



pennsylvania
DEPARTMENT OF GENERAL SERVICES

January 27, 2016

Via Certified Mail

Richard Stanislaw
CB Structures, Inc
202 Orlan Road
New Holland, PA 17557

**Re: Violation Notice/Warning Letter
Public Works Employment Verification Act
Project: DGS A 251-910.1
Demolition and Construction of New Salt Storage Building**

Dear Mr. Stanislaw:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, CB Structures, Inc ("CB Structures") 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 November 18, 2015, the Department requested CB Structures to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that CB Structures was awarded a public works contract by the Department of General Services on October 30, 2014. According to the information submitted in response to the audit, CB Structures hired a total of approximately thirty-three (33) employees after the award of the contract. CB Structures submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of October 22, 2014, prior to the award of the contract. However, CB Structures did not initiate verification of the 33 new employees until December 19, 2015, several months after the employees' respective start dates. Therefore, it is the Department's conclusion that CB Structures 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 CB Structures's 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 CB Structures fails to comply with the Act or commits subsequent violations thereof, CB Structures may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If CB Structures 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, 3rd 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 for additional information on the requirements of the Act as well as the appeal procedures to be followed if CB Structures 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. Weber, Assistant Counsel