



***ICE Pours On the Heat***  
**Employers Face New (and Potentially Costly)  
Workplace Enforcement**

*Fear Factor: A Complicated Regulatory Landscape*  
*Safe Harbor: A Proactive Plan of Action*



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## *The Challenge*

### **Fear Factor: A Complicated Regulatory Landscape**

Businesses have long been required to review and keep record of their employees' paperwork, including verifying worker eligibility (I-9 form). Only recently, however, as the immigration debate has heated up, have federal authorities applied added scrutiny and enforcement pressure on employers. New rules, carried out by Immigration and Custom Enforcement (ICE), are being implemented (e.g., responding to SSA "no-match" letters). Worksite raids have become more widespread (e.g., Swift). Some states are aggressively targeting businesses that knowingly hire undocumented workers—revoking business licenses (Arizona), requiring employers to verify social security numbers (Colorado, Georgia). Companies found employing undocumented workers can be heavily fined, and their owners and managers may even face felony charges. If there ever was a time to get your business in order, and make the most informed decisions, it's now.

#### **Overwhelmed with Agencies, Rules and Regulations, Documents and Forms**

*IRCA, ICE, DHS, DOJ, No-Match Letters, H1-B Visa, I-9, 1099... And the List Goes On and On*



#### **Arrests on the Rise, At Increased Risk of Penalties, Fines**

*Criminal Arrests Quadruple, Possible Jail Time of 10 Yrs, Fines Now Up to \$11,000 per Incident*



#### **No Employer Is Immune**

“No employer, regardless of industry or location, is immune from complying with the nation’s laws. ICE and our law enforcement partners will continue to bring all of our authorities to bear in this fight, using criminal charges, asset seizures, administrative arrests and deportations.”

--Julie Myers, DHS Assistant Secretary

*The Solution*

## Safe Harbor: A Proactive Plan of Action

Working closely with client companies, Payday Resources (PDR) strives to ensure the accuracy and completeness of employee paperwork and records. As part of a larger Human Resources (HR) product offering, particular attention is paid to safeguard compliance with the recommendations and requirements of government agencies—at both state and federal levels, especially in relation to verifying worker eligibility. Spelled out below, PDR offers clients a variety of tools and resources, as well as information and education, which assist them in navigating a maze of different, ever-changing and often times confusing employment rules and regulations. The cumulative effect of these proactive measures is to help our client companies put in place a set of policies and procedures that fall within accepted business standards and contribute to a well-run organization.

### Informing and Educating, Putting Policy and Procedure into Practice

Forms Booklet

SSN Verification / Analysis

Onsite Ee Communication

Demographics Check

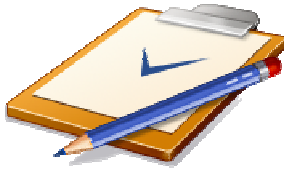
SSA No-Match Response

Ongoing Expert Consults

I-9 Compliance Audit

ICE 93-Day Rule Adherence

HR Policies and Procedures



### Good-Faith Efforts Help Mitigate Employer Liability

“DHS fully considers all of an employer’s attempts to verify employment authorization status and to employ only authorized workers in determining whether to pursue actions. All of these good-faith efforts mitigate against sanctions [and] provides a distinct safe-harbor provision if an employer follows the specified procedures...”

--DHS, Safe-Harbor Procedures for Employers Who Receive a No-Match Letter, Final Rule, p. 28.