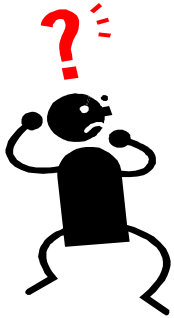


What's happening now with Social Security Numbers and Employers?



Early in August 2007, Immigration and Customs Enforcement (ICE) partnered with the Social Security Administration (SSA) to verify social security numbers that do not seem to match SSA's database, including those who got married or have changed their names. Approximately 140,000 letters to employers will be sent out in the first batch, which were originally going to be sent in early September. Due to an order issued by a federal judge on August 31, 2007, implementation of the DHS rule has been **temporarily blocked**.

The order is the result of a lawsuit filed by the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), the American Civil Liberties Union, the National Immigration Law Center (NILC), and the Central Labor Council of Alameda County, along with other local labor movements. A hearing on the parties' request to permanently bar the implementation of the DHS rule is scheduled for October 1, 2007. If the lawsuit fails, here is what's going to happen:

- Employers will receive letters from SSA regarding one or several social security numbers (SSN) that do not match information saved in their database. A letter from ICE will accompany such SSA letter to encourage employers to ensure these workers are eligible to work.
- Employers will be asked to "take reasonable steps" to find out what's wrong with such SSN within 30 days.
- Employers will be asked to "resolve" the problem following the instructions in the letter with SSA within 90 days.
- If employer cannot resolve the problem, employers will have to verify worker's eligibility to work through filing a new I-9 form (an employment verification form), which may result in firing of the worker if he/she cannot provide a valid SSN and/or eligibility to work.

While advocates and legal institutions are in the process of a lawsuit and lobbying for these letters not to go out, **workers need to know**:

- An employer who takes action against an employee based on nothing more substantial than a mismatch letter, may, in fact, violate the law. Employers cannot verify an employee's SSN simply because they want to or believe that the employee might have a false social security number.
- No-match letter verification steps should be performed uniformly to all employees who have no-matches.
- Workers have the right to be free of retaliation from employers and the right to remain silent.

If you are an employer or a worker who would like to learn more, please visit www.nilc.org for more information and resources. In order to effectively address this issue, community members need to know their rights and get organized. If you have questions about this information piece, or want to be involved in organizing around this issue, contact American Friends Service Committee: 215-241-7124 9/07