E-Verify Procedures for Employees Assigned to Work on Federal Contracts that contain the E-Verify Clause

Employees Covered by these Procedures
These procedures apply to all Academic, Staff, and Part-Time employees assigned to work on Federal contracts that contain the E-Verify clause.

A. Introduction

1. Effective September 8, 2009, a United States Presidential Executive Order and a Federal Acquisition Regulation (FAR) rule requires federal contractors to use E-Verify to verify the employment eligibility of employees working on federal contracts that contain the E-Verify clause. E-Verify is an internet-based system operated by the U. S. Department of Homeland Security in partnership with the U. S. Social Security Administration. E-Verify permits participating employers to electronically verify their employees’ eligibility to work in the United States.

2. In July 2011, Indiana University began using a web-based employment eligibility verification system to initiate and complete all Form I-9s and E-Verify. New employees hired to work on a Federal contract with an E-Verify clause are verified.

3. The procedures described herein, therefore, apply only to employees hired before the implementation of the web-based employment eligibility verification system in July 2011.

B. Identifying Covered Positions and Covered Employees

1. Research Administration will determine if a Federal contract contains the E-Verify clause and will enter this information in the Contracts and Grants system.

2. Research Administration will notify the department receiving the contract when a Federal contract subject to the E-Verify clause has been created, or the requirement has been added to an existing contract.

   a. University Counsel will inform departments with which it works on Federal contracts (e.g., Financial Aid, Schools providing Medicare/Medicaid covered services, etc.) if the contract contains the E-Verify clause.

3. IU HR will audit these records on a quarterly basis by confirming E-Verify completion for employees funded by Federal contract accounts.

   a. If an employee without a successful E-Verify check is found to be working on an account with a Federal contract, the department will be notified via e-mail and asked to complete the required form I-9 and E-Verify.

4. The following employees are excluded from these procedures:

   a. Employees hired before November 7, 1986, since they are exempt from completing the Form I-9 and are not to be verified in E-Verify.
b. Employees who have previously been checked by E-Verify.

5. If there is a question about an employee’s hire date or whether an employee has previously been verified through E-Verify, contact the campus Human Resources office or Academic Affairs office.

6. If a current employee is moved through the KFS salary transfer procedures to an account requiring verification in E-Verify, the same review and messaging steps, as described above, will occur.

C. Employing Department Responsibilities

1. If it is determined by the IU HR or campus Academic Affairs office that the employee is to be processed through E-Verify, follow the steps below:

   a. Within 25 calendar days of the employee’s assignment to a covered federal contract, the employing department is to initiate and complete a Form I-9 in the web-based I-9 system.

   b. The E-Verify check is submitted automatically as soon as section 2 of the Form I-9 is completed.

   c. Inform IU HR or Academic Affairs office of the E-Verify results.

   d. Under the law, the employee must be allowed to continue working during the E-Verify process.