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Farmers preparing for strict immigration rules

By Manuel Valdes

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Farmers in Washington are taking part in special training sessions in preparation for immigration investigations that the Obama Administration says will audit employers suspected of hiring undocumented workers, hoping to avoid the heat of the crackdown.

The training sessions, hosted by the Washington State Farm Bureau, will focus on the filing of I-9 forms, the employment eligibility documents that employers fill out for all workers, citizens or not.

In July, U.S. Immigration and Customs Enforcement began notifying hundreds of businesses around the country of plans to audit I-9 forms.

That hits close to farmers. The labor work force they hire from is often made up of migrants who are illegally in the country.

The training sessions aim at explaining the steps farmers need to take to file and retain the I-9 forms correctly to form a good defense against any charges of hiring unauthorized workers, and steps to prepare in the case for an ICE investigation, said Dan Fazio, director of employer services for the Washington Farm Bureau.

Last month, the Homeland Security Department began serving "Notices of Inspection" to 652 businesses around the country, including 26 in the Pacific Northwest. The department said it would not release the names or locations of the businesses that are being audited because of the ongoing investigations.

At least one member of the farm bureau in Washington received a notice of an audit this past month, Fazio said.

"We have to respond, it's that simple," Fazio said. Farmers "are very scared. The reason they're scared is because they know that if you're a small employee the government can come in and shut you down, just by an allegation."

To Fazio, farmers comply with the law and make the checks required by the government.

Under the I-9 rules, Fazio said, a worker attests that he or she is authorized to work in the country. Concurrently, the employer attests they saw the document and appears legal on its face.

Fazio said farmers can't deny employment to person if they think the person is illegally in the country because of discrimination laws.

Farmers also say they run into obstacles in hiring practices, including working with a seasonal labor force that may number in the hundreds. Also, the Department of Homeland Security introduced changes to the I-9 form earlier this year.

Two training sessions in Western Washington have already been held and one is scheduled next week in Wenatchee. That session will be broadcast on video link to several cities in the state, including Yakima, Pasco, Moses Lake and Olympia. The session's more than 200 spots sold out.

Anne Marie Moss, spokeswoman for the Oregon Farm Bureau, said they are planning on holding their own training sessions in the fall, also prompted by the Obama Administration's announcement.

"That was the reason we started to promote it in the first place, and prompted us to put something in the news letter," Moss said.

Ron Gaskill, labor specialist at American Farm Bureau, a farming lobby group in Washington, D.C., said there aren't any national efforts to train farmers on the I-9 forms. Those choices fall on each state's farm bureaus, but he said it would be a smart move on their part, especially after the announced crackdown.

The 652 businesses being audited for inspections were based on leads and other investigative work, ICE said. Employers are required to keep the I-9 forms and must check the authenticity of documents provided by the employee.

"The I-9 form is the most complicated form there is in government. It's a one page document with a 65-page manual," said John Wyss, president of the Okanogan County Horticulture Association.

Wyss said I-9 form training is critical for all employers, not just farmers, and that the training will be critical.