

Less chance of receiving 'no match' letter from SSA in 2003

Issue: Letters from the Social Security Administration (SSA) flushed out thousands of illegal aliens working in U.S. companies, creating chaos for HR departments.

Benefit: SSA will send fewer such letters in 2003, lessening your chance of having to deal with the issue.

Action: If you receive such a letter, don't fire the target employee. First give him a chance to fix the document problem.

Last year, the Social Security Administration (SSA) sent letters to nearly a million companies notifying them that one or more of their employees had information on a W-2 that didn't match information in SSA's files.

Such "no match" letters represented an effort to correct SSA's records and make sure people had their wages count toward their Social Security record. But the letters led to an unintended consequence: They helped root out thousands of illegal aliens who were using stolen or made-up Social Security numbers. As a result, tens of thousands were fired or quickly left their jobs after this inaccuracy was raised. This also created a headache for employers.

Latest news: SSA is backing away from these letters, saying it is not an enforcement agency and doesn't have the legal right to pursue undocumented workers.

As a result, you're less likely to receive such a letter this year or next. SSA plans to send out fewer than 150,000 such letters in 2003 and only to companies that have at least 10 workers whose information does not match Social Security files. The agency will continue to send letters to the homes of employees whose names or numbers don't match Social Security records.

If you do receive such a letter, don't fire the worker immediately. Give him a couple days to square the issue with SSA. If the employee can't provide you correct authorization, however, you must fire him because he lacks the necessary work authorization.