



## Texas In The Bulls Eye

***Proposed emissions cut would have huge impact.***

President Obama's EPA is proposing a 30 percent reduction in carbon emissions by 2030. Those rules could be in place this time next year, and would significantly impact the Texas economy and your business.

"If the purpose here is to save the planet, this plan will not do it. What it will do is cost the economy thousands of jobs," said Texas Association of Business CEO Bill Hammond. "Unilateral action to cut power plant emissions only takes away choices from industrial users, causes the cost of doing business to skyrocket and will mean thousands of Americans will be on their couch rather than on the job."

At the very least this plan, if implemented, will cost every one of us when we pay our monthly utility bill. "This plan also will cause the cost of electricity to skyrocket, so, if you manage to keep your job, you may not be able to afford to keep the lights on," said Hammond. "The only thing we know this plan will do is cost our economy and the American people dearly. What we know it will not do is make a significant impact in reducing worldwide carbon emissions."

The State of Texas doesn't plan on lying down and letting this proposal breeze into the regulation book. Attorney General Greg Abbott is not ruling out court action to challenge the requirement. He told the *Houston Chronicle*:

"Previous EPA regulations have threatened to eliminate Texas jobs and stifle energy production, an industry at the very core of our state's economy," Abbott said. "Yet the Obama administration is doubling down on their job-killing agenda with this latest proposal."

Abbott points out that in order for the nation to reach the 30 percent reduction goal, Texas facilities will actually



*Proposed emissions cut will have huge power plant implications*

### WORKFORCE Q&A

*Should employers use forensics to complete or audit I-9s?*

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### UPCOMING EVENT

#### ***Employment Relations Symposium***

*July 16-18*

*Westin La Cantera  
16641 La Cantera Parkway  
San Antonio, TX 78256*

*Texas Association of Business and SHRM - Texas State Council bring you the annual Employment Relations Symposium. The program focuses on the latest in laws and policies for the HR professional and is presented by experts in HR law.*

*Registration and more information available at  
[www.txbiz.org](http://www.txbiz.org)*

### TAB MISSION

*To make the Texas business climate the best in the world.*

# WORKFORCE Q&A



Harry J. Joe  
Jackson Lewis LLP

## **Should employers use forensics to complete or audit I-9s?**

The Office of the Special Counsel (OSC) for Immigration-Related Unfair Employment Practices has warned employers that they are not to use forensics tools or techniques to assess the validity of any document presented for identification and employment authorization or apply a different level of scrutiny based on the type of document that has been presented or the citizenship status or national origin of the employee at the time of completion of the I-9 or in the course of an internal compliance audit of I-9s.

The warning appeared in a general guidance letter dated Dec. 30, 2013, from Alberto Ruisanchez, Acting Deputy Special Counsel, OSC, Civil Rights Division of the United States Department of Justice wherein it addressed an employer's inquiry of whether an employer who was conducting an internal I-9 audit may request the employee to produce employment eligibility documentation presented at the time the Form I-9 was completed if copies of the documentation "are unclear and prevent forensic evaluation of their genuineness."

In response, the OSC stated that voluntary internal audits should not be conducted because of the employees' citizenship status or national origin, or in retaliation for exercising their rights under the Unfair Immigration-Related Employment Practices provision of the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. 1324b. Prohibited practices include unfair documentary practices commonly referred to as "document abuse."

In the context of an internal audit, OSC advised employers that the standard for reviewing Form I-9 documentation in an audit should be the same when reviewing documentation during the initial employment eligibility verification process. An employer is required to accept Form I-9 documentation that reasonably appears to be genuine and to relate to the individual presenting them.

As to the specific question presented by the employer, Mr. Ruisanchez stated that an employer should not request to see originally presented documents or alternative documents solely because the photocopies that were previously made were unclear or where documentation originally presented were not photocopied. Likewise, an employer should not conclude, solely upon the illegibility of the photocopies that such documentation was not genuine or did not relate to the individual.

### **Employment Relations questions?**

**Don't forget to call TAB's Employment Relations Hotline  
for your next HR Question  
1.800.856.6721, ext. 164 or E-mail [smcgee@txbiz.org](mailto:smcgee@txbiz.org)**

# TEXAS BUSINESS REPORT

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# Miller retires after 49 years of service

## *Dallas reception honors a lifetime of achievement.*

Monna Miller has been with the Texas Association of Business before it was the Texas Association of Business.

“Who would have thought on May 29, 1974 when I began as the secretary of the North Texas Region of Texas Association of Business, then known as Texas Manufacturers Association, here in Dallas that I would still be here in June 2014,” said Miller.

Miller was honored at a June 5 ceremony in Dallas for her incredible record of service to TAB and its members. “I have had the privilege of working with three presidents of TAB, Bill Gray, Dane Harris and Bill Hammond,” said Miller. “When I finally reached 70 years old I think Bill thought I would be here for a lifetime so he offered me retirement in order for me to draw on my pension, that was back when they had those, and work part time. I am sure he did not expect me to keep working so long.”

“It will be hard to imagine the North Texas Chapter of TAB without Monna,” said TAB CEO Bill Hammond. “She has an unparalleled record of service for TAB. Our North Texas members, and indeed our members around the state, have been incredibly lucky to have her for all these years.”

During her time at TAB, Miller even learned things about herself that she didn't know. “I was offered the opportunity to interview for the job as regional manager in 1982 and became the one woman among six men to go out and visit with prospective companies about becoming members of TAB,” said Miller. “I did not realize I was competitive, but I was later told

by one of the sales people they had never seen anyone so competitive.”

She is also grateful for the opportunities she's had over the years. “I have enjoyed these many years and have had the privilege of meeting so many wonderful people,” said Miller. “The Dallas Chapter has had the history of elected politicians as speakers, even those who became President of the United States. Where else would I have ever had the opportunity to meet them? For many years the governors of Texas were speakers at our events.”

Miller says what she will miss the most are the people she has gotten to work with over the years. “I can't



*(L to R) Audrey Mross Dallas Chapter Chair, Monna Miller, Chris Wallace TAB President*

say enough about the good people I have had the privilege of working with as officers of the Dallas, Fort Worth, North Texas and Blackland Chapters,” said Miller. “Without them, my job would have ended many years ago. They are the backbone of TAB and have the association's interest at heart. These people will remain my friends, and I hope to stay in touch.”

We want you to stay in touch, too. Good luck and thank you, Monna.

# Bulls Eye

## *continued from page one*

have to reduce emissions by 39 percent.

Gov. Rick Perry also is promising a fight. “President Obama's decision to impose drastic new restrictions on America's energy industry is the most direct assault yet on the energy providers that employ thousands of Americans, and fuel both our homes and our nation's economic growth,” Governor Perry said. “Americans have seen the disastrous results of federal mandates with Obamacare, and these rules will only further stifle our economy's sluggish recovery and increase energy costs for American families. If President Obama is truly interested in an “all-of-the-above” energy strategy, he would do well to look to states like Texas that have seen tremendous success at diversifying energy sources while protecting the environment from harmful pollutants.”

The governor's office points out that Texas is cleaning up the air right now on its own. The air Texans breathe today is cleaner than it was in 2000, even as our population has grown by nearly 5.2 million people. Furthermore:

- ★ Over the last 10 years, Texas has added more than twice the jobs of any other state;
- ★ Statewide, from 2000-2012, nitrogen oxide levels from industrial sources were reduced by 62.5 percent; and
- ★ From 2000-2012, ozone levels were reduced by 23 percent, a 12 percent greater reduction than the national average.

# MEMBER PROFILE

## Lasco Enterprises – Striving To Revolutionize The Wine Experience

Established by Jerry and Laura Lasco in 2003, Lasco Enterprises has grown to more than 600 employees in seven cities throughout Texas. Lasco Enterprises, LLC is the parent company for MAX's Wine Dive (Houston, Austin, San Antonio, Dallas, Fort Worth, Atlanta and Chicago), The Tasting Room Wine Cafes (Houston), Boiler House Texas Grill & Wine Garden (San Antonio), The Black Door online wine community, and the new Flow Juice Bar in Houston.

At each of their restaurants across the U.S., the talented culinary teams work to provide their guests with the highest quality food and wine experience with classic gourmet comfort food, innovative seasonal dishes, and a diverse selection of fine wines from around the world. Some of MAX's Wine Dive "Classic" menu items include the famed *Southern Fried Chicken* with mashed potatoes, collard greens and Texas toast; the truffle-infused *MAX 'n Cheese*; and the over-the-top *Haute Dog*. The Tasting Room's thin-crust artisan pizzas, charcuterie plates, and Truffle Fries with parmesan, truffle oil, and chives, served with roasted garlic aioli, are all perfect compliments to the hundreds of wines available by the glass, bottle or case.

Taking away the intimidation that can come with the wine selection process, Lasco Enterprises made things simple and focused on taste. The country of origin or variety can be thrown on the back burner. Think about your personal flavor palate and do a wine tasting to be sure. The Lascos know that most people just want to know what they like and be able to order it.

Laura Lasco proudly serves on the board of the Texas Association of Business. "The Texas Association of Business is the most important lobbying group in Texas

for protecting the business-friendly climate in our state." Lasco passionately continues, "Bill Hammond and the leaders at TAB understand the need to invest in education, workers' training, water, transportation and other needs essential for the long term health of our state's economy. As a business owner, I need TAB because they fight unnecessary regulation and taxation which prevent me from growing my business and hiring more Texans."

***"The Texas Association of Business is the most important lobbying group in Texas for protecting the business-friendly climate in our state."***

***- Laura Lasco,  
Vice President, General Counsel  
Lasco Enterprises***

Lasco Enterprises is dedicated to revolutionizing the wine experience through three core values: Being the best, always improving and maintaining trust. The enterprise is committed to supplying a superior and unique wine experience for their patrons, while providing exceptional opportunities for their employees. The fact that they are on numerous best companies lists including *The 100 Best Companies to Work for in Texas* for 2011, 2012 and 2014 recognized by TAB/*Texas Monthly*, proves they are doing just that.



*(clockwise) Jonathan Horowitz, Chief Brand Officer, Partner; Jerry Lasco, Founder, CEO; Laura Lasco, Vice President, General Counsel*



*The Tasting Room in Houston, Texas*

# TAB Takes DC

The Texas Association of Business had one of its most successful National Affairs Conferences in years last month in Washington D.C.

“We were very lucky to hear from many of our Texas elected leaders as well as leaders from around the country,” said TAB CEO Bill Hammond. “It is always good to talk face to face with the people who are making policy for our country. I believe that these kinds of meetings make an impact, by letting our elected officials know the needs of Texas’ business first hand.”

TAB members also addressed the Texas congressional delegation in a series of private meetings in their offices. “TAB has a strong presence year round in our Nation’s Capital,” said Hammond, “but I believe these kinds of meetings are critical to maintain TAB’s leadership position in pushing policies that will directly benefit business in Texas, and the nation.”



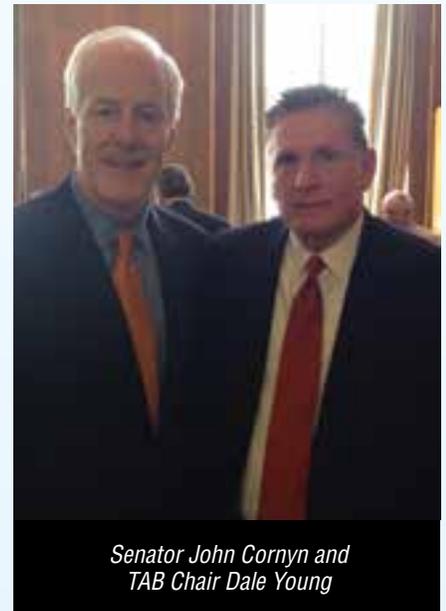
*Senator Rand Paul and  
TAB Chair Elect Terri Ricketts*



*Bret Grahma, Dale Young,  
Rudy Oeftering and Gary Gibson*



*Rep. Joaquin Castro and George Peckman*



*Senator John Cornyn and  
TAB Chair Dale Young*



*Senator Ted Cruz and Dale Young*

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# Talk **About** Business

## We Are Failing on Infrastructure



Bill Hammond, TAB President

The end of the school year means report cards, and the American Society of Civil Engineers recently graded our nation's infrastructure. The grades, especially those for our water and roads, will not get Texas into any honor society or win us any special recognition.

To the contrary, we're dangerously close to failing.

And, given the tremendous growth and population boom Texas continues to experience, the stress, strains and demands on our infrastructure are far more acute.

According to the U.S. Census Bureau, half of the top 10 American cities with the largest population increases in the last 12 months are in Texas. Our state's population is now more than 26 million, and Census estimates suggest we're on track to hit 40 million by 2050.

The attraction to the Lone Star State is without a doubt the strong business climate our leaders and the private sector have worked to create. Yet, there is no doubt that dealing with rapid growth provides many challenges. That is one of the main reasons the Texas Association of Business (TAB) was a strong supporter of last year's

constitutional amendment to support water infrastructure.

Today, TAB is sounding another clarion call on transportation.

The Texas Department of Transportation estimates that it needs about \$5 billion more a year from the state just to maintain the current level of congestion, which is clearly not satisfactory.

There are bright spots in our state when it comes to transportation innovation. The Lone Star State is a leader in public-private partnerships, and we need more global transportation innovators to make long discussed roads a reality sooner, while also putting thousands of Texans to work.

Cintra, and its parent company Ferrovial, have helped Texas maximize limited state dollars to provide new roadways that the state otherwise could not afford. In short, thanks to these private sector partners, the state has been able to maximize its resources eight-fold – enabling creation of new jobs and economic activity in Texas as a result.

In addition to leveraging the power of the private sector, there are other initiatives we should pursue.

For instance: Increasing the state's vehicle registration fee by \$50, ending all non-educational diversions of gas tax money away from transportation projects; and dedicating a portion of the motor vehicle sales tax to road construction and maintenance. We also should support additional options for TxDOT to contract with private companies to design and build non-tolled highways.

At the state level, we must pass this year's transportation funding initiative on the November ballot. That amendment would authorize annual disbursements from the state's oil and gas production tax collections to the State Highway Fund, transferring \$1.4 billion in the first year alone.

At the federal level, Congress must fully fund the Highway Trust Fund. The current system that relies on the federal gas tax is pushing states like Texas even deeper into a crisis for roadway construction and maintenance.

By working together, the public and private sectors can and must address Texas' and our nation's critical infrastructure concerns. The policy and politics of "no" isn't a solution. The time to act and to invest smartly in our future is now.