

## **E-verify Legislation**

*July 14, 2011*

Several states have enacted legislation recently that will require employers to verify the employment eligibility of their new hires through the use of the E-verify system, an on-line system that compares the information provided by an employee on the Form I-9 with information from the Department of Homeland Security and the Social Security Administration to determine whether new hires are authorized to work in the United States.

While participation in E-verify is normally voluntary, several states already require employers who do business with state entities to verify the employment eligibility of their employees. More recently, several states have adopted legislation that will require most, if not all, employers to verify the employment eligibility of their employees through E-verify.

WorkLife HR can assist you by providing the verification free of charge. The Human Resources Department is aware of these upcoming requirements and as the deadlines for participation near, will be providing you information on the procedures for submitting Forms I-9 for processing in E-verify. In the interim, we have provided a list below of the states that recently enacted legislation and the requirements for participation.

As always, if you have any questions about this or any other HR matter, please do not hesitate to call the WorkLife Human Resources Department at (888) 880-1027.

### **Louisiana**

Effective August 15, 2011, employers must either use E-verify to check the employment eligibility of its new hires or employees must provide a picture identification and one of the following documents and employers must retain copies in their files: (1) United States birth certificate or certificate card; (2) naturalization certificate; (3) certificate of citizenship; (4) alien registration receipt card; (5) United States immigration form I-94 (with employment authorized stamp). Additionally, employers who have contracts with state or local entities will be required to use E-verify to check the employment eligibility of its employees through the duration of the contract and to ensure any subcontractors also participate in E-verify. We recommend that if you are an employer with Louisiana employees that you participate in E-verify as there is a presumption of good faith and no penalties for an employer "as a result of reliance on the accuracy of the E-verify system." If you are a Louisiana employer and you are either required to participate in E-verify due to a government contract or want to voluntarily participate in E-verify, please let us know by August 1. We will let you know the procedures for us to process the E-verifications on your behalf and set you up on-line.

## **Georgia**

500+ employees – 1/1/2012  
100-499 employees – 7/1/2012  
11-99 employees – 7/1/2013

## **North Carolina**

500+ employees – 10/1/2012  
100-499 employees – 1/1/2013  
25-99 employees – 7/1/2013

## **Tennessee**

500+ employees – 1/1/2012  
200-499 employees – 7/1/2012  
6-199 employees – 7/1/2013

## **Alabama**

All employers – 4/1/2012

IMPORTANT: This document is designed to provide a general overview of the subject. It does NOT attempt to cover all of the law's provisions and should NOT be used as legal advice for implementation activities. We encourage you to seek professional advice, including legal counsel, regarding how the new requirements will affect your specific circumstances.

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