Please Protect Children by Using E-Verify

1. Why is it important to verify the identity and immigration status of all your new hires?

Illegal aliens, deadbeat parents, pedophiles, sexual predators and other criminals all use fraudulent documents and identities to defraud you in order to obtain jobs. [1]

All too often, these criminals use the Social Security numbers of Utah children which can result in children having their credit ruined, arrest records assigned to their names, being denied means-tested public benefits, and even having their medical records corrupted with life threatening consequences. (An estimated 50,000 Utah children are the victims of employment related identity theft).

Using a status verification system that matches name, date of birth and Social Security number stops virtually all employment-related child identity theft as well as the "Social Security Number Only" job-related identity theft that accounts for 98% of all employment related identity theft. (Note: 13% of all identity fraud in Utah is job-related).

2. What are the major benefits for my business if we use E-Verify or a similar system? [2]

First, you demonstrate your commitment to protecting Utah's children from an epidemic of employment related identity theft.

Second, you generate goodwill and customer loyalty by protecting Utah's kids from identity theft.

Third, you avoid the damaging publicity that occurs when an employee is found to be using a child's Social Security number.

Fourth, you are protected from civil liability under state law if you hire someone not authorized to work or mistakenly deny employment based on information obtained from a status verification system.

Fifth, you provide jobs for legal workers.

Sixth, you avoid the cost of correcting payroll information when erroneous Social Security numbers are entered.

3. Who is required to use E-Verify or a similar system?

Under Utah law, if you have 15 or more employees, you may not hire a new employee unless you are registered with and using a system that verifies the identity and legal status of new hires.

If you don't have 15 employees and you truly care about Utah children, you will still use E-Verify or another free status verification system to ensure that your employees are not using Social Security numbers that belong to innocent Utah children.

Note: Employment Verification requirements do not apply to workers on H-2A or H-2B visas issued in response to a petition by the employer.

4. What exactly is a status verification system?

Utah Code, Section 13-47-102 provides a detailed definition of the systems that may be used. These include the free, federal E-Verify system, the Social Security Number Verification System (SSNVS) or similar online verification process implemented by the United States Social Security Administration or an independent, third-party system with an equal or higher degree of reliability of E-Verify or the SSNVS.

Note: Do <u>not</u> use E-verify to check the status of current employees. You can use the Social Security Number Verification System (SSNVS) to check the Social Security numbers and birthdates of all current employees.

5. What are the penalties for non-compliance?

There are no penalties in Utah's employment verification law because the legislature recognizes that Utah employers want to protect children from employment-related identity theft.

However, many parents and citizens organizations, including *Defending Our Children's Future,* monitor compliance. They encourage businesses to enroll in E-Verify and they ask their friends and neighbors to only support businesses that use E-Verify. **After all, everyone wants to protect Utah's children from employment-related identity theft.**

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[1] See www.cis.org/identitytheft
[2] SB251, Utah Code CHAPTER 47. PRIVATE EMPLOYER VERIFICATION ACT, 13-47-101 to 103, and 13-47-201 to 204