

ICS Guideline for Staffing Sources Best Practices

Best Practices When Utilizing Temporary or Contingent Staffing Services

Many companies assume that by outsourcing their staffing needs, they've outsourced their need to worry about immigration compliance. Unfortunately, this erroneous assumption can be a costly mistake. Below is a list of common-sense best practices to assist you in smartly and safely utilizing outside staffing services while minimizing your company's risk potential immigration exposure.

- **Make sure you have your own house in order.** Ensure your staff is utilizing best practices. Create and implement a compliance plan. Require your HR department to do regular I-9 training. Audit your own I-9s. Consider enrolling in E-Verify. If you haven't spent time thinking about what YOUR biggest vulnerability is, chances are it is bigger than you think.
- **Analyze your company's use of contingent staffing.** Are you using contingent staffing in a high-risk area? Who on your staff manages the contingent workforce? Does the department utilizing this staff have a basic understanding of immigration compliance requirements? Are checks and balances in place to ensure the selection of a contingent staff provider is based on quality of service and not some improper "gratuity"?
- **Select reputable contingent staffing companies that utilize their own common-sense best practices.** If the fees charged by a provider seem incredibly low, it may be too good to be true. Some contingent staffing companies have in the past employed individuals not authorized to work in the United States as a way to keep prices low and offer services below market average.
- **Discuss immigration compliance before signing the contract.** You should expect that the staffing provider is supplying individuals authorized to work. Before signing a contract, insist the provider demonstrate how they are in compliance with immigration requirements.
- **Put immigration compliance language in the contract.** Include language in the contract that provides specifics about what you expect with respect to immigration compliance. Including this language will help protect your business.
- **Require self-certification from the staffing firm.** Insist the staffing provider certify it is in compliance with all applicable immigration laws and it assumes the burden of continuing to ensure compliance.
- **Implement an employee badge policy to ensure only eligible individuals are on your worksite.** Controlling who gets a badge and where they have access can make good business sense.
- **Trust, but verify.** Use a third-party auditing company to ensure your staffing provider is upholding its responsibilities.

If you have any questions about how to best protect your business' interest when utilizing a contingency staffing provider, please contact ICS at 1-877-577-7053 or visit us on the web at www.iandcsolutions.com.

** The information provided above is generalized and does not constitute legal advice. For particular advice tailored to your circumstances, please contact ICS. **

About ICS

ICS Consulting, LLC (ICS) is a full-service consulting and auditing firm headed by experienced professionals. Our firm is uniquely positioned to help clients build and protect business by offering informed and innovative solutions to problems relating to immigration compliance in the workplace. We have extensive senior-level Capitol Hill, Executive Branch and law enforcement experience, as well as an unparalleled network of contacts. Our company can assess vulnerabilities, identify problem areas, create internal protocols and develop customized solutions for businesses seeking to be in full compliance with immigration laws. We understand the bottom line for businesses and also understand the government mindset.

About ICS President, Julie Myers Wood

Julie Myers Wood is the President of ICS Consulting, LLC (ICS). In this capacity, Wood brings her extensive background to help build business solutions for companies seeking to grow and protect their bottom lines. Prior to founding the company, Wood served as head of Immigration and Customs Enforcement for nearly three years. In this role, she led the largest investigative component of the Department of Homeland Security and the second largest investigative agency in the federal government, with more than 17,000 employees and an annual budget of more than \$5 billion. During her tenure, ICE had five integrated divisions (Detention and Removal Operations, Investigations, Federal Protective Service, Intelligence, and International Affairs) that formed a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.

Under her leadership, the agency set new enforcement records with respect to immigration enforcement, export enforcement, and intellectual property rights. Her tenure is best known for building efficiency and breaking the mold of traditional enforcement. While serving at the agency she won praise from critics for developing many immigration enforcement initiatives that resulted in the end of "catch and release" of apprehended illegal aliens, creating oversight initiatives to ensure appropriate care for detained aliens, inaugurating the new Intellectual Property Rights Center to ensure thorough coordination between public and private sector interests, and launching the ICE Mutual Agreement between Government and Employers (IMAGE) to ensure businesses had access to best practices for immigration compliance.

Ms. Wood is a frequent speaker and commentator on immigration and law enforcement issues. She has appeared on FOX, CNN, C-SPAN, ABC, CNBC, NPR, and numerous other television and radio stations. She has written editorials for USA Today, the Los Angeles Times, the Washington Post, and the Kansas City Star. She has spoken at the GovExec Forum, the Detroit Economic Club, and numerous chambers of commerce.



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