

# **Businesses Will Fight Immigration Legislation; Va. Coalition Opposes Punishing Employers**

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## **Body**

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A broad coalition of Virginia business interests, including some of the most powerful trade groups in the state, has created an organization to oppose laws that would punish employers with undocumented workers on their payrolls.

Virginia Employers for Sensible Immigration Policy was formed in anticipation of another flurry of legislation in the General Assembly seeking to crack down on undocumented residents and employers that hire them, business leaders said. Individual trade groups and companies have spoken out before about specific anti-illegal immigration proposals, but the new group is the business community's most visible and organized effort to influence the immigration debate.

"This is a major issue in Virginia, and we wanted to come together as a group and have a seat at the table," said Julia Ciarlo Hammond, state director of the National Federation of Independent Business. She was one of the organizers of the new group.

The coalition's formation comes at a critical time, just after a bruising state and local election season during which public anxiety over illegal immigration figured prominently in many campaigns. Politicians seeking to get tough on illegal immigration have been targeting employers with increasing frequency, a tactic that critics have said allows them to appear responsive without being vulnerable to accusations of intolerance or meanness toward immigrants.

One proposal that failed last session in Richmond would have revoked the state business license of any employer found to hire undocumented workers. Another would have prohibited employers from filing workers' compensation claims for undocumented employees; the employers would have been required to pay such claims from their own pockets. Variations on those bills are certain to reappear in the session that begins Jan. 9, advocates said.

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Claire Guthrie Gastanaga of the Virginia Coalition of Latino Organizations said she expects more than 50 pieces of legislation touching on immigration in the session. She said she welcomes help fighting policies that she believes make all immigrants, documented or otherwise, feel unwelcome in Virginia.

"This coalition is important," she said. "Frankly, it takes some of the heat off of me."

The coalition includes some of the most influential industries in the state, including many that rely heavily on low-cost and migrant labor. The group includes home builders, contractors, hog and poultry growers, retailers, truckers, the hospitality industry and the state Chamber of Commerce.

"Our coalition at this point wants to be at the table to make sure that business is able to participate in the discussion," Hammond said. "It's very straightforward. We are interested in making sure that our employers have a legal immigrant workforce and that we comply with the rules and regulations that help us maintain our legal immigrant workforce."

Hammond said the group will focus exclusively on proposals affecting employers, in part because such laws are expected in the coming session and in part to maintain a narrow focus for a new and fragile coalition. Some business groups, including the Fairfax County Chamber of Commerce, have taken stands on immigration laws affecting not only employers but also access to public universities.

"It's time for the business community to come together and voice some sense of reason and balance in the immigration debate," said William D. Lecos, president of the Fairfax chamber. "It's clear that at its worst, some of the legislation is either poorly placed, meaning the state is trying to do what is a federal responsibility, or it is just so fundamentally unfair and imbalanced that it threatens to compromise the quality of life and economy of Virginia rather than improve it."

State Del. Thomas Davis Rust (R-Fairfax), who has supported a variety of measures to restrict undocumented residents, said it is entirely legitimate to impose sanctions on businesses that hire illegal workers. Rust is a businessman himself, an engineer with his own company in Herndon. He noted that many of the industries represented in the coalition, particularly construction and agriculture, are known to rely heavily on undocumented labor.

"It's against the law to hire folks who are not in the country legally," Rust said. "As an employer of a fairly substantial number of people, I would take issue with the fact that it's difficult to check."

Business leaders said the reverse. They said the business sanctions cast too wide a net and place an undue burden on employers to police the immigration status of their workers. They said the measures also send an unwelcome signal to legal immigrants, who have provided a crucial labor pool, particularly in Northern Virginia, as the economy has boomed in recent years.

The business leaders also argued that some of the measures are not proper because they are preempted by federal law.

Rust did not argue that point, although he said the federal government has failed so "miserably" to enforce its immigration laws and police the nation's borders that the state has no choice but to step in.

"My constituents are saying, 'If they're not going to do it, you've got to do something,' " Rust said. The business coalition, he said, is asking Virginia to mirror the approach of the federal government, which is to "shut your eyes and don't enforce the law."

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