

I-9 Penalties for Employers

Employing or recruiting an unauthorized alien:

- 1st offense: \$375-\$3,200 / worker
- 2nd offense: \$3,200-\$6,500 / worker
- 3rd offense: \$4,300-\$16,000 / worker

Discrimination against an employment-authorized individual

- 1st offense: \$375-\$3,200 / violation
- 2nd offense: \$3,200-\$6,500 / violation
- 3rd offense: \$4,300-\$16,000 / violation

Involvement in document fraud

- 1st offense: \$375-\$3,200 / worker
- 2nd offense: \$3,200-\$6,500 / worker
- 3rd offense: \$3,200-\$6,500 / worker

I-9 form violations

- 1st offense: \$110-\$1,100 / form
- 2nd offense: \$110-\$1,100 / form
- 3rd offense: \$110-\$1,100 / form

Document Abuse

- 1st offense: \$110-\$1,100 / form
- 2nd offense: \$110-\$1,100 / form
- 3rd offense: \$110-\$1,100 / form

Don't Become a Statistic!

I-9 Audits are becoming more common, especially under the Obama Administration, which sees them as a less-invasive compliance tool (compared with workplace raids).

Recent examples of businesses that were audited or prosecuted and came up short include:

• GPX/GPX, USA

A seismic surveying company, Texas

A 20-count indictment against the corporation and field operations supervisor for conspiracy to harbor and transport illegal aliens and failure to complete Forms I-9. If convicted, supervisor may face 100-year prison sentence, 62-years supervised release, and a \$5 million fine. GPX faces up to a \$10 million fine and five years probation per count.

• Infinite Visions, LLC

A clothing manufacturer, New Jersey

Fined \$625,000 for I-9 form and record-keeping violations following an I-9 audit conducted by U.S. Immigration and Customs Enforcement (ICE).

• Four Seasons Earthworks:

A family-run construction business

With 22 employees, none were undocumented. Levied a \$9,500 fine for incomplete I-9 forms (only used documents from List B to verify employment eligibility).

• Herbco International

An organic farm, Washington State

An I-9 audit found 86 undocumented workers; management terminated all 86, then re-hired 25 of them. Herbco was fined \$1 million and received 5 years probation; management pleaded to misdemeanor charges.

• Centerplate, Inc.

Food service/hospitality, South Carolina

Charged with discrimination against employment-authorized aliens by requiring specific documents to prove employment authorization. Settled out of court with Centerplate agreeing to pay \$250,000 in civil penalties.

Murphy Desmond Can Help

If you have questions or concerns about your company's employment verification practices, Attorney Glorily A. Lopez and our qualified immigration legal team can help. We offer training seminars for Human Resources and can work directly with your HR Department and/or management team on internal I-9 audits, I-9 training, and general immigration compliance.

Attorney Lopez is a member of the American Immigration Lawyers



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Attorney

Association (AILA) and is a past Chair of the AILA Wisconsin Chapter. Contact Attorney Lopez at 608.270.5550 or at glopez@murphydesmond.com.

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