

# ALL EMPLOYERS MUST COMPLY WITH THE NEW LABOR LAW

By Chuck Woods

GAINESVILLE — Under a federal get-tough policy to curb the employment of illegal aliens in the United States, all employers face fines and possible prison terms for failure to comply with the new Immigration Reform and Control Act.

"The law isn't just for seasonal farm workers. Everyone who hires anyone — even for one day — is subject to this new law, beginning June 1, 1987," says Dr. Charles D. Covey of the University of Florida's Institute of Food and Agricultural Sciences (IFAS).

"The usual reaction of employers to the Immigration and Reform Act of 1986 is that it doesn't apply to me because I don't hire any aliens. But the fact is that every employer in the nation must comply with the law whether they hire aliens or not," Covey explains.

"Even if the employer personally knows for sure that the employee is an American citizen, that person's citizenship or right to work in the United States must be verified," he points out.

Penalties can range from \$250 to \$10,000 and even im-

prisonment for each instance of "knowingly hiring" an illegal alien, and \$100 to \$1,000 for paperwork failures, even in connection with the employment of a legal citizen in the United States, according to Covey.

The IFAS economist says the new law will mean additional paperwork for employers and he estimates there would be additional costs to the nation's businesses to comply with the law. On the other hand, he adds, it will help protect the jobs of legitimate American workers who are being displaced by illegal aliens, including those coming from Canada.

Specifically, the law makes it illegal for anyone to knowingly hire, recruit or refer for a fee an alien not authorized to work in the United States. It requires all employers to verify the legal status of every employee hired after November 6, 1986. Employees on the payroll prior to this date will be "grandfathered in" and will not have to document their legal work status.

"The law requires all employers to sign and retain an I-9 Form (issued by the U.S. Immigration and Naturalization Service) stating what documents have been examined. It also requires the employees to sign the same form certifying that they are legally eligible to work in this country. Both employer and employee must sign the I-9 form under penalty of perjury," Covey explains.


Acceptable documents include a U.S. passport, certificate of citizenship, certificate of naturalization, unexpired foreign passport with attached employment authorization or alien registration card with photograph. Also acceptable would be a valid state driver's license and original Social Security Card or birth certificate.

To protect themselves, employers should make copies of documents shown to prove citizenship or the right to work in this country. For example, a worker may provide a valid driver's license, birth certificate or Social Security card. Copies of these documents should be kept along with the form both parties signed.

During a 12-month period beginning June 1, 1987, citations without civil money penalties will be issued for the first offense. Citations and fines will be issued to employers for additional violations during this period. On June 1, 1988, the full provisions of the law will be in effect for all employers except those engaged in "seasonal agricultural services" who are exempt from civil money penalties until December 1, 1988.

"After December 1, 1988, employers will have to fill out the I-9 Form for all seasonal agricultural workers who are working in the field with perishable agricultural commodities. This gives farmers a little leeway in complying with the new law," Covey said. ■

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