

# Employers cautioned by INS agents

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As agriculture workers in the Pajaro and Salinas valleys who filed for amnesty under the new immigration law follow through on the legalization process, their employers will be held accountable for unsatisfactory paperwork, U.S. Border Patrol agents warn.

Because agriculture workers had to meet a Nov. 30 deadline to apply for legalization, yesterday was the first day agents could begin enforcing sanctions against agriculture employers.

However, midnight raids on grower establishments isn't on the agents' agenda in the next few days, agent John R. Crockford told more than 30 employers at a workshop Wednesday at the University of California Cooperative Extension office in Watsonville.

"There won't be any immediate action tomorrow," Crockford said. "But we are serious about it and are going to work any way we can to get total compliance."

Under the Immigration Reform and Control Act of 1986, employers of illegal immi-

grants who filed for amnesty by midnight Wednesday under the agriculture worker program will be responsible for fraudulent employment-eligibility verification forms.

Border Patrol agents, who are authorized to conduct inspections, can audit grower records.

Crockford said a grower could be audited if his name is randomly selected by the independent consulting firm hired by the Immigration and Naturalization Service.

Also, Border Patrol agents may decide to pursue tips passed on to them "if the information received leads us to believe an employer is in violation."

Before visiting a site, agents will issue a notice of inspection.

After records are checked, a report that will be reviewed by INS legal counsel will be issued.

If a violation is found, the chief Border Patrol agent decides the amount of the fine.

For fraudulent eligibility ver-

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ification form (known as I-9s), the fines range from \$100 to \$1,000.

Employers who knowingly hire an unauthorized immigrant face fines ranging from \$250 to \$2,000.

Crockford said his office has the option of issuing a warning letter in lieu of a fine.

"Generally, there's continual follow-up of an employer until there's compliance," Crockford said.

The same eligibility forms were used to verify the employment of non-agriculture workers who had to meet a May 4 amnesty deadline.

To date, only one fine, on La Provence Restaurant in Salinas, has been levied by the Border Patrol in this area.

No fines to employers of either non-agriculture or agriculture workers have been imposed in the Pajaro Valley, said Alan Dwelley, assistant chief patrol agent for the Livermore sector. The sector oversees agents in 56 of the state's 58 counties.

Crockford said it's unlikely agents will be nitpicky about local inspections because only four agents are assigned to cover Santa Cruz, Monterey and San Benito counties.

About 37,000 agriculture workers from the Pajaro and Salinas valleys applied for amnesty at the Salinas center of the INS.