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Anxiety over work ID grows

An experimental federal Web site can be used to check immigration status.

By Susan Ferriss -- Bee Staff Writer
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Dennis and Denise Carder knew there was a problem just moments after punching a new worker's Social Security number into an experimental Homeland Security Web site.

The Carders, who run the small Sacramento-based Carder & Daughters roofing business, told the employee to contact federal officials to find out why the Web site wouldn't confirm he was legal to work in the United States.

The Spanish-speaking immigrant worker left and never returned, the Carders said, perhaps because he was undocumented and using a fake Social Security number.



Skyles Morgan tears up a roof Monday at a Davis duplex. His employer, the roofing company Carder & Daughters, uses a voluntary federal program to check the citizenship status of potential employees. Congress is considering legislation that could make the program mandatory.

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"He was a pretty good worker, too," Denise Carder said wistfully. She knows that some politicians insist Americans would step in and take jobs undocumented immigrants are eager to fill, but Carder said it's extremely difficult to find U.S. citizens to do roofing these days, even with medical benefits and pay that can top \$20 an hour.

Only a tiny fraction of U.S. employers have volunteered, like the Carders, to use Homeland Security's pilot "employment verification" Web site to check newly hired workers' IDs against a federal database.

But the possibility that the high-tech checks will become mandatory for all employers has national trade groups scurrying to influence legislation. California trade groups - and individual employers - are also taking unprecedented steps to speak out on immigration rather than rely on national trade groups in Washington to do their lobbying.

Fear is growing among employers that an immigration crackdown in the workplace will cause businesses to lose legions of employees who obtained jobs using false documents.

"There are industries, especially in California, that would be hurt if there were mass deportations. We need to get legislators to realize this problem of undocumented workers goes far beyond the farm sector," said Parke Terry, a Sacramento-based lobbyist hired by the California Landscape Contractors Association to mobilize state trade groups.

The House of Representatives approved a bill in December requiring all U.S. employers, under threat of penalty, to check employee documents against

federal databases. Current law requires employers only to look at documents and keep information on file.

The Senate's immigration-reform proposals - which they are expected to discuss this month - would impose stricter document-verification requirements on employers. Unlike the House bill, however, some Senate measures would offer guest-worker visas to immigrants already here or to those who leave the United States and apply from abroad.

"We decided we had to come out of the closet, so to speak, on this issue," said Larry Rohlfs, assistant executive director of the state landscapers group. The group adopted a position in November arguing that immigrant workers are vital to California because the state, with its aging and increasingly educated population, faces a growing labor shortage in some jobs.

Until now, most California trade groups, with the exception of farmers, have been loath to speak strongly on immigration because they fear reprisals from a hostile public or from immigration officials eager to enforce the law after the Sept. 11, 2001, terrorism attacks, Rohlfs said. But House passage of the bill, he said, and "xenophobia" in some media is prompting some business owners to take bolder action.

"Reasonably priced and dependable immigrant labor is essential to

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restaurants, hotels, nursing homes and scores of other businesses that need to fill jobs that Americans often don't want," the landscapers say in a posting on their Web site.

The landscape association plans to send members to Washington in early March to lobby California's congressional delegation. At the Feb. 14-16 Landscape Industry Show in Long Beach, the association will also ask landscapers to write letters to express concerns about the reliability of database document checks and to urge legal work status for immigrant workers already in the U.S.

The Roofing Contractors Association of California may also adopt a position that supports temporary work visas for immigrants, said Ward Connerly, a former University of California regent whose consulting firm, Connerly & Associates, administers the statewide group. "We are American citizens first," said Connerly, who is a well-known opponent of affirmative action. "We cannot sanction anything that is illegal." However, he said, "I will tell you candidly that the construction industry relies heavily on illegal immigrants."

"My position is it's best to be honest about this," Connerly said. Over time, he said, he would like to see government officials encourage more Americans who aren't interested in college to take jobs in construction.

"You don't have to go to college. You can live a productive life without it," he said.

Pete Conaty, lobbyist for the Pacific Association of Building Service Contractors, said the cleaning trade group is also considering whether to join the landscapers in endorsing guest-worker visas. Willie Hausey, lobbyist for the Association of California Care Home Operators, said the patient-care providers group is also deliberating a position.

The Associated Roofing Contractors of the Bay Area will probably take a strong stand in favor of giving illegal immigrant workers who are already here a chance at legal work status, said director Bill Callahan.

"We're not talking about low-level wages," he said. "These are good union jobs - and they are difficult to fill. It's an awfully emotional issue, and I think that's why it's taking a while to come up with a position."

Illegal immigration is a divisive issue, Callahan said, and people often have strong disagreements about how to resolve it.

Tim Chelling, spokesman for the California-based Western Growers Association, said it's time for non-agricultural businesses to be more honest about who is doing work for them.

"We've flat stood up and said, 'Hey, guess what? Agriculture employs illegal workers, up to 70 percent of the labor force in some cases,'" said Chelling. "And we're employing only 10 to 15 percent of the undocumented work force."

Cole Newland, owner of Sacramento's Century Homestead builders, said, "If they start raiding job sites without giving out more visas, then the costs are going to be passed on to you," the consumer.

"I agree with what's common sense," said Newland, also an industry activist. "I don't agree with giving (undocumented immigrants) driver's licenses or welfare. But if there's a job to be filled, then let them do it."

In the northern Central Valley, Newland said, Latino immigrants now dominate much of the roofing work, while Ukrainians do most of the installation of vinyl

siding. "Most of the Ukrainians are sponsored (to come in legally)," he said, "so you don't have to worry about them."

Roofer Dennis Carder said he believes it's unfair that some of his competitors hire illegal immigrants when they probably know that the work documents they're shown are false.

"If they made the documents verification mandatory today," he said, "it would be a shock to the system."

Still, Carder said, he would have liked to hire, as legal guest workers, some of the men he turned away because their documents didn't check out.

"I got medical to offer these guys," he said. "I'm all for bringing them in legally if they want to work."

Cathy Gurney, owner of Chico-based Sierra Landscape and Maintenance, has volunteered to go to Washington in March to lobby California's senators and congressional representatives.

Because businesses risk criticism, she thinks it's "gutsy" of the landscapers association to admit that undocumented workers are among their ranks. She pays workers at least \$7 an hour to start - more than California's minimum wage of \$6.75 per hour - and offers medical insurance, she said, and she's tired of talk radio hosts condemning businesses as "the bad guys" who are exploiting immigrants.

"On those shows they say, 'Oh, those ... contractors need to buck up and pay living wages. Then they can get the, quote, 'white people,' unquote, to do the work,' " Gurney said. "Well, we pay good wages. But Americans seem to have risen above this work. The last thing they want to do is dig trenches."

Gurney said she's hired college students to drive workers without driver's licenses around, but the students don't want to do the hard labor. She once hired an ex-prisoner who was a U.S. citizen, she said, and he ended up pawning her machinery to buy drugs.

"This has happened in other countries," she said of the rise in a reliance on immigrant labor. "Look at Germany. All the menial labor is done by the Polish."

"This is where we are as a country today," Gurney said.

Lori Wolf, who owns Professional Landscaping in Modesto, said she pays well above minimum wage but can't attract American workers either.

"The last time I hired someone, I paid \$9 an hour to start," she said. In spite of that, she said, "I certainly don't get people pounding on my door asking for landscape jobs."

Rep. Ken Calvert, R-Corona, who sponsored the employee verification part of the House bill, said he's not opposed to more temporary guest worker visas in the future, as some Republicans are. But he said requiring computerized checks on documents are vital "to gain control" over the workplace. Calvert is a former restaurant owner, and he said some fake documents look so real, it's "virtually impossible to tell they are fraudulent."

The databases are a tool that can help employers weed out fake documents, Calvert said.

John Brand, owner of Cops Donuts restaurants in the Sacramento area, has used Homeland Security's pilot system and has "mixed feelings" because of its kinks. It flagged the documents of an Eastern European man Brand believes

was legitimately able to work, he said, but the worker never returned after he was told to see if he could straighten out the problem.

Brand said the system could be "an elegant" way to screen, but he, too, believes the U.S. economy needs visas for immigrant workers, just as European countries have.

"We can screen, we can eliminate some. We can eliminate the criminal part of getting people across the border," he said. "We should be honest with ourselves. We'd all be happier."

California produce distributor Nor-Cal, based in West Sacramento, uses the verification Web site. "It's instantaneous," said human resources manager David Cummings, demonstrating, with a few entries of ID data, how the system affirms or questions a worker's eligibility.

Sometimes the system stumbles if a person has two last names, as do many Latinos, or if the name on a Social Security card is missing a letter, like one Cummings saw.

"I had a Social Security card I just knew was a forgery. I knew it," Cummings said. "I was wrong."

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