



Immigration and Customs Enforcement To Increase Employer Enforcement in 2018

Client Advisories

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RAIDS; CRIMINAL INVESTIGATIONS; ICE AUDITS!

WILL ALLEGED IMMIGRATION VIOLATIONS BY EMPLOYERS BE THE NEW WHITE COLLAR CRIMES TARGETED BY THE TRUMP ADMINISTRATION? WILL YOUR BUSINESS BE THE UNWITTING VICTIM OF AN I.C.E. STING?

The Trump Administration has prioritized worksite enforcement for 2018 and beyond as part of the “**Make America Great Again**” agenda to include **punishing employers** who employ unauthorized workers. Thomas D. Homan, Immigration and Customs Enforcement (ICE) Deputy Director recently announced during a press conference in Washington D.C. that he wants “...to see a 400% increase in work site operations. We are not just talking about arresting [**only**] the aliens at these work sites, we are also talking about employers who knowingly hire people who are unauthorized to work.”

Putting this stated priority into action, on January 10, 2018 ICE agents raided 987 7-Eleven franchise stores and arrested undocumented workers. More raids are anticipated and as a result, employers should consider the potential penalties. Civil penalties for knowingly employing undocumented workers can skyrocket to \$21,916 per violation and criminal penalties can result in both additional monetary fines **and jail time**, even for employers.

As a preventative strategy, employers should review their current I-9 employment verification best practices including establishing an audit procedure that ensures compliance with the current immigration law requirements. Equally important, employers should have an action plan in place to the extent that ICE raids the workplace.

These procedures and action plans are complicated and Archer’s White Collar Defense & Corporate Compliance and Immigration Groups routinely assist our clients both in establishing such compliance protocols. Additionally, we regularly have provided a defense for our clients in the event of a government enforcement action.

Robert C. Seiger, of our **Immigration Group** has more than 20 years of experience guiding employers on immigration protocols, plans and compliance and Jeffrey M. Kolansky and other members of our **White Collar Defense and Government and Corporate Compliance Group** have for decades advised and defended employers and their employees in actions related to ICE and Homeland Security enforcement matters, on both preemptive and emergent bases.

Please contact Rob Seiger at 215.246.3104 or rseiger@archerlaw.com or Jeff Kolansky at 215.279.9693 or jkolansky@archerlaw.com for more information about our immigration and compliance practices.

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