**E-Verify Requirements for Federal Contracts**

**Summary:**
There is now a new federal requirement for verification of employment eligibility for certain federal contracts. This requirement applies only to certain federal contracts. You will be notified if your contract has that requirement. Our HR person in engineering is Joan Aston and she will be available and happy to help you.

2. If you have an existing employee (including student) that you would like to assigned for a project with "E-Verify" requirement, you have 30 days to do so. For a new hire that will work on such a project, he/she must be verified within three days of hire.

3. If the person has been e-verified in an early project, there is no need to repeat the verification. HR keeps a record.

**Policy:**
Effective September 8, 2009, Executive Order 13465 as amended by the Federal Acquisitions Regulations (FAR) went into effect. This Executive Order requires that Auburn University confirm through the government’s E-Verify system the employment eligibility of all employees (including any graduate assistants, post Doctoral Fellows, temporary, or student employees) who are performing substantial duties applicable to federal contracts containing the specific FAR clause. The employment eligibility of current employees must be checked within 30 days of being assigned to work on the contract, and new hires must be verified within three days of hire (the same time frame required for I-9 documentation).

The Office of Sponsored Programs will monitor all federal contracts for inclusion of the E-Verify FAR clause and inform the principal investigator, along with the Dean (or other appropriate unit head) and designated HR Liaison when the requirement to E-Verify employees is involved. The principal investigator will be instructed to provide a complete list of all current employees who will be assigned to the contract through their HR Liaison to Human Resources. (Support personnel such as office/clerical workers, unskilled labor staff, or current employees holding certain U.S. Government security clearances or Homeland Security credentials are exempt from this requirement.) Along with this list, a new I-9 document along with photocopies of the required identification documents must be submitted on any current employee who was hired after November 6, 1986. In compliance with E-Verify, if an employee is presenting a List B identity document it must contain a photo. Additionally, the department must notify Human Resources at any point during the contract if they hire any new employees who will be working on the contract or they assign additional current employees to work on the contract at any time during the term of the contract. (Again, any new hires must be verified within three days of their hire if they will be working on a covered Federal contract.)

Once an employee’s eligibility is confirmed via E-Verify, under the current Executive Order that employee will not have to be recertified through E-Verify again. In other words, if someone’s employment eligibility is confirmed in December 2009 and then they are assigned to another federal contract three years later, under the current Executive Order that person would not have to be checked again. We are currently working with the Banner system administrators to create a field in which we can record which of our employees have been confirmed through E-Verify.

The penalties for non-compliance with this contractual obligation include debarment from E-Verify and exclusion from all current and any future federal contracts. Additionally, there are steep fines --$550 to $1,100 per incident--involved if the University continues to employ any individual receiving a final nonconfirmation from the E-Verify system. Finally, improper use of the E-Verify system (such as pre-
screening applicants before an offer of employment is extended and accepted) could subject the University to civil and/or criminal penalties.

If you have any questions about whether or not your contracts fall under the E-Verify requirement, please contact Martha Taylor with the Office of Sponsored Programs at 4-4438. Questions about the E-Verify process itself may be addressed to either Angela Erlandson or Cathy Clark in the Department of Human Resources at 4-4145.