



# pennsylvania

DEPARTMENT OF GENERAL SERVICES

September 4, 2015

**Via Certified Mail**

Ms. Mary McCormick  
AB Specialties, Inc.  
534 Braddock Avenue  
Turtle Creek, PA 15145

**Re: Violation Notice/Warning Letter  
Public Works Employment Verification Act  
Project: Secure Entrance Southmoreland High School  
Southmoreland School District**

Dear Ms. McCormick:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, AB Specialties, Inc. ("AB Specialties") has been found to be in violation of Section 5(1) of the Public Works Employment Verification Act (the "Act"). The details of the violation are as follows:

The Act was effective January 1, 2013, and requires every public work contractor and subcontractor to utilize the federal E-Verify Program ("EVP"), operated by the United States Department of Homeland Security, to verify the employment eligibility of new employees hired on or after January 1, 2013. Public works contractors and subcontractors must be in compliance with the Act prior to the award of the contract. Employees hired after the award of the public works contract must be verified within 5 business days of his or her start date.

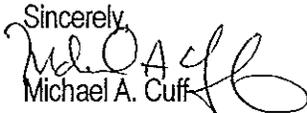
By letter dated July 8, 2015, the Department requested AB Specialties to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that AB Specialties was awarded a public works contract by the Southmoreland School District on May 18, 2015. According to the information submitted in response to the audit, AB Specialties was properly enrolled in the EVP prior to the award of the contract. However, AB Specialties hired a total of one (1) employee after the award of the contract and did not initiate verification of the 1 new employee until August 26, 2015, more than five business days after the employee's respective start date. Therefore, it is the Department's conclusion that AB Specialties did not utilize the EVP system to verify new employees in accordance with the Act and is in violation of Section 5(1) of the Act.

This is AB Specialties' first violation under the Act. As required by Section 5(D)(1), this first violation warning letter will be posted to the Department's publicly accessible website. If AB Specialties fails to comply with the Act or commits subsequent violations thereof, AB Specialties may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If AB Specialties wishes to appeal this determination, you must submit a written request for an administrative hearing setting forth all of the facts upon which the appeal is based within ten (10) calendar days of the date of this letter to the Deputy Secretary for Public Works, Department of General Services, 3<sup>rd</sup> Floor Arsenal Building, 18th and Herr Streets, Harrisburg, PA, 17125. A filing fee of \$100.00, in the form of a certified check or money order payable to the Commonwealth of Pennsylvania Department of General Services, must be enclosed with the request.

Please refer to the Department's web site at [www.dgs.state.pa.gov](http://www.dgs.state.pa.gov) for additional information on the requirements of the Act as well as the appeal procedures to be followed if AB Specialties requests an administrative hearing. Your cooperation with the Department in complying with the Act is appreciated.

Sincerely,



Michael A. Cuff  
Public Works Employment Verification Manager

cc: Elizabeth O'Reilly, Deputy Secretary for Public Works  
Kristen A. Lopko, Assistant Counsel