

Is Your Company Brand at Risk?

Your Image Could be Tarnished without IMAGE

staff management

As the Obama Administration heightens the focus on the employer for immigration enforcement it is essential that you hold your staffing provider to the highest standard.

Heightened Focus on Employer Responsibility

In early 2009, the U.S. Immigration and Customs Enforcement (ICE), a unit of the Department of Homeland Security (DHS), announced an enhanced focus on the employer rather than the unauthorized worker in worksite enforcement investigations, holding employers accountable and intensifying the agency's investigations of companies that hire unauthorized workers. ICE has already dramatically increased Notices of Inspection. The agency has warned employers that it will also focus on criminal and administrative infractions, and debarment, stripping companies of their lucrative federal contracts, as a tool to drive compliance.

"With the new federal contractor rule going into effect and broad compliance and monitoring continuing to grow, it is increasingly critical that businesses look to staffing providers committed to best hiring practices. Adhering to the IMAGE principles, partnering only with subcontractors and providers that take compliance seriously, and committing to internal audits and corrective actions is the surest way for any company to mitigate its risks and protect its business."

– Julie Myers Wood, President, ICS, LLC and former Assistant Secretary of Immigration and Customs Enforcement

With this increase in enforcement, it is even more important to pay attention to the compliance practices of your staffing providers and the potential risk indirectly posed by that workforce.

In addition to enforcement actions, DHS is exerting regulatory pressure to bring companies into compliance. On September 8, 2009 the Federal Acquisition Regulation mandating E-Verify for federal contractors went into effect and signaled ongoing commitment to the E-Verify program. E-Verify has been a voluntary program to help certify that employees are legally authorized to work in the United States.

Bottom line, a company doing business with the federal government must participate in E-Verify. With few exceptions, employers must also flow down the federal E-Verify requirement to their subcontractors.

Protecting Your Company's Brand

Failure to comply with immigration laws poses a significant risk to your company's image. Ensuring that your staffing provider is compliant will further protect your operation from the disruption



Joan Davison
Chief Operating Officer

Joan Davison joined Staff Management in 1996 and was named Chief Operating Officer in 2006. In her current role, she leads the operation and expansion of Staff Management's offerings worldwide. During her tenure at Staff Management, Joan has contributed to the organization's international expansion into Canada, Europe, Latin America and Mexico. In 2007, through Joan's leadership, Staff Management achieved IMAGE Charter Membership.

tion that occurs as the result of arduous investigations of your contingent workforce program. Companies can no longer deflect this issue as a supplier problem. The workforce is in your facilities and action by ICE will tarnish your company's reputation, potentially disrupting your operation. It would seem that the wait it out approach to E-Verify, hoping it will go away, is unlikely to pay off.

Best Practices Beyond E-Verify

The current best practice as it relates to employment verification is IMAGE certification provided by ICE.

IMAGE (ICE Mutual Agreement Between Government and Employers) is a joint government and private sector voluntary initiative designed to build cooperative relationships that strengthen overall hiring practices. The goal is to help restore the integrity of the U.S. immigration system by utilizing industry outreach and self-policing. IMAGE members benefit from consultation and training on hiring procedures, fraudulent document detection, use of the E-Verify program and anti-discrimination procedures.

In order to earn full IMAGE certification, organizations must undertake a company-wide I-9 audit by the DHS, deploy E-Verify organization wide, and implement ten stringent criteria related to hiring best practices. It is not easy to become IMAGE certified, so such certification will provide a high level of assurance that the staffing provider complies with immigration laws.

Now, what about your image?

When you partner with an IMAGE certified staffing provider you gain access to policy expertise and best practices and you achieve the highest level of protection for your operation and brand. IMAGE reduces the likelihood that ICE will take formal public actions against your staffing provider in your facilities. ICE works collaboratively with members when it discovers potential violations or misconduct in order to minimize disruption of your staffing provider's operation and ultimately your business. ICE will keep the related information confidential to the extent permitted by law and regulation. Partnering with IMAGE members extends the greatest risk mitigation currently available to protect you, your brand and your operation. Partnering with an IMAGE certified Managed Service Provider can extend these benefits across your entire contingent workforce program. ■