

California-Based Company Fined \$605,250 For Various Form I-9 Violations

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On July 8, 2015, the Office of the Chief Administrative Hearing Officer of the U.S. Department of Justice (OCAHO) issued a fine of \$605,250 to California-based Hartmann Studios, Inc., an event design and production company (the Company). The Company employed skilled stage technicians who were members of the International Alliance of Theatrical Stage Employees Union Local 16 (Local 16). Local 16 developed a “three-in-one form” that combined a portion of a W-4 form, parts of sections 1 and 2 of an I-9 form and an authorization that permitted a percentage of the employee’s wages to be deducted and paid to Local 16 for union dues. The Company completed hundreds of these three-in-one forms in lieu of Form I-9s, and none were signed by the Company. The Company also completed hundreds of additional Form I-9s, but failed to sign them. OCAHA concluded that the Company failed to present Form I-9s to employees, failed to complete the Form I-9 correctly and failed to re-verify expired work authorization documents. Noting that “OCAHO case law has emphasized that penalties should have a deterrent effect on an employer’s behavior and not merely be a cost of doing business,” the Administrative Law Judge fined the Company \$602,250 for their numerous Form I-9 violations.

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Practice Areas

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