

E-Verify

July 2009

What is E-Verify?

- Free and simple to use internet-based system that allows employers to verify the employees' employment eligibility regardless of citizenship
- Is a partnership between the Department of Homeland Security (DHS) and the Social Security Administration (SSA)
- The U.S. Citizenship and Immigration Services (USCIS) oversees the program

What is E-Verify? (Cont.)

- Allows employers to electronically compare employee information from the Form I-9 against records contained in DHS and SSA databases
- Results are returned within seconds

Reasons to Participate in E-Verify

- The decision for a campus/school/college (hiring site) to participate in E-Verify will depend on the following:
 - The award of a federal contract/sub-contract containing the E-Verify clause
 - The opportunity for a 17-month extension of post-completion Optional Practical Training (OPT) in the Science, Technology, Engineering and Math (STEM) field. OPT is temporary employment that is directly related to an F-1 student's major area of study.

Participant as a Federal Contractor

- Federal Contractor Rule has been delayed until September 8, 2009
- New federal contracts awarded after September 8, 2009 may include language committing government contractors to enroll in E-Verify within 30 days

E-Verify Clause

- E-Verify clause will be included in federal contracts with a period of performance longer than 120 days and a value above the simplified acquisition threshold (\$100,000).

Employees Required to be Verified as a Federal Contractor

- All new employees directly performing work under a federal contract
- All existing employees directly performing work under a federal contract
- Employees intermittently working on a federal contract, including a minimal amount of time

Employees NOT Required to be Verified as a Federal Contractor

- Employees who normally perform support work, such as indirect or overhead functions, and who do not perform any substantial duties under the federal contract

Participant to Extend Appointment of OPT STEM Majors

- All new employees shall be verified
- If hiring site is a federal contractor, must also verify existing employees directly performing work under the federal contract

Posting Requirements

- Notice provided by DHS indicating the University's participation in E-Verify
- Anti-discrimination notice issued by the Office of Special Counsel for Immigration-Related Unfair Employment Practices at the Department of Justice
- Notices shall be available on the Work-at-UH site upon enrollment

Implementation

- Enrollment as a Federal Contractor (no earlier than September 8, 2009)
 - A hiring site has 30 days from the date of contract award to enroll in E-Verify and 90 days from the date of enrollment to complete verification queries of existing employees directly performing working under the contract and to begin verifying newly hired employees assigned to the contract
 - After the 90-day phase-in period, the University will be required to initiate verification queries within 3 business days of the employees' appointment date

Implementation (Cont.)

- Enrollment to extend appointment of OPT STEM major
 - A hiring site may enroll in E-Verify to take advantage of the 17-month extension for OPT STEM majors
 - Dean/Chancellor will decide whether to participate in E-Verify
 - Hiring site has 90 days from the date of enrollment to begin verifying all newly hired employees in E-Verify
 - After the 90-day phase-in period, the hiring site will be required to initiate verification queries within 3 business days of the employees' appointment date

Implementation (Cont.)

- Employee shall be run through E-Verify only once throughout University career, no matter what campus/school/college he/she is employed
- A field in PeopleSoft will be created where personnel reps shall enter the case verification number (confirms that employee was e-verified)

Implementation (Cont.)

- New Administrative Procedure has been drafted and will be shared with campus personnel representatives soon
- Hiring sites interested in enrolling in E-Verify prior to finalization of the Administrative Procedure shall consult with OHR and the campus personnel reps

New Exit Checklist

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When Employees Leave UH

- An Exit Checklist has been developed to remind Personnel Representatives of the actions to be taken when employees leave the University
- A document titled "What you may need to Know as you Leave University of Hawai'i Employment" has been created
 - Provide copy to employees leaving UH service
 - Lists various employee benefits and explains what needs to be done and who to contact

Documents on OHR Website

- Documents may be downloaded at:
 - <http://www.hawaii.edu/ohr/docs/forms/chklist.htm>
- To navigate through the OHR homepage
 - Click "HR Forms"
 - In the "Checklists" section, click "Employee Checklists for New Hires and Separating Employees"
 - See "Exit Checklist for Separating Employees" section for two documents