



February 1, 2016

**Via Certified Mail**

Peter J. Caruso & Sons, Inc.  
352 Baldwin Road  
Pittsburgh, PA 15207

**Re: Violation Notice/Warning Letter  
Public Works Employment Verification Act  
Project: Roadway Storm Sewers Improvements  
Scott Township**

Dear: Peter J. Caruso & Sons,

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Peter J. Caruso & Sons, Inc. ("Peter J. Caruso & Sons") 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 December 15, 2015, the Department requested Peter J. Caruso & Sons to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Peter J. Caruso & Sons was awarded a public works contract by the Scott Township Board of Commissioners on April 30, 2015. According to the information submitted in response to the audit, Peter J. Caruso & Sons hired a total of approximately seventeen (17) employees after the award of the contract, Peter J. Caruso & Sons submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of April 23, 2015, prior to the award of the contract, However, Peter J. Caruso & Sons did not initiate verification of the 17 new employees until on or after December 28, 2015. Therefore, it is the Department's conclusion that Peter J. Caruso & Sons 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 Peter J. Caruso & Son'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 Peter J. Caruso & Sons fails to comply with the Act or commits subsequent violations thereof, Peter J. Caruso & Sons may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Peter J. Caruso & Sons 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 Peter J. Caruso & Sons 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