



CHICAGO LINE

THE MONTHLY NEWSLETTER OF THE CHICAGO
METAL FINISHERS INSTITUTE

APRIL 2010 Calendar of Events

APRIL 8, 2010

CMFI Board of Directors Meeting
Rosewood Restaurant
Rosemont, IL

APRIL 27-29, 2010

NASF Washington Forum
L'Enfant Plaza Hotel
Washington, DC
Contact: Cheryl Clark
202-457-8404; cclark@nasf.org

MAY 20, 2010

CMFI Member Meeting
The Wellington Restaurant
Arlington Heights, IL ISO 9001L

JUNE 14-17, 2010

NASF SUR/FIN
Devon Place
Grand Rapids, MI

NO APRIL MEMBER MEETING.
ALL MEMBERS ARE ENCOURAGED
TO PARTICIPATE IN THE NASF
WASHINGTON FORUM.

Join us for our next scheduled meeting on May 20, 2010 at The Wellington. Our speaker will be Chris Pullos, Special Agent, USEPA-CID.

CMFI WELCOMES BACK RETURNING MEMBER

We're happy to welcome back as a CMFI member South Holland Metal Finishing, 26100 Whiting Way, Monee, IL 60449. The company's many processes include: heat and phosphate treating and barrel plating of zinc, zinc cobalt, zinc nickel, cadmium, trivalent chrome (clear/ yellow/ black and red, blue, green dyes. Other processes include: Durazinc Clear (500 & 1000), Empigard, Strip Coper. The company is accredited ISO 9001, 2008 & mechanical testing; GMW 4205 and S437. The company also offers Tri-Black for 120NSS, x-ray fluorescence capability, and on-site torque tension testing.

Contacts are: Paul Jackson (CEO), Debbie Jackson (VP), Jim Meagher (Production Mgr.) and Brian Christianson at 708-235-0842; Email: brian@shmf.com.



WELCOME TO SPRING

FEDERAL CONTRACTORS FACE CHALLENGES UNDER NEW E-VERIFY RULE

From: HR.com, 1/5/10

Federal contractors and subcontractors are facing a few challenges under a new rule requiring them to use the E-Verify system to determine whether their employees are eligible to legally work in the United States, according to attorney Charles A. Roach.

New Requirements

Under the federal contractor E-Verify rule, which became effective on September 8, 2009, use of the U.S. Citizenship and Immigration Services' E-Verify system is mandatory under certain circumstances. Contractors must use E-Verify if they have a federal contract for work within the United States that lasts at least 120 days and is valued at more than \$100,000, and the contract contains a specific E-Verify clause, says Roach, a partner in the Minneapolis office of Ford & Harrison, LLP (www.fordharrison.com).

Previously, E-Verify had been used on a voluntary basis by federal contractors to verify employment eligibility for new hires only, Roach says. "The federal contractor rule changed that." Contracts awarded after September 8 that meet the above-mentioned criteria will now include a provision requiring contractors to use E-Verify for new hires and current employees who will work on the contract. That alone creates more work for contractors, but the additional work does not end there.

Contractors pull information collected on Form I-9, the Employment Eligibility Verification Form, when using the E-Verify system. As a result, they must either audit their I-9s for current employees—to check whether information needs to be updated and whether the documentation employees provided as new hires meets

current standards—or "re-I-9" them, which means asking current employees to bring in the necessary documentation to identify themselves and verify their employment eligibility again, he explains.

Another challenge contractors are facing is deciding whether to run all of their employees through the E-Verify system or only those who will be working on a federal contract, Roach says. That decision varies by employer—especially in cases where multiple employees will be working intermittently on a federal contract, some contractors are deciding to "E-Verify their entire workforce."

What to Do

Here is some advice to consider in light of the new federal contractor E-Verify rule:

Plan ahead.

Even if your company does not currently have a federal contract that requires use of E-Verify, Roach recommends educating yourself about the system now, if your company anticipates having such a contract in the future. In general, the E-Verify system seems to be straightforward and efficient, but it can take time to familiarize yourself with it, he says.

Proceed carefully.

Consider the administrative burden and potential union, employee morale, and other issues when deciding whether to require current employees to go through the I-9 process again, he says. Consult with legal counsel if you need help wading through the process or deciding whether to E-Verify your entire workforce.

Encourage internal communication.

Roach says it is important for HR to be aware of the types of federal contracts the company is entering into and whether such

contracts contain the specified provision requiring use of E-Verify.

Centralize the E-Verify process.

"It helps to keep it centralized," Roach says. "If you have a lot of different people ... that are running E-Verify queries and no oversight, things can slip through the cracks."

EPA LAUNCHES MAPPING TOOL, ENHANCING PUBLIC ACCESS TO ENVIRONMENTAL DATA

Manufacturers are faced with a host of environmental laws for which they must comply as part of their everyday operations. Despite an entity's best efforts, violations may result due to accidents, errors, and misunderstanding of the requirements. It is important for manufacturers to know that their company's compliance history is available to the general public. The U.S. Environmental Protection Agency ("EPA") recently released environmental enforcement action results for the 2009 fiscal year along with a new interactive Web-based mapping tool that allows the public to get detailed information about those enforcement actions.

The new mapping tool, available on the EPA's 2009 Annual Results website at <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/index.html>, allows the general public to view the specific location of facilities subject to EPA enforcement actions as well as obtain more detailed information regarding those facilities' environmental compliance history. By zooming in on a particular facility, a user of the EPA mapping tool can obtain both a facility's Enforcement Compliance History Online ("ECHO") Enforcement Case Report and ECHO Detailed Facility Report with just one click

of a mouse. The Enforcement Case Report includes a summary of a particular enforcement action, including penalty amounts, laws violated, facilities affected, pollutants involved, and required compliance actions. The Detailed Facility Report includes more general information about a certain facility's environmental history, including inspection, enforcement and compliance history in addition to historic data on chemical releases and surrounding area demographic information.

The mapping tool does not show every facility that has been subject to environmental enforcement in the 2009 fiscal year, which ran from October 1, 2008 until September 30, 2009. Due to homeland security issues, facilities that deal with the treatment of drinking water have been purposely left off the EPA mapping tool. However, a public user can still access ECHO information on these facilities through the EPA's website, at <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/2009-unmapped-cases.pdf>. Moreover, the mapping tool does not show state and local enforcement actions.

The EPA initiated this mapping tool as an effort to increase transparency with the public regarding environmental enforcement and compliance. However, due to the enhanced availability of environmental compliance history, manufacturers should check the new mapping tool, available at <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/2009-map-allactions.html>, to see if the information provided for their facility is accurate.

If an error exists, manufacturers can file an error notification directly on the ECHO Enforcement Case Report and/or ECHO Detailed Facility Report. Any user of the EPA mapping tool may file an error notification by clicking on the "Report Error" button located in the upper right

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hand corner of both the Enforcement Case Report and Detailed Facility Report. Once a user clicks on the "Report Error" button, the user will be prompted to provide contact information and information regarding the nature of the error before being able to submit the notification. Once submitted, the EPA will confirm receiving the notification and follow specific guidelines in determining the accuracy of the information provided on the mapping tool, ECHO Enforcement Case Report and/or ECHO Detailed Facility Report.

If you have any questions regarding the new EPA mapping tool or about filing an error notification with the EPA, please contact the authors of this article. Dan Kaufman can be reached at dakaufman@michaelbest.com and Charmaine Butler can be reached at cmbutler@michaelbest.com. You may also contact Dan or Charmaine via phone at 312-222-0800.

ILLINOIS HOUSE OKS \$50M SMALL BUSINESS TAX CREDIT

From: Crain's Chicago Business 3/25/10

The Illinois House has approved \$50 million in tax breaks meant to help small businesses create jobs. The tax break was proposed by Democratic Gov. Pat Quinn. His Republican opponent, Bill Brady, supports a similar plan. The legislation applies to businesses with up to 50 employees. If a small business hires a new worker in the upcoming fiscal year, it can get a tax credit of \$2,500.

<http://www.chicagobusiness.com/cgi-bin/news.pl?id=37565>