

From the desk of Jeanne M. Kerkstra, Esq., CPA

Viewpoint

"Don't Ask. Don't Tell." Doesn't Work with the DHS

The Department of Homeland Security (DHS) is not so subtly shifting the burden on employers to confirm employees are legal. Previously if an employee's social security number didn't make the DHS' records, "no-match letters" were used for informational purposes. Now they are deemed as an employer having constructive knowledge that something may be wrong. Employers cannot ignore a "no-match letter" and must follow specific steps outlined in the DHS fact sheet. With possible civil and criminal actions, the stakes are higher. **Make sure your employees are in line before the DHS puts your company on the line.** Give me a call for all your employment law questions.

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