

Federal Government Raises Fines for Employers Who Violate Immigration Laws

As part of newly enacted border security reforms, the U.S. Departments of Justice and Homeland Security have announced an increase in civil fines imposed on employers found to have violated immigration laws. The new fine schedule goes into effect on March 27, 2008.

The Immigration and Nationality Act allows officials to impose civil monetary penalties upon employers who knowingly hire unauthorized workers, fail to comply with I-9 regulations, wrongfully discriminate against job applicants or employees because of nationality or citizenship, or engage in document fraud. The last time civil penalties were increased was in 1999.

The new fine schedule adjusts current fines for inflation, with the largest increase equaling some \$5,000, and the average fine increasing approximately 25 percent. The minimum penalty for knowingly hiring or continuing to employ an unauthorized worker increases from \$275 to \$375. The maximum penalty for a first-time finding of knowingly hiring or continuing to employ an unauthorized worker increases from \$2,200 to \$3,200. The largest hike is for multiple-time violations, increasing from the current \$11,000 fine to a \$16,000 penalty. Meanwhile, the penalty for I-9 paperwork violations remains unchanged, ranging from \$110 to \$1100 per noncompliant I-9.