



Hiring Illegal Aliens

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Hiring Illegal Aliens

Reference Number: MTAS-2059

Individuals, corporations, partnerships, associations or any other legal entity are prohibited from knowingly employing an illegal alien. An "illegal alien" is defined as a person who is, at the time of employment, neither an alien who is lawfully admitted for permanent residence in the United States, nor authorized to be employed by the federal Immigration and Naturalization Act or the United States attorney general. T.C.A. 50-1-103(a)(4).

Verification of status consistent with the employer requirements of the Immigration Reform and Control Act of 1986 [1] is a defense if the verification information was false or the employer used the federal work authorization verification service. T.C.A. 50-1-103(c). Verification can be accomplished utilizing the I-9 verification form [2] or the Federal E-Verify [3] system.

Local government officers and employees with reason to believe they have knowledge of a violation must file a complaint with the Department of Labor and Workforce Development. T.C.A. § 50-1-103(e)(1).

Links:

[1] <https://www.mtas.tennessee.edu/reference/immigration-reform-and-control-act-i-9>

[2] <https://www.mtas.tennessee.edu/reference/i-9-verification>

[3] <https://www.mtas.tennessee.edu/reference/e-verify>

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

Source URL (retrieved on 08/05/2020 - 6:02am): <https://www.mtas.tennessee.edu/reference/hiring-illegal-aliens>



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