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PRACTICE AREAS

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

E-1 Visas

E-2 Visas

PERM Labor Certification

HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

FAMILY

Spouse / Fiancee Visas

Permanent Residence for Family
Within U.S.

Naturalization / Citizenship

AMNESTY

Illinois Employers Need E-Verify Training

Posted: May 16th, 2010

The federal E-Verify program, which allows employers to access federal government databases to check the immigration status of employees, is still being developed and improved.

Secretary of Homeland Security Janet Napolitano continues to support the program, requesting more than \$100 million in program enhancements for fiscal year 2011.

Meanwhile, the federal government has left it up to the states as to just how they want to utilize the E-Verify system. The State of Illinois, which reportedly has more than 21,000 businesses enrolled in the E-Verify program, has not put great stock in the program.

Illinois has passed a law, which became effective Jan. 1, 2010, requiring business owners to use E-Verify only after undergoing a training and consulting program regarding its inherent flaws (a Sept. 2007 study by Homeland Security found that the system was only 94.2 percent accurate).

Business owners in Illinois are also required to post information for employees and job applicants on how to file a complaint if they feel they have been harmed by improper classification or reporting.

Thus, if you are an Illinois employer seeking to utilize the federal [E-Verify system](#) for verification of immigration status, you might want to supplement that background check with other reliable sources of information. You also might want to consider that relying on E-Verify alone could lead to a lawsuit by your rejected candidates (more than five percent of rejected candidates likely being misclassified).

If you want further [advice or counsel](#) about setting up a good program for screening your employees and documenting their immigration status, check out the pertinent portion of our Website or call our offices at (847) 564-0712 to arrange an appointment to speak with counsel.