



Legislative Update

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One of the new quarterly updates coming from the Midwest will be our Legislative Update. By printing this column, we're hoping to keep our members informed of the local and national legislation that directs our actions both now and in the future.

Non Point Discharge Elimination System

(NDPES) Permit Are you permitted?

As defined by the Illinois permit defines an operator as any person(s) associated with the application of a pesticide that results in a discharge to waters of the State that meets either or both the following two criteria:

- The person(s) with control over the hiring of a contract applicator, or making the decision to perform pesticide applications, including the ability to modify those decisions, or
- The person(s) who performs the application of pesticides

or who has day-to-day control of the pesticide application.

Remember, the General NDPES permit applies to operators (as defined above) who apply pesticides to or over waters of the State or at waters edge. These applications can be:

- Pesticide applications directly to or over waters of State, using products that are labeled for aquatic use.
- Applications of non-aquatic use pesticides to ditch banks or at waters edge.

In addition to the permit, a completed Notice of Intent must be filed with the State, either electronically or by mail. The NOI is due at least 14 days prior to commencement of discharge.

<http://www.epa.state.il.us/water/permits/pesticide/coverage.html>

Each NOI that is received is posted online for 14 days, and after visiting the site, it looks like they are not taken down but accessible through the database.

Obtaining NPDES general permit coverage for pesticide application to waters of the State provides protection from being sued under the Clean Water Act. If you believe you may have any circumstance where you will be applying pesticides to waters of the State, you should apply for coverage under the general permit.

If a pesticide is applied to waters of the State, and no NPDES permit is obtained, both the landowner and the applicator may be held liable for a violation of the Clean Water Act.



FCC Narrowbanding Mandate

Are you Narrowbanded?

The FCC mandated that all licensees using 25kHz radio systems migrate to narrowband 12.5 kHz channels by January 1, 2013. Most older radio systems use the 25kHz-wide channels. The purpose of the change is to open up more channels by splitting the available frequencies in half. But this is only the half of it. Sometime in the future, this will happen again enabling and implementing equipment that will operate on the 6.25kHz channel bandwidth.

Many golf courses use hand held radios, although smart phones and texting are limiting some radio use, but not all. Handheld radios are one of the primary methods for golf course staffs to communicate not to mention irrigation systems, security systems and the like that employ the use of radio to operate all need to be changed to narrowband. All equipment produced since 1997 should have narrowband mode and only requires reprogramming. Though the deadline has come and gone, the fines are not, up to \$16,000 per violation, or each day of continuation violation and up to \$112,500 for any single act or failure to act. If you have questions concerning your radios or your license, contact your dealer.

Obtaining NPDES general permit coverage for pesticide applications to the waters of the State provides protection from being sued under the Clean Water Act.

New I-9 Employment Verification Form

On May 7, 2013 the U.S. Citizenship and Immigration Services (USCIS) sent out a notice to let all employers know that they must now use the revised Employment Eligibility Verification I-9 Form for all new hires and re-verifications. All employers are required to complete and retain a Form I-9 for each employee hired to work in the United States.

Employers should not complete a new Form I-9 for existing employees, however, if a properly completed Form I-9 is already on file. The new form can be found at uscis.gov/i-9

There are some differences, most notably; the new one is now two pages.


Other changes include:

- Employees may provide email addresses and telephone numbers. If the employee chooses not to provide such information, he/she may mark "N/A" on the form. However, the form itself does not indicate that these fields are optional; only the instructions do.
- A new line asking for the I-94 number has been added, making it easier for individuals with temporary work status to provide that information.
- Individuals providing an I-94 number also need to provide their passport number and country of issuance information.

- The section for preparer and translator certification is more prominent than in the old form, illustrating how important USCIS deems this information.
- A line stating "Employer Completes Next Page" is placed on the bottom of the first page, with the intention to separate the responsibilities between the first page (for the employee) and second page (for the employer).

Section Two Changes (employer part to fill out)

- Additional and improved boxes have been added to the "List A" documents column. The new form allows for three documents, whereas the old form barely had room for two.
- List B and List C columns added clearly distinguishable fields: Document Title, Issuing Authority, Document Number, and expiration date. These distinct fields should help the employers complete the necessary information more effectively.
- A line that very clearly asks the employer to provide the first day of employment information is added. The old form asks for this critical information as well but it was not as obvious.
- Large boxes are added for employers to provide contact information about the company and the person who certifies the form. This helps employers avoid inadvertently missing any required contact information.

The new form is actually more user friendly and is an improvement over the older form. Make sure you are now using it for all new hires and re-verifications. 

The image shows the front page of the USCIS Form I-9, titled "Employment Eligibility Verification". It includes a header with the USCIS logo and the text "U.S. Citizenship and Immigration Services". The form is divided into sections: "Section 1: Employee Information and Attestation" and "Section 2: Form I-9 Attestation". Section 1 includes fields for the employee's name, address, date of birth, U.S. Social Security Number, and date of hire. It also has checkboxes for "A citizen of the United States", "A permanent resident of the United States", and "An alien lawfully authorized to work in the United States". Section 2 includes fields for the employer's name, address, and date of hire, as well as checkboxes for "An individual authorized to accept and complete this form" and "An individual authorized to accept and complete this form". The form also includes a "Preparer and Translator" section and a "List A" section for document verification.

The new I-9 Employment Verification Form has to be used for all new employees. It should be easier to use for everyone.