

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.