



# Business Law Alert

## Immigration Crackdown for Business Owners

Kawasaki's, a small but very successful sushi restaurant, employed 15 people and was forced into bankruptcy. In 2006, the two owners were arrested for hiring undocumented workers. The owners later pled guilty to avoid a 20-year sentence while agreeing to pay \$1.1 million in fines and penalties.

The law is pretty simple—all employers must verify the employment eligibility of their workers. However, complying with the law is not so simple. The law permits over 20 different documents to be used as acceptable verification. However, employers are not document experts and cannot detect fraudulent documents.

To make the job harder, the law prohibits employers from using foreign appearance, accents, or national origin in their hiring practices. Therefore, fire an employee for failing to submit proper documents proving authority to work, and you could face a discrimination lawsuit.

On the other hand, fail to fire an

employee for the same reason, and you could face civil and criminal penalties. Arrests of business owners for work site violations have increased fourfold in the past year. The White House plans to spend \$41.7 million enforcing the rule.

Pennsylvania is also concerned about work site violations. HB 2319 requires violating contractors to repay loans or grants to the state and prevents the violator from bidding on other government contracts for two years following the violation.

### What can you do?

- Use the federal government's free e-verification program. <http://tinyurl.com/yskr23>. Using the program creates a rebuttable presumption that you have not violated the employee verification law.
- Draft a written policy requiring employment verification for all new-hires. A consistent procedure for all employees, regardless of national origin or race, will deflate a claim that you are targeting certain employees for improper reasons.
- Train your staff about I-9

## Seminars::

LLC or S-Corp:  
Which is best for me?

Nov. 21st at 6:30 pm

Speaker: Sharmil  
McKee, Esq.

## Networking::

Bet on Center City!

Nov. 15th at 6:00 pm

RAE Restaurant

Host: Center City  
Proprietors  
Association

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procedures. When examining the documents, look for obvious signs of tampering or conflicting statements.

- Vote and participate in the political process. Call your Congressperson today.

The immigration crack-down will affect you as a business owner. However, you can minimize the impact by planning ahead.

By: Sharmil McKee, Esq.

If you have questions, please contact Ms. McKee at 215-242-5260 ext. 2 or [sm@mckeeoffice.com](mailto:sm@mckeeoffice.com)

## Firm News

McKee Law Office is proud to welcome Brandi Brice as Of Counsel. Attorney Brice will lead the litigation and tax practice groups. Ms. Brice has tried over 2,000 cases and has earned a Master's degree in tax law. To congratulate her, she can be reached at 215-242-5260 ext. 3 or [bb@mckeeoffice.com](mailto:bb@mckeeoffice.com)

We are also proud to announce that Pennsylvania now recognizes McKee Law Office as a Woman-

Owned Business Enterprise (WBE) and a Minority-Owned Business Enterprise (MBE).

We would like to congratulate our client, Daddy UniverseCity, Inc. on the successful completion of their annual Fatherhood Festival.

McKee Law Office would also like to welcome, Pampering Plus, Inc. as the firm's 150th client. Pampering Plus is an innovative home care company specializing in providing care with compassion in the comfort of their client's home.

## Our Practice Areas

- Entity Selection, Legal Structure, Incorporation & Start up
- Contracts/Agreements
- Dispute Resolution
- Employment Law
- Intellectual Property
- Financing and Angel/Venture/Dept Capital
- Tax Strategy and Litigation
- WBE and MBE Certification

## Referrals Welcome

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## Business Opportunity

The Lutheran Theological Seminary at 7301 Germantown Avenue is looking for a new caterer. They are hoping to establish a mutual referral relationship to capture more clients.

Interested? Call Beyah Thompson at 215-248-7307 or [bthompson@ltsps.edu](mailto:bthompson@ltsps.edu)

*Guest contributors to the Business Law Alert are welcome.*

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