

**agenda**

**GOVERNMENT**

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## Get Your Policies in Place for Worker-Verification Laws

**WORRIED ABOUT MEETING NEW STATE AND FEDERAL RULES** on verifying employees' immigration status? You're not alone.

Under a new Arizona law, employers must verify new hires' Social Security numbers — and could lose their business licenses if they knowingly hire undocumented workers. The U.S. District Court covering Arizona is expected to rule on some aspects of the law in November, but it is scheduled to go into effect Jan. 1.

Local and national business groups have filed a lawsuit in federal court, arguing that the law is unconstitutional. A decision is expected before January, but business owners should take the following steps to stay on the right side of the law:

- 1** Perform an I-9 audit. If some forms are incomplete or incorrect, fill out new ones, date them to the current date and attach them to the original. Do not backdate any forms. Keep forms for the duration of employment plus three years for workers employed less than one year, two years for workers employed one to two years and one year for workers employed two or more years. Saving copies of the documents used to complete the I-9 is not required and usually hurts the employer.
- 2** Train supervisors and workers not to inquire about or discuss employees' immigration status. If you know employees are undocumented, terminate them.
- 3** Train receptionists and others who greet visitors how to deal with law-enforcement or government investigators. They should respond that the business will cooperate but that they aren't authorized to handle the request and will contact the responsible person.
- 4** Use a W-9 form to verify employees' Social Security numbers.
- 5** Never pay employees in cash. Always make sure you pay workers' compensation and unemployment compensation. Make all required withholdings from paychecks. Do not treat as independent or use a Form 1099 for workers who are truly employees.

### ON THE WEB

Another group has started a new Web site, [www.azimmigrationcompliance.com](http://www.azimmigrationcompliance.com), that features articles, resources, compliance tips and a blog for local business owners to voice their concerns and ask questions about new immigration laws.