

Despite immigration concerns, bill that expands use of federal work status checks passes House

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By a 140-plus vote margin, the House on Monday approved [a bill](#) to expand federal immigration work status checks to the state's construction industry.

The legislation drew battle lines between Democratic-aligned interest groups, placing building trade unions on one side and immigration advocates and the Service Employees International Union on another.

The measure sponsored by Rep. Ryan Mackenzie, R-Lehigh, [passed 170-28](#). The dissenting votes were cast by Democrats, including multiple members of leadership — including Appropriations Chair Matt Bradford, D-Montgomery — and by the caucus' burgeoning progressive bloc.

The bill would require all construction contractors to put new hires' information through a federal background check system. If a company is found to have hired undocumented workers, the company must fire those employees and send reports on new hires to the state Department of Labor and Industry.

“We have enough laws on the books,” said Rep. Danilo Burgos, a Philadelphia Democrat and first-generation Dominican-American, who voted no on the bill. Burgos added that he thinks the bill will empower “bad operators.”

The legislation also authorizes state “agencies to suspend each license that is held by the employer if the employer fails” to follow up on state sanctions for hiring undocumented workers. The state, however, does not license construction contractors.

Currently, companies with a state public works contract must use E-Verify. Its use was praised by construction contractors in a previous committee hearing, who said the system helped prevent unauthorized workers from applying for jobs in the first place.

The program's “actual accuracy rate is difficult to determine because it just checks the documents and not the worker himself,” according to a 2015 [report](#) from the Cato Institute, a libertarian think tank. Workers can acquire stolen or forged documents to circumvent the check.

The bill received wide Democratic support despite lobbying by SEIU, which often finds itself aligned with the party's priorities.

“The important part is that the caucus is together,” said Rep. Ed Neilson, D-Philadelphia, a supporter of the legislation. “And this issue is not big enough to split our caucus.”

Last week, Gov. Tom Wolf told the Capital-Star he is still considering the E-Verify bill. Burgos urged a veto.

Expanding the use of E-Verify was packaged with a proposal from Rep. John Galloway, D-Bucks, to create a statewide study of worker misclassification as independent contractors, a practice that leads to lower wages and lost benefits.

“The task force will investigate the practice and develop and implement a comprehensive plan to reduce misclassification in Pennsylvania,” a memo seeking support for the legislation stated.

The bill authorizing the study passed the House unanimously on Monday.