



pennsylvania
DEPARTMENT OF GENERAL SERVICES

February 5, 2016

Via Certified Mail

Ms. Linda Glass
Heisey Mechanical, Ltd.
615 Florence Street
Columbia, PA 17512

**Re: Violation Notice/Warning Letter
Public Works Employment Verification Act
Project: Contract No# 0514
Wyoming Valley Sanitary Authority
Incinerator Emissions Upgrade**

Dear Ms. Glass:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Heisey Mechanical, Ltd ("Heisey Mechanical") 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 October 20, 2015, the Department requested Heisey Mechanical to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Heisey Mechanical was awarded a public works contract by the Wyoming Valley Sanitary Authority on December 8, 2014. According to the information submitted in response to the audit, Heisey Mechanical hired a total of approximately one (1) employee after the award of the contract. Heisey Mechanical did not enroll into EVP nor did they submit the Public Works Employment Verification Form until on or after October 26, 2015 after the award of the contract. Heisey Mechanical did not initiate verification of the one new employee until on or after October 26, 2015, more than five business days after the employees' respective start date. Therefore, it is the Department's conclusion that Heisey Mechanical did not properly enroll into nor 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 Heisey'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 Heisey Mechanical fails to comply with the Act or commits subsequent violations thereof, Heisey Mechanical may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Heisey Mechanical 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 Heisey Mechanical 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