

ORGANIC FARM CHARGED WITH REHIRING ILLEGAL WORKERS FACES STRINGENT PENALTIES



A Washington State herb farm stands accused of rehiring illegal immigrants that they had been forced to layoff, following a government audit. Federal prosecutors say that the farm, sensing a drop in production owing to lack of employees, rehired some of the workers, paid them cash, obviously to avoid detection and asked them to work under the cover of darkness, away from snooping eyes. Prosecutors say that the company, HerbCo International, intentionally "harbored, concealed and shielded" illegal immigrants. The company now faces four federal criminal charges along with a \$1 million fine. Ted Andrews, the owner, and Debra Howard, its General Manager and the HerbCo Vice President David Lykin were also charged. The three are due in court May 1 where they are expected to plead guilty and face sentencing. The Duvall, Washington based company, had made significant leaps, from starting a single farm selling organic herb products in the Seattle area. In the 1990's it changed hands and was brought by a former Nordstrom executive, Ted Andrews, who turned its fortunes around and from a single farm it grew nationwide with affiliates in five states and distribution in more than 2,700 stores. In its parent site in Duvall it operates from 150 acres and its annual sales are estimated in excess of \$25 million. An anonymous tip, informing that the farm had illegal workers working on its farm, led to an investigation and ICE agent notified HerbCo that 214 of their employees lacked legal documentation and of these 214, 86 were physically present working on the farm. Following the censure, the company followed legal dictates and fired the 86 workers and hired a firm called 'Labor Ready' to help fill the vacancies with legal workers. However, the company noticed that their production became irregular and began to drop. "This packaging disruption caused immediate complaints from the HerbCo customers and threatened existing and future contracts. Time was of the essence in correcting this critical packaging disruption," U.S. Assistant Attorney Don Reno wrote in the memorandum. As per court documents, General Manager Debra Howard, to address this anomaly, decided to rehire "the most productive" of the laid-off workers, paid them cash and have them work at night -- out of sight from the workers hired through the labor firm. Howard withdrew the wages amounting to \$40,000 in cash from a company bank account and put the money in envelopes meant for respective workers. Unfortunately for the company, a vigilant employee took photographs of the envelopes and informed the ICE of the company's activities. The ICE has been instrumental in unearthing illegal immigrant workers in thousands of companies across the country. Under federal law, it is mandatory for an employer to check a worker's identification and of a visual check confirms his findings that he is a legal resident of America, he can be hired. Residents in this farm community say that HerbCo's have been good neighbours and have good words for the company's CEO. One neighbour said, "He has done nothing to hurt anyone, if anything he's helped people. I don't believe that he deserves jail time." 81 year old Ward Roney, who founded the farm two decades ago said, "They were like family to us. We loved them and they cared for us." Roney disputed claims that the company knew the immigration status of the workers.