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Odd allies oppose 'no-match' plan

Use of Social Security data to fire suspected illegal immigrants fought by business-labor group.

By Susan Ferriss - sferriss@sacbee.com

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Sacramento landscape company owner Kimberly Rhodes, right, with workers Eugenio Mendoza, left, and Daryl Goddard at a project in the Pocket area on Thursday, disagrees with a plan that would force U.S. employers to fire suspected illegal immigrants based on Social Security data discrepancies. Randall Benton / rbenton@sacbee.com

Kimberly Rhodes is a Sacramento landscaper who usually votes Republican, and Sharon Cornu is a Democrat and prominent Bay Area labor organizer.

They're partners in an unusual alliance, trying to kill a Bush administration plan that would use Social Security data to force U.S. employers to fire suspected illegal immigrants.

Federal judges in San Francisco sided last fall with the labor-business alliance, temporarily freezing the plan by the

U.S. Department of Homeland Security, which is responsible for immigration enforcement. By March, Homeland Security intends to unveil a second version of the plan that it hopes will pass legal muster. The idea is to pressure employers to fire any workers who can't explain discrepancies between their names and Social Security numbers.

Seventy percent of Social Security discrepancies involve U.S. citizens and stem from database errors – one reason the plan should not be considered a solution to tracking down illegal immigrants, Rhodes, Cornu and the federal judges agreed.

"I've never been so disappointed in my government before in my life," said Rhodes, who runs Rhodes Landscape Design Inc. Because so many false documents look authentic, she feels that business people can't be sure they haven't hired an illegal immigrant. She disagrees with calls to resolve the problem now with "enforcement only" measures.

If Homeland Security's "no-match" plan goes forward and mass numbers of employees are fired, Rhodes predicts mass closures of small businesses in California.

"This isn't just me. It's the California economy," Rhodes said. "We already could be in a recession."

She's waiting anxiously to see what the government proposes next. Homeland Security isn't revealing what might be different about its second plan. The agency has filed an appeal with 9th U.S. Circuit Court of Appeals, hoping to convince that court its original plan was legally sound.

In the meantime, Rhodes said, she's searching for a presidential candidate she feels will tackle illegal immigration without pushing to eject all undocumented workers.

Cornu is the secretary-treasurer of the Alameda County Central Labor Council, which joined the American Civil Liberties Union, the AFL-CIO and six other national and Bay Area unions to file the lawsuit last year against Homeland Security's plan.

The U.S. Chamber of Commerce later joined the suit along with trade groups representing roofers, farmers, restaurateurs and landscapers, including the Sacramento-based California Landscape Contractors Association. Rhodes serves on that group's immigration task force.

In anticipation that Homeland Security's plan might eventually go through, Cornu said the Central Labor Council began training its leaders this month on workers' rights and immigration law.

"We didn't have to explain to our members much why we were taking on the Bush administration," Cornu said.

Like the U.S. Chamber of Commerce, Cornu's federation favors offering an avenue to legal residency for undocumented workers who already are here.

Unions also oppose Homeland Security's plan because they believe employers may dismiss legal workers out of panic – or fire immigrant workers who are not compliant, Cornu said.

Businesses, she said, have used immigration rules before to exploit immigrant workers. She said the owner of an Alameda hotel last year requested an audit of its own employee records during a drive to increase wages. Immigration officials detained some workers involved in the campaign.

Since 1994, the Social Security Administration, as a courtesy, has advised employers of discrepancies between employees' names and Social Security numbers by periodically mailing out so-called "no-match" letters.

Social Security tells employers they should not fire these workers.

Rhodes said she has filled out and returned the required paperwork when she has received the advisories.

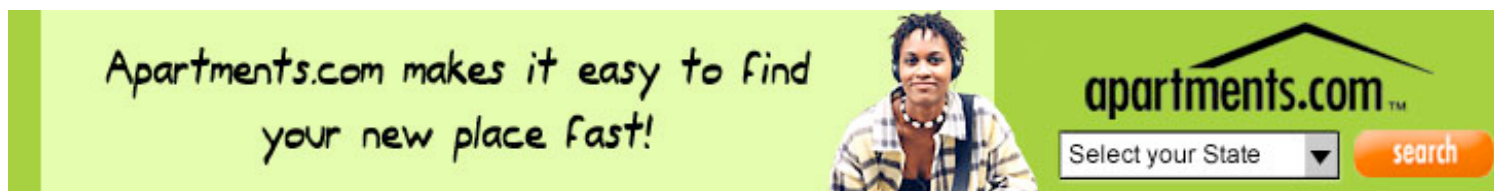
"I never heard another word from them," she said. Business went on, employees kept working.

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