



# PREVENTION OF ILLEGAL WORKERS

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## HOW TO MINIMIZE THE RISK OF EMPLOYING ILLEGAL WORKERS

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Employers could face criminal charges if they or any person on their behalf employs an illegal worker. Penalties include 5 years in jail and/or an unlimited fine. The Civil Penalty Scheme states that any employer found employing an illegal worker, even if they were never aware, could face an on the spot fine of up to £20,000 per illegal worker.

A visiting immigration officer can issue a fine if they suspect the employee is working illegally and is not required to check the documentation. It is then up to the employer to prove otherwise and they have 28 days in which to do so.

If the Home Office finds that the employer has illegal workers in their workforce it can affect their ability to obtain a licence to sponsor foreign workers. If the employer has already got a sponsor's licence, the Home Office can revoke it.

How to check an employee's documents:

The Home Office has published a three step system for checking employees' documents; these steps are (1) **Obtain**, (2) **Check** and (3) **Copy**.

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