

STATE OF NORTH CAROLINA
COUNTY OF WAKE

FILE NO
211531

COMMISSIONER OF LABOR OF
THE STATE OF NORTH CAROLINA
LUKE FARLEY,

Complainant

ORDER

v.

The Crump Group USA Inc.
4626 Coleman Drive
Nashville, NC 27856

Respondent

THIS CAUSE came on for audio hearing before Kisha Scotton, the undersigned Hearing Officer designated by the Commissioner of Labor of the State of North Carolina in accordance with 13 NCAC 12.0905 on March 18, 2025, for the Respondent's alleged failure to comply with the provisions of Chapter 64, Article 2 of the North Carolina General Statutes entitled "Verification of Work Authorization," commonly known as "E-Verify".

The Complainant was present via telephone through Mark Cliff, Senior Wage and Hour Investigator. The Respondent was present through Tim Lamm, Head of People and Culture of The Crump Group USA Inc.

Pursuant to N.C. General Statute 64-30(l), the Commissioner shall hold a hearing if the investigation reveals that a complaint is not false and frivolous to determine if a violation of N.C. Gen. Stat. 64-26 has occurred, and if appropriate, impose civil penalties in accordance with the Chapter 64, Article 2 of the North Carolina General Statutes.

Based upon the facts and evidence presented at the hearing, and with the due consideration of the contention of both parties, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law and enters an Order accordingly:

FINDINGS OF FACT

- 1) Complainant, Commissioner of Labor for the State of North Carolina hereinafter Commissioner) is charged by law with the responsibility for enforcement of the provisions of the Verification of Work Authorization Act, Chapter 64, Article 2 of the North Carolina General Statutes, (the "Act") as well as regulations adopted pursuant thereto.
- 2) Respondent, The Crump Group USA Inc. dba The Crump Group USA (hereafter Respondent) is a North Carolina corporation doing business in Nashville, North

Carolina. At all times relevant to this matter, Respondent was in the business of pet treats manufacturer called The Crump Group USA Inc, in Nashville, North Carolina.

- 3) Respondent is an employer within the meaning of N.C. General Statute 64-25(4) and all of Respondent's employees referred to in the Complaint are "employees" within the meaning of NC General Statute 64-25(3).
- 4) Respondent at all times relevant to this matter, employed 25 or more employees in North Carolina, as employee is defined in NC General Statute 64-25(3).
- 5) On or about October 8, 2024, Complainant received an anonymous complaint that alleged that Respondent was not verifying the work authorization of its employees as required by Chapter 64, Article 2 of the North Carolina General Statutes.
- 6) Prior to October 8, 2024, the Complainant had not received a complaint against Respondent.
- 7) An Investigator for Complainant investigated the allegation and concluded that the complaint was not false or frivolous.
- 8) A hearing was held on March 18, 2025, to review the investigative case file resulting from the complaint pursuant to NC General Statute 64-30 and 13 NCAC 12.0905.
- 9) Evidence provided by the Respondent to the Hearing Officer prior to the hearing showed that, Respondent enrolled in the "E-Verify" program on July 12, 2023.
- 10) Respondent provided to the Investigator and to the Hearing Officer, prior to the hearing, a list of past and current employees who were and were not authorized through the E-Verify system, which showed that the Respondent did not process E-Verify on current employees and employees no longer employed by the employer within 3 business days.

Based upon the foregoing FINDINGS OF FACT, the undersigned Hearing Officer makes the following:

CONCLUSIONS OF LAW

- 1) The foregoing Findings of Fact are incorporated by reference as Conclusions of Law to the extent necessary to give effect to the provisions of this Order.
- 2) The Respondent is subject to the jurisdiction and provisions of this Act.
- 3) Respondent is required to verify the work authorization of its employees under Article 2 of Chapter 64 of the North Carolina General Statutes.
- 4) The complaint filed against Respondent on October 8, 2024 was not false or frivolous.
- 5) At the time the complaint was filed, Respondent was enrolled in the "E-Verify" system but was not verifying the work authorization of all its employees within three employer business days.

- 6) Since the employer did not verify the work authorization of all employees using E-Verify, the employer was not entitled to the presumption of compliance provided in 13 NCAC 12.0903(a).
- 7) At the time of the hearing, in this matter, Respondent was enrolled in the E-Verify system and has verified the work authorization of the active employees as of the date of this hearing, in the "E-Verify" system.
- 8) Because of the verification of work authorization that occurred between the time the complaint was filed and the hearing, Respondent is now in compliance with the E-Verify requirements for active employees in 2024.

BASED UPON the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED as follows:

- 1) Respondent is hereby ordered to file the enclosed sworn affidavit (Exhibit B) within three (3) business days of this Order as provided in NC General Statute 64-31.

This the 28 day of March, 2025.



Kisha Scotton
Administrator
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served a copy of the foregoing ORDER upon:

The Crump Group USA Inc.
The Crump Group USA
ATTN.: Tim Lamm, Head of People and Culture
4626 Coleman Drive
Nashville, NC 27856

by depositing a copy of the same in the United States Mail, Certified Mail, postage prepaid at
Raleigh, North Carolina.

THIS THE 28 DAY OF March, 2025.



Kisha Scotton
Administrator
Hearing Officer
North Carolina Department of Labor
1101 Mail Service Center
Raleigh, North Carolina 27699-1101
919-707-7980

STATE OF NORTH CAROLINA)
)
COUNTY OF Nash)
)

SWORN AFFIDAVIT
INVESTIGATION 211531

1. I am Tim Lamm, and I hold the position of Head of People + Culture with The Crump Group USA Inc. dba The Crump Group USA (Respondent) in the North Carolina Department of Labor Investigation 211531.
2. I certify that Respondent was required to enroll in E-Verify under Chapter 64, Article 2 of the North Carolina General Statutes.
3. I certify that Respondent enrolled in E-Verify effective 07/12/2023.
4. I certify that an E-Verify check was performed on all active employees.
5. I further certify that Respondent has continued to E-Verify all new employees within three (3) business days of hire.
6. Pursuant to the provisions of 28 U.S.C 1746, I state under penalty of perjury that the foregoing is true and correct.

This the 1st day of April, 2025.


