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News Releases

OCTOBER 31, 2012 WICHITA, KS

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Kansas corporation admits knowingly hiring illegal alien to run McDonald's franchise

WICHITA, Kan. – A Kansas corporation agreed to plead guilty Wednesday to an immigration charge after a federal investigation showed that the manager of one of its McDonald's restaurants in Wichita was an illegal alien. This announcement was made by U.S. Attorney Barry Grissom, District of Kansas.

This guilty plea agreement resulted from an investigation by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), with the assistance of the Social Security Administration's Office of Inspector General.

McCalla Corporation, a McDonald's restaurant franchisee with offices in Wichita, was charged Oct. 31 with one felony count of knowingly accepting a fraudulent identification document offered as proof that an employee was eligible to work. As part of the plea agreement, the corporation agreed to pay a \$300,000 fine, and an additional \$100,000 forfeiture judgment.

The case is the second time in two months that a Kansas company has been charged with knowingly employing illegal workers. In the other case, the owners of two hotels in Overland Park, Kan., and Kansas City, Mo., were charged with knowingly hiring illegal workers for housekeeping jobs.

"ICE is committed to holding businesses accountable when they knowingly hire or retain illegal workers," said Gary Hartwig, special agent in charge of HSI Chicago. "Employers who willfully violate our nation's hiring laws gain an unfair economic advantage over their law-abiding competitors. Our goal is to protect job opportunities for the nation's legal workers and level the playing field for those businesses that play by the rules."

"Businesses that knowingly hire undocumented workers are putting us all at risk," said U.S. Attorney Barry Grissom. "They are creating a marketplace for unauthorized workers who may resort to presenting false documents to gain employment, completing applications for fraudulent benefits and even stealing the identities of legal U.S. workers. Employment is the primary driving force behind illegal immigration. I'm calling on all Kansas employers to strengthen their hiring practices and to help us safeguard this nation by hiring and maintaining a lawful workforce."

According to an affidavit, the investigation began in February 2011 when HSI received information that McCalla Corporation employed illegal workers. McCalla Corporation owns McDonald's restaurants at the following six Wichita locations:

- 1630 S. Hillside
- 11989 E. Kellogg
- 501 E. Pawnee
- 1219 S. Rock Road
- 2418 S. Seneca
- 1645 S. Webb Road

In the plea agreement, McCalla Corporation admitted that in March 2011 the company's director of operations became aware that one of its store managers was using a false Social Security number. The director told the McDonald's store manager she needed to provide him new documents to confirm her eligibility to work.

Two days later, the store manager presented a resident alien identification card. The director knew the new card was not genuine. He knew that it takes weeks, not just two days, for a foreign national to obtain a resident alien card. Nevertheless, he updated her paperwork and McCalla Corporation took no further action concerning her employment. She worked as a store manager for this corporation from May 2009 to September 2012.

Grissom said he expects McCalla Corporation to enter the guilty plea within the next three weeks, as the court's schedule permits.

For more information about how employers can help ensure they hire a legal workforce, visit the U.S. Citizenship and Immigration Services Web site at www.uscis.gov and click on E-verify.

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U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security.

ICE is a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit www.ICE.gov. To report suspicious activity, call 1-866-347-2423 or complete our tip form.