

Immigration authorities to search for violations

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HOUMA — Federal immigration authorities plan to inspect the hiring records of nearly 200 companies in the Gulf Coast area, including Louisiana.

It's unclear when the Department of Homeland Security's Immigration and Customs Enforcement will start the process, but a business group is urging employers to be sure their paperwork is in order.

Federal law requires that employers verify that their workers are eligible to work in the United States and confirm their identities. Knowingly hiring an illegal alien carries a fine of up to \$3,200, according to information from the National Federation of Independent Businesses.

Elizabeth Milito, senior executive counsel with NFIB, says the Obama administration has focused more on employers, rather than the workplace raids that netted mass deportation arrests under the Bush administration.

"There's more scrutiny now on the employer," she said.

Milito says businesses should know that it's important to have accurate I-9 tax records for employees, even if they don't employ any immigrants. The I-9 Employee Eligibility Verification form must be filled out for all employees hired after Nov. 6, 1986, and is intended to document that an employee is authorized to work in the United States.

Even errors unrelated to immigration can net fines of \$110 to \$1,100 for a single minor or technical violation.

The government "doesn't care whether it's your cousin Tom or your wife" if the details aren't correct, Milito says.

According to a study released in 2009 by the Pew Hispanic Center, Louisiana is home to an estimated 65,000 unauthorized immigrants, a number that has almost doubled since 2005, when there were 35,000. Many came to work on construction projects after Hurricane Katrina.

That's up to 1.6 percent of the population and 3.1 percent of the workforce, according to the study.

But it's below the national average of 4.5 to 5.9 percent.

The study was also based on 2008 data, before a recession cut into job opportunities in the state.

Estimates of how many unauthorized immigrants live in the Houma-Thibodaux area are hard to come by, but local law-enforcement activity shows that violations aren't uncommon.

Arrests by local police for "operating a vehicle without lawful presence in the United States," a violation of state law, are frequent.

And last year, two men were caught at Port Fourchon with falsified TWIC cards, or Transportation Worker Identification Credential, a federal ID required to work in ports.

"It is a challenge when you have people that get false documentation and pose themselves as a legal resident and legal person to be here," said Chett Chiasson, director of Port Fourchon. "That's difficult to find and detect sometimes."

Kristie Bowerman, an attorney and founder of the Immigration and Nationality Law Group in New Orleans, says restrictions on temporary visas have tightened significantly, meaning it's not uncommon for people to overstay their visas.

But if they're caught doing so, it can be much more difficult to get back into the United States afterwards and could prevent them from establishing permanent residency, she said.

The heavier employer scrutiny has served as a disincentive to turn a blind eye to workers who could be unauthorized, she added.

In addition, the TWIC cards have limited the undocumented individuals working in the oil-and-gas industry because the rules are more stringent, she said. However, Port Fourchon is the only facility in Terrebonne and Lafourche that requires the cards.

Here are some more tips from the NFIB:

- Call a lawyer right away if you are contacted — you will have only 72 hours to submit your documentation.
- In hiring, accept only original documents, not photocopies, and don't require additional documents from foreign employees.
- Keep I-9 forms separate from other human resources files. A separate file should be kept for terminated employees.
- Conduct an in-house audit of I-9 forms and correct mistakes. Do not back-date any mistakes or use white out. Cross out incorrect information, add correct information, initial and insert current date.