E-Verify

What your business needs to know about Georgia's E-Verify Requirements (Effective July 1, 2013)

E-Verify Contractor Requirements
Georgia law, **O.C.G.A. 13-10-91,** requires **all businesses** that contract with a public employer for **labor or services** by bid or by contract (formal or informal) in which the labor or services **exceed $2,499.99** to sign an affidavit attesting that they are registered for and use E-Verify **unless** 1) the contractor has **no employees** (in which case they must present an approved state issued identification card/drivers' license from an approved state as provided on the Attorney General's website) or, 2) the contract is with an individual licensed under Title 26, Tile 43, or the State Bar of Georgia who is in good standing and that individual is performing that service. Anyone your business subcontracts with for labor and services, as well as the subcontractors of your subcontractors, in furtherance of that contract is also subject to this requirement.

How do I register for E-Verify? To register for E-Verify, please visit the DHS website. If you need assistance in completing the registration process or need additional information relating to E-Verify, call their customer service number at 1-888-464-4218, email them at E-Verify@dhs.gov or visit their website at http://www.dhs.gov/e-verify.

Appendix B

E-Verify Affidavit

Georgia Security & Immigration Compliance (GSIC) Act
CONTRACTOR E-VERIFY AFFIDAVIT AND AGREEMENT

Union County Commissioner and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91 and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, *stating affirmatively that the individual, firm, or corporation which is contracting with the Union County Commissioner has registered with and is participating in the federal work authorization program known as "E-Verify", web address https://e-verify.uscis.gov/enroll/* operated by the United States Citizenship and Immigration Services Bureau of the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 [(IRCA), P.L. 99-603], *in accordance with the applicability provisions and deadlines established in O.C.G.A. § 13-10-91.* The undersigned Contractor also verifies that he/she/it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned Contractor agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the Union County Commissioner, Contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees the Contractor will advise the Union County Commissioner of the hiring of a new subcontractor and will provide Union County Commissioner with a Subcontractor Affidavit attesting to the Subcontractor's name, address, user identification number, and date of authorization to use the Federal Work Authorization Program within five (5) days of the hiring before the Subcontractor begins working on the Project. Contractor also agrees to maintain all records of such compliance for inspection by Union County Commissioner at any time and to provide a copy of each such verification to the Union County Commissioner at the time the subcontractor(s) is retained to perform such services.

_____
E-Verify Employment Eligibility Verification User identification Number

_____
Date of Authorization to Use Federal Work Authorization Program

_____
NAME OF CONTRACTOR

_____
Title of Authorized Officer or Agent of Contractor

_____
Signature and Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20_____.

_____
Notary Public

My Commission Expires:_____

** As of the effective date of O.C.G.A. § 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA). Authority O.C.G.A. § 13-10-91. History: Original Rule entitled "Contractor Affidavit and Agreement" adopted F. May 25, 2007; eff. June 18, 2007, as specified by the Agency.*

Appendix B

For use when county departments are obtaining labor or service over $2,499.99 and vendor has no employees
MUST BE ACCOMPANIED BY ID –
See Next Page

CONTRACTOR E-VERIFY EXEMPTION AFFIDAVIT
PURSUANT TO O.C.G.A. 13-10-91(b)(1)(D)(5)

To be used by exempt contractors, sub-contractors and sub-subcontractors

By executing this affidavit, the undersigned contractor, sub-contractor, or sub-subcontractor verifies that it is exempt from compliance with O.C.G.A. 13-10-91, stating affirmatively that the contractor, sub-contractor, or sub-subcontractor has NO EMPLOYEES and does not hire or intend to hire employees for purposes of satisfying or completing the terms and conditions of any part or all of the original contract with Union County Government and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. 13-10-91.

_____
Name of Exempt Contractor / Sub-Contractor / Sub-subcontractor

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on this _____ day of _____, 20_____ in _____ (city),

_____ (state).

_____
Signature of Authorized Officer or Agent of Contractor

_____
Printed Name and Title of of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20_____.

_____
Notary Public

My Commission Expires:_____

Appendix B

All E-Verify exemption affidavits must be accompanied by a state issued identification card/drivers' license from an approved state as provided on the following list established annually by the Georgia Attorney General's Office:

List of states that verify immigration status prior to issuance of a driver's license or I.D. card and only issue to persons lawfully present in the United States, as required by O.C.G.A. 13-10-91(b)(5).

Compliant
Alabama
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Hawaii
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maine
Michigan
Minnesota
Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Vermont
Virginia
West Virginia
Wisconsin
Wyoming

Non-Compliant
Alaska
Idaho
Illinois
Massachusetts
New Jersey
New Mexico
New York
Rhode Island
Utah
Washington

Compliance Verification Pending
Maryland