



AUBURN UNIVERSITY

HUMAN RESOURCES

E-Verify Verification for Assigned Employees on Federal Contracts

Corresponding Policy Title: Policy I-9 and E-Verify Verification

Effective:

Procedure Owner: Employee Relations

Last Updated: 1/31/2012

Related Policies: Policy on Verification of New Employee Eligibility for Employment

Responsible University Department: Human Resources – Records unit

Forms:

Procedure Contact: Director, Human Resource Services

I. Procedure Statement

Auburn University is subject to E-Verify verification of all employees (including regular employees, Graduate Assistants, student workers, and temporary employees) performing work related to a federal contract which includes specific Federal Acquisitions Regulations (FAR) language.

II. Procedures

The Human Resources department and the home department will collaborate with the designated University contract office (Office of Sponsored Programs or the Office of Innovation, Advancement and Commercialization) on the required E-Verify compliance of these assigned employees. It is important to note that an E-Verify verification cannot occur more than one time on an employee of Auburn University.

1. Upon the full execution of the grant, a designated representative of OSP or IAC will notify the principal investigator, the Human Resources Liaison, and other appropriate parties of the fully executed date and the inclusion of the E-Verify clause in the contract.
2. Upon notification of the contract execution, the home department will provide a list of **all** Auburn University employees (including names, employee type and Banner number) to campusrelations@auburn.edu that have been assigned to perform work on the contract. There is a requirement that the E-Verify verification occur within thirty days (30) of the contract execution.
3. Human Resources will verify each employee name and the date of the E-Verify verification on file, if any.
4. Human Resources will provide a list and notify the Human Resources Liaison and the designated department administrator that will need to initiate the E-Verify verification.
5. The department will notify the employees that will require an E-Verify to coordinate arrangements for the completion. Standard procedures for completion of the I-9/E-Verify will be followed.

6. All E-Verify actions required will have to be initiated by completion of a new I-9 on the employee in the electronic system to enable the E-Verify verification process.
7. A comment must be included on the record that states, "Completion of E-Verify required due to E-Verify clause inclusion in a federal contract".
8. The hire date on the Form I-9 record will be the contract execution date for record purposes.
9. Human Resources records may need to "Force to E-Verify" if the record does not automatically initiate the E-Verify process. Contact Human Resources records if needed.
10. Principal investigators must inform Human Resources, through their Human Resources Liaison, of names of subsequent current employees assigned to work on covered federal contracts as soon as the assignment has been made. E-Verify actions for the subsequent employees will follow steps 3 – 9 as referenced above.

III. Definitions

- A. Executive Order 13465: Amending Executive Order 12989: Federal departments and agencies must require contractors, as a condition of each future federal contract, to agree to use an electronic employment eligibility verification system to verify the employment eligibility of all persons hired during the contract term and all persons performing work within the United States on the federal contract. Effective September 8, 2009.
- B. Federal Acquisitions Regulations (FAR) E-Verify clause – specific language contained in eligible federal contracts for the requirement of E-Verify for assigned employees performing work on such contracts.
- C. E-Verify: An internet based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.
- D. Assigned employees: individuals performing work directly on the covered federal contract

IV. Sanctions

Risk exposure of not being in compliance may result in fines and inability to allow the employee to continue to work on the federal contract.

V. Forms

Electronic E-Verify system

VI. Related Information

- Policy on Verification of New Employee Eligibility for Employment (in process)
- Procedure for Form I-9 and E-verify Completion (in process)
- Workflow Illustration of Procedure Steps

VII. History

Communicated 9/28/2009 (memo to Deans, Directors and Department Heads)
Internal procedures with OSP and HR only – 1/31/2012

VIII. Frequently Asked Questions

Are there exceptions to employees requiring E-Verify?

Yes, there are exceptions. The Rule exempts individuals who have been:

- Previously verified by the employer under E-Verify;
- Employees who have been granted an active U.S. Government security clearance for access to confidential, secret, or top secret information in accordance with the National Industrial Security Program Operating Manual; or
- Granted Homeland Security Presidential Directive (HSPD)-12 Security clearance

When did this regulation go into effect?

The Executive Order went into effect September 8, 2009 for E-verify of employees assigned to eligible federal contracts.

What if a current employee has a tentative non-confirmation on their E-Verify?

You will follow the established procedures of handling a tentative non-confirmation.

What is the deadline of completing the E-Verify on the identified employees?

You have 30 days from the date the contract is fully executed. The date will be communicated in the memo from the University contract office.

What are the implication or penalty if the E-Verify process is not completed within the specified time frame?

Failure to comply may result in loss of funding by the funding agency and/or fines by the United States Citizenship and Immigration Services enforcement unit.

If the assigned employee is a current employee that needs an E-verify completed, do I complete another Form I-9 in the electronic system to initiate the E-Verify?

Yes, our electronic provider became our third-party agent with the government E-Verify system in April, 2017. Auburn University is unable to directly perform E-Verify verifications outside of the electronic Form I-9/E-Verify system. You can only initiate an E-Verify action by completing a new Form I-9. It is imperative that you include the appropriate comments to document the reason for the action.

When did Auburn University begin to E-Verify ALL new employees?

Auburn University became an all E-Verify institution with the implementation of the electronic system in April, 2017.