

Immigration: The Hard Lessons of Hiring Unauthorized Workers

Article By:

Scott T. Decker

Employment of unauthorized workers can have serious consequences for both the workers and the employers who knowingly employ them. This hard lesson was learned last week by the owners of a Chinese restaurant located in the Charleston, South Carolina area.

Dao Ping Lin and his wife Jin Xian Yang owned and operated the Osaka restaurant and **knowingly employed multiple unauthorized workers** at the restaurant. Following an anonymous tip, the U.S. Department of Homeland Security began an investigation and discovered that Mr. Lin and Ms. Yang employed at least five unauthorized workers, housed them in a house owned by Mr. Lin, and transported the workers between the house and restaurant using passenger vans owned by Mr. Lim. Ms. Yang paid the workers in cash, a practice revealed when it was discovered that she was structuring cash withdrawals in the amount of \$9,800 in order to avoid the reporting requirements for bank transactions in excess of \$10,000. In addition, the Internal Revenue Service and the U.S. Postal Service began their own investigations when postal inspectors discovered that Mr. Lin and Ms. Yang bought nearly \$86,000 worth of money orders during two months in 2009. All of the money orders were in amounts just below the \$3,000 limit that triggered reporting requirements.

Under the terms of a plea bargain, Mr. Lin was sentenced to one year and a day in prison and three years of supervised release for willful tax evasion, as well as six months for the pattern or practice of hiring illegal immigrants, with the sentences to run concurrently. Ms. Yang was sentenced to 18 months in prison and three years of supervised release for her role in structuring the bank transactions. In addition, Mr. Lin and Ms. Yang forfeited \$399,619 in cash and a 2008 Infiniti automobile. The unauthorized workers were removed from the United States.

©2025 Greenberg Traurig, LLP. All rights reserved.

National Law Review, Volume IV, Number 296

Source URL: <https://natlawreview.com/article/immigration-hard-lessons-hiring-unauthorized-workers>