

Chamber takes on law aimed at illegal workers; Says it violates businesses' due process

USA TODAY

March 6, 2007 Tuesday, FINAL EDITION

Copyright 2007 Gannett Company, Inc. All Rights Reserved

Section: MONEY; Pg. 2B

Length: 428 words

Byline: Sue Kirchhoff

Body

WASHINGTON -- The U.S. **Chamber** of Commerce Monday threw its considerable weight behind efforts to eliminate a groundbreaking Hazleton, Pa., **law** penalizing **businesses** that hire **illegal workers** and landlords who rent to them.

The Hazleton ordinance, which also makes English the official language of the small town, has not been implemented because a federal judge issued an order preventing it from going into effect. The American Civil Liberties Union (ACLU) has filed a lawsuit challenging it on behalf of a group of local residents. A trial is set for next week.

The U.S. **Chamber** of Commerce filed a legal document Monday in U.S. District Court for the Middle District of Pennsylvania backing the ACLU position and calling the **law** unconstitutional on two grounds.

First, the **Chamber says**, the Hazleton ordinance is pre-empted by federal **law**. Second, it **says** the **law violates due process** protections because it doesn't give a **business** accused of hiring an **illegal worker** the right to challenge an allegation before losing its right to operate.

"We need to bring some stability into the system until we come up with a federal answer," **says** Angelo Amador, **Chamber** director of immigration policy.

"If not, we're going to end up with 50 state **laws** and a thousand local ordinances," Amador adds. "A lot of people are copying what we think is a bad **law**."

Hazleton Mayor Louis Barletta, a former small-**business** owner, **says** he never expected to be on the opposite side from the **Chamber**.

"There's nowhere in our ordinance that we regulate immigration. We punish **businesses** that hire **illegal workers**," Barletta **says**. "I would rather stand on the side of the American **workers** than (with) **businesses** that break the **law**."

Hazleton has been raising money for its legal bills in part by seeking donations on a special website.

As immigration legislation has languished in Congress, dozens of states have passed measures **aimed** at an estimated 12 million undocumented immigrants. Barletta **says** more than 100 localities are considering imitating Hazleton's **law**.

The Hazleton ordinance lets individuals lodge complaints if they suspect a **business** has an **illegal worker**. Firms that can't verify an employee's status have three days to fix the situation. If they don't, the city can suspend the

Chamber takes on law aimed at illegal workers; Says it violates businesses' due process

operating license. Workers who lose jobs at a business that had illegal immigrants on the payroll, under certain circumstances, can seek damages.

The Chamber argues that, unlike federal law, the Hazleton plan makes employers liable for penalties without proof they intentionally hired an illegal immigrant.

Graphic

PHOTO, B/W, AFP/Getty Images

Classification

Language: ENGLISH

Publication-Type: NEWSPAPER

Subject: ORDINANCES (91%); FOREIGN LABOR (90%); BUSINESS & PROFESSIONAL ASSOCIATIONS (90%); CHAMBERS OF COMMERCE (90%); RECRUITMENT & HIRING (90%); IMMIGRATION (89%); ILLEGAL IMMIGRANTS (89%); US FEDERAL GOVERNMENT (89%); IMMIGRATION REGULATION & POLICY (89%); DUE PROCESS (89%); IMMIGRATION LAW (89%); LEGISLATION (78%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (78%); PUBLIC POLICY (78%); SMALL BUSINESS (78%); SUITS & CLAIMS (78%); CONSTITUTIONAL LAW (78%); CITY GOVERNMENT (77%); US STATE GOVERNMENT (77%); EMPLOYER LIABILITY (77%); LITIGATION (77%); COSTS & ATTORNEY FEES (76%); HUMAN RIGHTS ORGANIZATIONS (76%); JUDGES (76%); DAMAGES (76%); LANGUAGE & LANGUAGES (72%); LAW COURTS & TRIBUNALS (71%)

Organization: UNITED STATES CHAMBER OF COMMERCE (91%); AMERICAN CIVIL LIBERTIES UNION (90%)

Person: LOU BARLETTA (78%)

Geographic: PENNSYLVANIA, USA (92%); UNITED STATES (95%)

Load-Date: March 6, 2007