

# Governor signs illegal-worker bill

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Gov. Joe Manchin signed legislation sanctioning employers who hire illegal workers into law Tuesday, along with several other bills.

"This is just common sense," Manchin said.

Problems with firms hiring illegal workers from outside the United States have sprung up across West Virginia. Manchin noted most have been found along the state's border counties.

"It's an issue throughout the state, more so than people realize," the governor said.

Manchin said his ancestors and most other West Virginians came from foreign nations to obtain work and a livable wage, but "did it the right way."

"There is a legal process to go through," he said.

The legislation (SB70) was introduced by Sen. Andy McKenzie, R-Ohio, as a result of hundreds of illegal workers being pulled over on Interstate 70 near Wheeling.

"We've got good tax-paying employers in West Virginia and why should they be at a disadvantage to others?" asked Delegate Orphy Klempa, D-Ohio.

He noted those who employ illegal workers also don't pay state taxes or for workers' compensation coverage. "They're cheating the system," he said.

The new law allows the labor commissioner to inspect businesses' books and force employers to verify the legality of workers.

It makes it a misdemeanor to hire illegal workers, with a first offense being a fine of \$100 to \$1,000 for each violation. A second offense jumps to \$500 to \$5,000, while a third offense can be a fine of up to \$10,000 and 30 days to a year in jail with the potential loss of an employers' business license.

Employers that provide the government with false information about workers can be sent to jail for a year and fined up to \$2,500.

"We can enforce it now with this piece of legislation," Manchin said.

Previously, federal authorities have handled most illegal immigration issues in the state. A 1976 U.S. Supreme Court ruling about a similar California law upheld a state's right to make such laws.

However, that ruling is under assault in federal court in Pennsylvania. Critics point out Congress passed laws in the 1980s punishing employers who do such things. A U.S. District judge is yet to rule on the case, which stems from a Hazleton, Pa., city law.

Manchin said the U.S. must never close its borders to legal immigrants and workers.

"There's not a company or a group of workers that do not welcome those that want to improve their lives," he said.

Manchin also signed legislation (HB2945) providing tax credits for apprenticeship training in construction and trades. "We've got to make sure we have the workers to get the job done," he commented.

At the goading of state labor leaders, he also signed a bill (SB416) making it a misdemeanor to either attempt to defeat a drug or alcohol test, or sell kits marketed for that purpose.

"I think this is a great piece of legislation," Manchin said, noting everyone has a friend or relative with a drug or alcohol problem.

Under another bill (SB709) he signed, judges will have the option of allowing parents to keep control of a child judged delinquent.

Manchin called it a "compassionate move" and said it "gives a juvenile delinquent a second chance."

He praised lawmakers for working together during the past legislative session. "These pieces of legislation don't get done unless there is cooperation across the aisle," Manchin said.

His administration is always trying for a "better wage, better benefits" for all West Virginians, he said.

"I believe in this state, but most importantly I believe in the people of West Virginia," he said.

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