

Houston Case Highlights Importance in Checking Status of Workers

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A Houston-area landscaper faces federal prosecution for allegedly harboring one of his workers, an illegal immigrant charged with murdering a Houston police officer. The case highlights the consequences for employers who fail to comply with immigration laws. It is illegal for any person to knowingly conceal, harbor or shield from detection an illegal immigrant or encourage or induce an illegal immigrant to enter or reside in the United States.

What can employers do to avoid civil or criminal liability in an era of expanding governmental efforts to increase work-site enforcement efforts? The easy answer is to not employ, harbor, conceal, shield, or entice into the country an illegal immigrant. Beyond the obvious, however, employers should, with the assistance of legal counsel, perform a compliance review that examines current employment verification and record retention procedures. The compliance review should be complemented by an internal audit of I-9 forms. These basic steps can assist employers in preventing the devastating consequences of immigration law violations.

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