



HR CORNER

FEES & BURGESS, P.C.



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IMMIGRATION LAW - NEWS AND REMINDERS

In a recent decision, the U.S. Supreme Court upheld a controversial 2007 immigration law passed by the Arizona state legislature. Despite arguments that the law was pre-empted by federal statutes (particularly the Immigration Reform and Control Act of 1986, or “IRCA”), the U.S. Supreme Court upheld lower court rulings that validated the Arizona law. The Arizona law requires that employers in Arizona utilize the federal E-Verify system. This system has come under scrutiny in recent years, as some groups argue that the system is not accurate and can lead to discrimination. The Arizona law also allows the state to rescind business licenses of employers who commit multiple offenses under the law. In its opinion, the Court emphasizes that the federal government encourages the use of E-Verify, so Arizona’s requirement is consistent with federal law.

Disagreeing with the majority opinion, Justice Stevens noted his concerns that businesses will err on the side of discriminating against potential employees by denying them employment opportunities, so that they can avoid the “business death penalty” by accidentally hiring unauthorized workers.

Through this holding, other states may be encouraged to pass similar legislation. Employers should remain vigilant about the immigration laws in their states, as this continues to be a “hot-button” issue for various state governments and for the federal government. While not all states and local jurisdictions have their own immigration laws, employers should, at the very least, continue to self-audit their I-9 forms to ensure proper compliance with IRCA. The form has been updated several times in the recent past, and employers should be careful that they are using the proper version. The current version of the form is available on the U.S. Immigrations and Customs Enforcement website, at www.uscis.gov.

As an audit reminder, employees must complete the top section of the form at the time of their hire. This section includes a required employee signature related to the employee’s certification of his or her employment eligibility. The employer is responsible for completing Section 2. Often, employers forget to sign this section or fail to complete it altogether. It is easy to err on this paperwork due to its detailed requirements, and it is particularly difficult for companies with multiple facilities and various human resources officials who are responsible for completing the paperwork, so routine auditing is crucial. Failure to properly complete and retain these forms can subject your company to penalties, ranging from fines to criminal prosecutions.

FEES & BURGESS, P.C. - Calendar of Events

Fees & Burgess, P.C., is proud to present, and participate in the presentation of, the following upcoming seminars:

2011 NCMA World Congress

July 10 – July 13, 2011; Denver, Colorado

Certified Commercial Contracts Manager (CCCM) Training

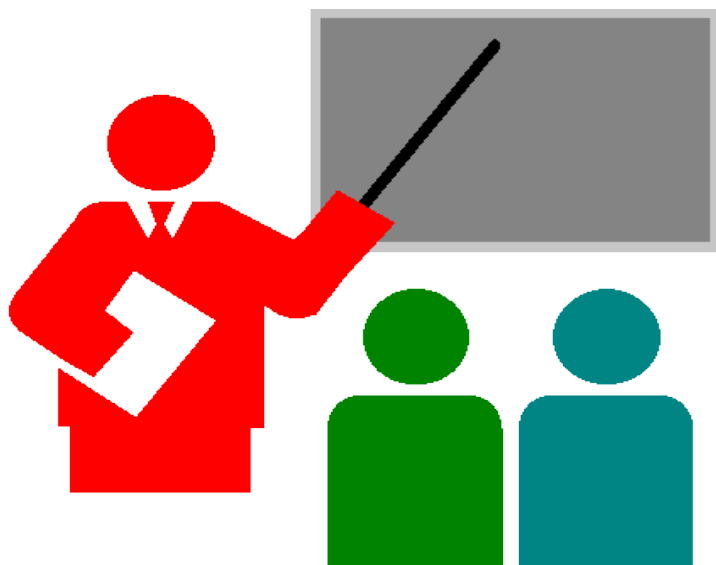
This four-part series, presented by Jeffrey Roth and Allen Anderson of Fees & Burgess, P.C., provides a practical introduction to the foundations of domestic commercial contracting. These sessions will feature discussion of risk management in several areas key to those buying or selling under the Uniform Commercial Code (UCC), including formation of commercial agreements and determination of applicable contract terms; performance issues under those agreements or terms, including risk of loss and delivery, acceptance, repudiation, warranties, and disclaimers, and of course, disputes, remedies, and dispute resolution.

Use of the New Incoterms® 2010 in Domestic and International Transactions

This workshop, presented by Jeffrey Roth and Allen Anderson of Fees & Burgess, P.C., will help educate both buyers and sellers in the domestic and international arenas of changes found in the new and recently-released version of Incoterms® 2010, which became effective January 1, 2011.

Click [here](#) to register, or for more information on NCMA's 2011 World Congress.

If you would like more information on these, and other seminars, please visit us online at www.feesburgess.com.



EDUCATIONAL OPPORTUNITIES

During these rough economic times it is important to get the most for your money. The lawyers of Fees & Burgess, P.C., have extensive experience working in a variety of fields, as both in-house and private counsel, representing various clientele and our attorneys have diverse experience in many areas of law, including civil litigation; employment law; intellectual property; supply chain management; mergers and acquisitions; contract negotiation; dispute resolution; and various other fields.

This wide field of knowledge provides our attorneys with the insight and know-how to provide quality training on various topics. Our programs can be customized to fit any business need while keeping the costs of our training competitive, without sacrificing quality.

Topics that Fees & Burgess, P.C., can provide training on include, but are not limited to:

A Recession Era Guide to Collecting on Construction Contracts	Managing Gender Identity Issues in the Workplace
Conducting Effective Workplace Investigations	Negotiation and Resolution of Federal Contract Claims
Construction Contracting	Privacy in the Workplace
Contingent Employees and Labor Outsourcing	Reducing Employee Benefits Costs for Alabama Businesses
Diversity Training	Reducing Risk in Purchasing Terms and Conditions
Elements of an Electrical Manufacturing Services Contract	Reduction in Workforce Strategies
Employment Law Survival Training for Managers	Retaliation and Whistleblowers
Family Medical Leave Act	Uniform Commercial Code: Primer to Articles 1, 2, and 2A
Hiring and Firing	Violence in the Workplace
Immigration Compliance	Wage and Hour Issues/Fair Labor Standards Act
Incoterms® 2010	Americans with Disabilities Act
Indemnity and Limitation of Liability Contract Clauses	Managing Employee Use of Internet and E-mail in the Workplace
International Contracting	Ethics, Business Conduct and Compliance in Government Contracting
Limiting Liability for Sexual Harassment	

For more information on these and other programs, please visit us online at www.feesburgess.com; contact us by e-mail at seminars@feesburgess.com; or by phone at (256) 536-0095.



SPEAKERS

FEES & BURGESS, P.C., provides speakers, training programs, seminars, and webcasts for various trade associations; business groups; and clients. For information regarding a program, contact seminars@feesburgess.com.

NEWSLETTERS

FEES & BURGESS, P.C., also publishes *F&B Quarterly Bytes*, focusing on multiple practice areas; and *F&B SCM Memo*, focusing on the supply chain management industry. To receive any of these newsletters, please e-mail newsletters@feesburgess.com with your contact information.

To remove your name from our mailing list, please e-mail newsletters@feesburgess.com.

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“No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.”