

January 21, 2011

MISSION

OneAmerica advances the fundamental principles of democracy and justice at the local, state and national levels by building power within immigrant communities in collaboration with key allies.

**Testimony on Behalf of OneAmerica in Opposition to HB1272
House Committee on Labor and Workforce Development**

Distinguished Members of the House Committee on Labor and Workforce Development,

On behalf of OneAmerica and its members, we submit the following testimony in strong opposition to HB1272, *Requiring the employment security department to verify that workers referred to employers are authorized to work in the United States*. We believe this piece of legislation would place the burden of employment eligibility verification on a department providing a service to businesses—requiring new funding and staff—and require the Employment Security Department (ESD) to go beyond standard employment verification measures in the I-9 to verify referred workers with the “E-verify” system, a severely flawed database that will result in discrimination against workers of color and immigrant workers.

A member-based organization and the largest immigrant advocacy organization in the state, OneAmerica’s mission is to advance the fundamental principles of democracy and justice through building power in immigrant communities, in collaboration with key allies. Our members are active in community base groups across Washington State, including in Mt. Vernon, White Center/Burien, Tacoma, Vancouver, Kent, Walla Walla, Tri-Cities, Yakima, and other locations.

The time necessary to have workers at ESD understand and verify the eligibility of more than 100,000 workers a year would certainly create additional costs the state cannot afford, not to mention the need for additional staffing and extensive training on immigration documents. We should not allocate these scarce resources to an effort that will prove both ineffective and inefficient, while costing eligible workers important time during the job search. We also do not believe state workers should become involved in federal immigration issues.

First and foremost, “E-verify” is a severely flawed system with high error rates that disproportionately generate “tentative non-confirmation” (TNC) errors for non-citizens who are authorized to work. According to a December 2010 report from the General Accountability Office (GAO), “E-verify” is more likely to generate TNCs for foreign-born workers. The impact of this would be delays of one to two weeks or more in job searches, something that would disproportionately impact a group of job seekers based on where they were born.

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In addition, there are serious problems related to errors in the Department of Homeland Security (DHS) and Social Security Administration (SSA) “E-verify” database. The same GAO report found that there were \$17.6 million errors in the database, which will impact citizens and non-citizens alike, once again forcing delays in their search for jobs and costing them rare opportunities for employment. Moreover, the report also highlighted that the program “remains vulnerable to identity theft and employer fraud.”

The bill before the committee today would also violate the process and procedures outlined by the Department of Homeland Security in using “E-verify.” Because the system—in both theory and practice—is incredibly susceptible to discrimination in the hiring process, pre-screening is forbidden. This bill, in its essence, asks ESD to violate the procedures of “E-verify” by pre-screening job candidates for businesses.

OneAmerica urges the committee to oppose HB1272, a misguided attempt to provide a solution to a problem that can only be addressed with comprehensive immigration reform. Instead of providing solutions, the bill would create discriminatory practices in ESD, allocate non-existent staff and monetary resources to verifying employment eligibility, and force ESD to use a system that is ineffective and inefficient. Thank you for your consideration.

Respectfully submitted,



Toby Guevin
State Policy & Legislative Manager
OneAmerica