



The Shapiro Law Group
450 Skokie Blvd., Suite 502,
Northbrook, IL 60062
Phone: (847) 564-0712
Fax: (847) 564-0871
consult@ronaldshapiro.com

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

Is Local Immigration Policy Valid?

Posted: July 23rd, 2010

A recent ruling by the 10th Circuit of the U.S. Court of Appeals calls into question the validity and enforceability of any state or local law or policy related to immigration.

In that case, the court struck down provisions of Oklahoma law that: (1) created a new cause of action against Oklahoma employers that discharged U.S. citizens or legal resident employees while retaining undocumented workers; and (2) required all Oklahoma businesses to obtain work eligibility documents or withhold taxes from them. See Chamber of Commerce of the USA v. Edmondson, no.s 08-6127, 08-6128 (Feb. 2, 2010).

This ruling not only demonstrates how important a comprehensive national immigration policy is to commerce and civil rights, it creates a possible [legal remedy](#) for any employer or employee adversely affected by a state or local law that purports to encourage, discourage or otherwise regulate immigration. If you think you might have been impacted by such a law, check out the [immigration section](#) of our Website and/or give us a call at (847) 564-0712.

One part of the state law was not ruled upon by the court because of a split in the panel. That provision mandated that all public contractors enroll in the federal government's e-verify program. The panel could not agree on whether the state could make a voluntary federal government program mandatory only for contractors receiving funds from the state. Thus, there is possibly still some doubt whether there is an absolute prohibition on state policy affecting only state workers or contractors.