

## Arizona's employers slow to get with program

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By Becky Pallack

E-Verify, the federal database for verifying a new hire's legal status, largely has worked fine for Arizona employers.

That's in part because only 15 percent of employers in the state have signed up to use it.

Just 22,000 of the 145,000 Arizona employers have registered, said Marie Sebrechts, a spokeswoman for U.S. Citizenship and Immigration Services.

The Legal Arizona Workers Act that took effect Jan. 1 requires all Arizona employers to use E-Verify.

The federal agency expected a lot more employers to have registered by now, Sebrechts said.

Critics of the law predicted the system would crash under the load of new queries, but it didn't.

Early on, there were some sign-up delays because the system was busy, said Julie Pace, a Phoenix employment attorney who represented business groups in a court challenge of the law.

"We're in good shape at this point," Sebrechts said.

Human resources experts in Tucson had a variety of guesses about why registration has been low:

--Some businesses have a wait-and-see approach or believe the law will go away, said Tom Lickliter, regional manager of Employer Solutions Group.

--Some see no explicit penalty for not signing up.

--Some employers who haven't hired anyone since the first of the year haven't had a need to sign up.

That's the case at Master Industrial Supply, 1321 E. Ajo Way, where manager Sue Cross said she'll learn about E-Verify next time she makes a hire. She remembers filling out I-9 forms for her six employees, who have all worked there at least five years.

--Others are simply confused -- you have to go through a tutorial, read a manual and take a test to sign up.

"I'll bet if somebody was to sit down and explain it to them they'd be happy to do it," Lickliter said.

There are some problems left to work through, especially concerning naturalized citizens.

The vast majority of the time -- 93 percent, to be exact -- the system quickly confirms a new hire's work eligibility, Sebrechts said.

An employer enters a new hire's name, Social Security number and birth date into the online system and instantly receives a message on the screen saying the person is eligible to work in the United States.

It's what happens the rest of the time -- that 7 percent -- that causes frustration.

In those cases, the employer receives a "tentative nonconfirmation" message, meaning the employee's information doesn't match what's in the database of eligible workers.

Still, nine out of 10 are resolved within one day, Sebrechts said.

A large part of those cases involve a naturalized citizen who didn't update Social Security paperwork when immigration status changed, she said. So the Homeland Security Department is making some changes to make it easier for those workers to get through the process.

Licklitter said Mexican surnames often come up incorrectly in the database because in Mexico people typically use both their father's and mother's last names. That doesn't always translate well on legal documents in the United States.

A year ago, 10 percent of naturalized-citizen employees verified were mismatched in the databases before they were later confirmed, according to an independent evaluation authorized by the Homeland Security Department.

Licklitter said it's a shame the system is so difficult for naturalized citizens.

"These individuals have worked very hard to gain employment rights in this country. They get rejected and that's obviously very frustrating for them," he said. "We work as hard as we can to help them."

Policymakers and advocates are watching the way Arizona handles that and other issues as more states consider making E-Verify mandatory. And some legislators want to roll out the program nationwide.

Some say the naturalized-citizen employee problem and other issues should be solved before that happens.

"This system's not ready for prime time," said Tyler Moran, employment policy director at the Los Angeles-based National Immigration Law Center.

"States should not be moving forward," she said. "In an election year, everyone wants to do something about immigration, but they're not examining the real-life consequences on businesses and workers."

### **How it's fared**

So far, just 15 percent of employers have signed up, even though a state law requires all employers to use E-Verify to check the work eligibility of new hires.

### **How to update your work eligibility**

If you are a naturalized citizen, and you plan to apply for a new job, you may want to update your information with the Social Security Administration first.

You need to visit one of the Tucson Social Security offices. They are at:

--3500 N. Campbell Ave., near East Prince Road



--2716 S. Sixth Ave., near East 36th Street

Take with you:

--Your driver's license or other government ID.

--Your naturalization certificate (original or certified copy) or passport.

--Your E-Verify notice, if you have received one from your employer.

A Social Security representative will update your information and sign your notice to take back to your employer.

There is no cost, and there is no time limit on updating your information.

### **Varied E-Verify results**

**--Phoenix-based Creative Business Resources has used E-Verify for about 300 new employees. About 15 percent got a mismatch result, including those caused by clerical errors.**

**That's not a perfect sample, of course, because there are just three months of new hires, and a lot of companies aren't hiring right now, said Aaron Witsoe, president.**

**The "tentative nonconfirmation" rate in the construction industry is about 20 percent, he said.**

**Of those, about a third contest the results, and the rest just don't come back to work, probably because they are undocumented, he said.**

**"It's doing what it's supposed to do, what the law was intended for," he said.**

--Employer Solutions Group has seen about a 5 percent tentative nonconfirmation rate among the 300 to 400 new hires screened this year.

--At the University of Arizona, one of the largest employers in Tucson, only 2.5 percent of the nearly 1,500 employees checked received tentative nonconfirmation notices. One person didn't return to work.

"These individuals have worked very hard to gain employment rights in this country. They get rejected and that's obviously very frustrating for them."

Tom Lickliter, Employer Solutions Group