

Her bill would cap the number of L-1 visas issued each year at 35,000. Currently there are no limits. H-1B visas, granted to workers from other countries in fields such as computer programming, engineering, and healthcare, are capped at 65,000 a year.

The US Citizenship and Immigration Services recently announced that it reached its H-1B quota seven months early. This could result in a spurt of L-1 visa applications, officials say.

Other bills introduced by Rep. Nancy Johnson (R) of Connecticut and Sen. Christopher Dodd (D) of Connecticut would reform L-1 and H-1B visas to prevent unintended job losses in the US.

Defenders of the visas argue against such legislative protection. "We're hopeful and optimistic that Congress will do the right thing and ensure that US companies have access to the best talent in the world," says Jeff Landy, senior vice president of the Information Technology Association of America in Arlington, Va.

Talent is the justification that spokesman Brad Russell uses in explaining why USAA, a financial services company in San Antonio, employs 600 contract workers from India. "The expertise they bring is unmatched," he says. On one scale ranking software expertise from 1 to 5, Mr. Russell explains, the Indian workers score at the top - level 5. "At USAA, we're just achieving level 3."

But Emmons notes that some replacement workers at Siemens needed extensive training. In general, he sees a threat to knowledge jobs. "Basically, any job that can be done at a desk is at risk of being moved abroad," he says - or of being done in the US by a worker who moves here from abroad.

"We shouldn't have to train foreign workers in our own country to take our jobs," he says. "I have nothing against these people who want to better themselves. But that shouldn't be at the expense of Americans."

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