

**JOINT RESOLUTION URGING EMPLOYERS TO HIRE
ONLY INDIVIDUALS WHO ARE AUTHORIZED
TO WORK IN THE UNITED STATES**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christopher N. Herrod

Senate Sponsor: Gene Davis

LONG TITLE

General Description:

This joint resolution of the Legislature urges employers in the state of Utah to preserve the jobs of employees authorized to work in the United States and to only hire individuals authorized to work in the United States.

Highlighted Provisions:

This resolution:

- ▶ urges Utah employers to take all steps necessary to preserve the jobs of individuals authorized to work in the United States; and
- ▶ urges Utah employers to hire only individuals who are authorized to work in the United States.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

- WHEREAS, the economies of America and Utah are facing unprecedented challenges;
- WHEREAS, in December 2008, unemployment in Utah was 48% higher than in December 2007, and the rate is projected to increase significantly in the coming months;
- WHEREAS, Utah employers who violate federal employment laws by hiring persons



28 who are unauthorized to work in the United States place an undue economic burden on Utah
29 employers who attempt to hire only persons who are authorized to work in the United States;

30 WHEREAS, certain Utah employers use unauthorized workers to create an unfair
31 competitive advantage over competing employers by shifting their burden to taxpayers and
32 citizens through the avoidance of payroll taxes, neglecting to withhold income taxes, failing to
33 provide health insurance coverage, hiring employees using fraudulent documents and stolen
34 identities, and ignoring workers' compensation insurance requirements;

35 WHEREAS, thousands of authorized Utah workers are losing their jobs while
36 unauthorized workers continue to be employed and to compete for jobs with Utah citizens and
37 legal residents;

38 WHEREAS, the Utah economy is further weakened when unauthorized workers
39 transfer a significant portion of their earnings to foreign nations rather than spending them in
40 Utah where they would support local businesses and contribute to Utah's sales tax collections;

41 WHEREAS, unauthorized workers are more likely to suffer exploitation and unfair
42 treatment by employers who pay substandard wages, fail to compensate overtime, fail to
43 comply with recognized industry safety standards, and deny payment for work done;

44 WHEREAS, 13% of all identity theft in Utah is employment related, and 1,629
45 companies were found to be paying salaries to individuals with Social Security numbers of
46 Utah children on public assistance under age 13; and

47 WHEREAS, Utah employers have expressed their desire to have a legal workforce and
48 their willingness to fingerprint and name check potential workers:

49 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
50 urges employers in Utah to take all steps possible to ensure that they preserve the jobs of
51 American citizens and legal residents, protect Utah employers who comply with state and
52 federal employment laws, control job-related identity theft, and ensure that the economy and
53 taxpayers of Utah are not unduly burdened when unauthorized workers are employed and their
54 status exploited.

55 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each of Utah's
56 Chambers of Commerce, the Utah Labor Commission, and the Utah Department of Workforce
57 Services.

Legislative Review Note
as of 2-9-09 5:38 PM

Office of Legislative Research and General Counsel

Fiscal Note

**H.J.R. 25 - Joint Resolution Urging Employers to Hire Only Individuals Who
Are Authorized to Work in the United States**

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
