

Example of research paper on laws regulations that apply with regards to employme...

[Sociology](#), [Immigration](#)



Immigration and Business

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The topic of immigration occurs as one of the most equivocal topics that that generated immense debate in various settings including the business contexts. The recent past has experienced an influx of illegal immigrants across various contexts in the United States. This has resulted in the development of laws and regulations that govern the conduct of immigrants in the United States. Worth noting is the fact that these regulations have and continue to impact on the manner in which businesses conduct their daily transactions. The most pertinent business aspect that has been affected by immigration laws and regulations is hiring. Evidently, there are certain protocols that must be adhered to by business seeking to hire immigrants as part of their workforce (Miller & Jentz, 2012).

The laws and regulations that apply in cases of where a business employs illegal immigrants are clearly spelt out in the Federal Immigration and Nationality Act that was instigated in the year 1965. This law is applicable to the current case study whereby Tipton and Seferi were found guilty of employing illegal immigrants. The Federal Immigration and Nationality Act deems it unlawful for any business entity to hire, refer, or recruit an alien with the knowledge that the alien is not authorized to work in the United States (LeMay, 2007). Similarly, this act dictates that it is against the law for business entities to continue employing an illegal immigrant upon knowing that the immigrant does not have the authority to work in the United States contexts. The Federal Immigration Act, which governs matters aligned with

the employment of illegal immigrants is often implemented by Immigrations Customs and Enforcement, which is one of the various United States federal agencies.

Regulations on hiring of illegal immigrants as enshrined in the Federal Immigration and Nationality act govern matters on hiring of illegal immigrants align with the fact that these regulations dictate that employee across various contexts must comply with eligibility verification recommendations. For employees to comply with these recommendations, their identity documents must be cross-examined. In order to ensure compliance with the mentioned recommendations, employers must complete Forms I-9 of every employee they hire. Compliance with the hiring protocols contained in the Federal Immigration and Nationality Act ensures that employers are able to identify illegal immigrants whom they should not employ. In cases where employers including business entities have undoubtable knowledge that an employee is an illegal immigrant worker, they should inform the relevant authorities, preferably the Immigrations Customs and Enforcement (Stana, 2009). In a nutshell, regulations that apply in Tipton and Seferi's cases dictate that they should have checked the work authorization for all their restaurant workers as a means of enforcing immigration law.

Arguments that deem Tipton and Seferi guilty of harbouring illegal immigrants

One of the most pertinent argument that indicates that Tipton and Seferi were guilty of hiring illegal immigrants is the fact that they were required to examine the identity documents of every individual that they sought to

employ. In fact, Tipton and Seferi are guilty of violating regulations contained in the Federal Immigration and Nationality Act, which requires them to have complete Forms I-9 for every person that they hired to work for them. In addition, the law required Tipton and Seferi to retain I-9s, and give a three days' advance notice to authorities who would have come and inspected the said forms. Notably, Tipton and Seferi failed to do any of the stated; hence, they were guilty of violating laws on hiring as indicated by the Federal Immigration and Nationality Act. Another premise that finds Tipton and Seferi guilty is the fact that they harboured illegal aliens. As stated by the Federal Immigration and Nationality Act, it is against the law for an individual to harbour or conceal an alien from identification in any place, including any building (Miller & Jentz, 2012). With regards to this, Tipton and Seferi were guilty in that they allowed the aliens to live in an apartment where some of their workers resided.

Defence that Tipton and Seferi could use to argue that they did not know that the workers were unauthorized aliens

While it might be true that Tipton and Seferi were guilty of hiring and harbouring illegal immigrants without following the stated protocols, there are various arguments that they could use in their defence. More importantly, Tipton and Seferi did not have any expertise that could allow them to examine and verify the documents of the illegal immigrants found in their premises. In fact, laws contained in the Federal Immigration Act indicate that employers are required to ascertain employee's work authorization, but the employers are not expected to be experts on the identity documents that establish work authorization (LeMay, 2007). In line

with this, Tipton and Seferi could argue in their defence by arguing that they did not have the necessary expertise to ascertain the legality of the aliens found working in their restaurant. In addition, Tipton and Seferi could have defended themselves by arguing that had they checked the documents of the immigrants too zealously, they would have been guilty of discrimination against the aliens. In a nutshell, Tipton and Seferi could argue that they did not have constructive knowledge that could have allowed them to be sure of the immigration status of the aliens.

References

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