

Wolf will allow bill that expands federal immigration work checks to become law

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Gov. Tom Wolf delivered his fifth budget address Tuesday, kick starting the state's annual cycle of funding the government. ([Gov. Tom Wolf/Flickr](#))

Gov. Tom Wolf will let a bill that expands federal immigration status checks to all construction workers become law without his signature, he announced Thursday.

“On the one hand, you have concerns about what this does to immigrants, people who come to the country looking for opportunity or asylum,” the Democratic governor said during a Q&A with state NPR affiliates. “On the other hand, it’s a legitimate attempt to protect the legitimate rights of workers who want to make sure that their jobs aren’t being taken away by someone who might be working for an unscrupulous contractor who would be paying them less than they deserve to get paid.”

The bill, sponsored by Rep. Ryan Mackenzie, R-Lehigh, requires all private employers in the 262,000-employee strong industry to run new hires’ personally identifying information through the federal E-Verify system, which checks for the work-status of individuals.

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.

The E-Verify program was established by a 1996 law and is already required for public construction projects in Pennsylvania.

Immigration advocates had urged a veto, saying the bill targets immigrants in the midst of President Donald Trump’s continued actions and rhetoric against them.

But Frank Sirianni, president of the Pennsylvania Building and Construction Trades Council, told the Capital-Star the bill will be “a first step towards stopping the exploitation of immigrants and migrant workers.”

“Perhaps we can find a way for more people who come into the country to become citizens in the future,” Sirianni said. “But abusing them through bad business practices isn’t helping anyone.”

He blamed bad contractors, not immigrants, for the problem.

The state building trades and their legislative allies have also argued that the bill levels the playing field for legal workers by cracking down on the employment of undocumented people who might work for less pay and in worse conditions.

The measure received wide, bipartisan support in both the state House and Senate. But it still met with some determined opposition from progressive Democrats.

Opponents have pointed to E-Verify's questionable accuracy and enforcement methods, as noted in a 2015 report from the Cato Institute, a libertarian think tank.

A 2017 Dallas Federal Reserve working paper found that use of E-Verify had succeeded in driving down the wages of mostly male undocumented immigrant workers.

While wages declined, there was no evidence E-Verify prevented undocumented people from working. In fact, the study found increased rates of employment among women as undocumented families tried to make up for the lost income.

After the legislation passed the Senate on Sept. 25, Desi Burnette, a coordinator for the grassroots group Movement of Immigrant Leaders in Pennsylvania, called the proposal a "very shortsighted and wrong bill" that will "hurt working families in every district across this state."

"We are disappointed and disgusted that Senators who said they stand with immigrant communities would pass such a horrifying anti-immigrant bill. #EVerify hurts PA working families and the constituents that our Senators are supposed to represent." @maeganllerena, MRPA Director

Use this Link to tell @GovernorTomWolf to veto this terrible bill as soon as it gets to his desk. He said he stands with #immigrant families in PA. A veto will prove that's true. #StopEVerifyInPA <https://p2a.co/izb53tt>

Earlier this year, Sirianni and other allies described the E-Verify bill as part of a package with another piece of legislation that authorizes a task force to investigate and reduce misclassification of workers as independent contractors.

That bill, sponsored by Rep. John Galloway, D-Bucks, has not been considered by the Senate, but could come up for a final vote at any time.

Sirianni said worker misclassification leads to lost benefits for employees, and unpaid taxes or workers' compensation to local and state governments.

Wolf will not sign the E-Verify bill. But under the state Constitution, any bill not signed or vetoed by the governor within 10 days of passage becomes law.

Wolf has let budgets supported by the General Assembly's GOP majorities lapse into law this way, which is interpreted as showing tacit disapproval even as the policy is enacted.

"I don't know what that does for him, but OK," Sirianni said.

The bill will become law on Oct. 5, and go into effect one year after that date.