



**pennsylvania**  
DEPARTMENT OF GENERAL SERVICES

June 2, 2016

**Via Certified Mail**

Mr. Robert F. Greenland  
Greenland Construction, Inc  
P.O. Box 287  
Clearfield, PA 16830

**Re: Violation Notice/Warning Letter  
Public Works Employment Verification Act  
Project: Jury Street Culvert  
Borough of Highspire**

Dear Mr. Greenland:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Greenland Construction, Inc ("Greenland Construction") has been found to be in violation of Section 5(1) of the Public Works Employment Verification Act (the "Act"), 43 P.S. §§167.1, *et seq.* The details of the violation are as follows:

The Act was effective January 1, 2013, and requires every public works 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. An employee 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 April 27, 2016 the Department requested Greenland Construction provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Greenland Construction was awarded a public works contract by the Borough of Highspire on August 5, 2015. According to the information submitted in response to the audit, Greenland Construction hired a total of approximately one (1) employee after the award of the contract. Greenland Construction submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of May 29, 2015, prior to the award of the contract; however, Greenland Construction did not enroll into EVP until September 8, 2015 and did not initiate verification of the one new employee until on or after May 10, 2016, which was more than five business days after the employee's start date. Therefore, it is the Department's conclusion that Greenland Construction 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, 43 P.S. § 167.5(1).

This is Greenland Construction's first violation under the Act. As required by Section 6(d)(1) of the Act, 43 P.S. § 167.6(d)(1), this first violation warning letter will be posted to the Department's publicly accessible website at [www.dgs.pa.gov](http://www.dgs.pa.gov). If Greenland Construction fails to comply with the Act or commits

subsequent violations thereof, Greenland Construction may be subject to civil penalties as well as debarment by the Department as provided for in Section 6 of the Act.

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 Procurement, Department of General Services, 6th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA, 17101. 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, [www.dgs.pa.gov](http://www.dgs.pa.gov), for additional information on the requirements of the Act and the appeal procedures to be followed if Greenland Construction 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: Janice Pistor, Chief, Strategic Support & Audits Division  
Mary W. Fox, Assistant Counsel