

---

# Mandatory E-Verify Begins in Four States on January 1, 2013

Nov 01, 2012

Beginning on January 1, 2013, E-Verify becomes mandatory for more employers in four additional states, as described in more detail below. For more on E-Verify, [see the DHS website](#) . For information on how this may affect your company, please contact your Clark Hill attorney.

**Georgia** : In addition to the larger companies that were already subject to mandatory E-Verify, as of January 1, 2013, employers in the State of Georgia who have 11-99 employees must E-Verify all new hires on or before July 1, 2013. Private employers with 10 or fewer employees are exempt from this law.

**North Carolina** : On January 1, 2013, private employers with 100 or more employees (but fewer than 500 employees) must use E-Verify for all new hires.

**Pennsylvania** : Beginning January 1, 2013, all state public works contractors and subcontractors with contracts worth \$25,000 or more must E-Verify all new hires.

**Tennessee** : On January 1, 2013, all private employers with 6 - 99 employees are required to begin using E-Verify for all new hires.

## **Kansas Corporation Admits to Employing Undocumented Worker**

On October 31, 2012, ICE announced that a Kansas corporation had pled guilty to an immigration charge following an investigation that revealed the manager of one of its McDonald's restaurants in Wichita was an unauthorized worker. The corporation was charged with one felony count of knowingly accepting a fraudulent identification document offered as proof that an employee was eligible to work. In the plea agreement, the corporation agreed to pay a \$300,000 fine, and an additional \$100,000 forfeiture judgment. In the plea agreement, the corporation admitted that the company's director of operations became aware that one of its store managers was using a false Social Security number. The employee subsequently presented a resident alien card that the director knew was not genuine, and the director used the false card to update the employee's paperwork.

## **Los Angeles Employment Agency Owner Indicted**

On November 1, 2012, ICE announced that following an ICE investigation, the owner of a Los Angeles, California employment agency has been indicted on immigration fraud charges alleging that more than 100 fraudulent work visa petitions had been filed, falsely alleging the individuals would be sponsored for positions with hospitals and non-profit organizations as budget analysts, clinical research specialists and "health educators."

## **Visa Priority Dates - December Visa Bulletin**

The December Visa Bulletin has been posted. Visas for employment based first preference cases (EB-1) are current. Visas for those individuals included in the "worldwide" limit are also current. Visas for employment based second preference cases (EB2) for individuals born in India remain at September 1, 2004, and for individuals born in China, dates have progressed to October 22, 2007. There has been some forward movement for the EB-3 category. For a summary of priority dates, retrogression, and how these dates impact US green card processing, please [visit the Clark Hill website](#) .