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 Hourly 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 require 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 to verify all new employees through E-Verify. New employees hired to work on a Federal contract with an E-Verify clause will now be verified under the procedures to E-Verify all new employees.

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

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 and the campus Human Resources and Academic Affairs offices when a Federal contract subject to the E-Verify clause has been created or the clause 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. Upon submission for routing of an HRMS eDoc that affects job funding (for example: Hire, Maintain Job, Maintain Funding, etc.), HRMS will compare the job funding accounts to data in the Contracts and Grants system to determine if any of the accounts are for a Federal contract containing the E-Verify clause.

   a. If no accounts on the eDoc are for federal contracts containing the E-Verify clause, the eDoc will route normally.

   b. If an account on the eDoc is associated with an E-Verify covered contract, an indicator titled “E-Verify” will be displayed next to the account number. Additionally:
i. A warning message will instruct the eDoc initiator to contact their Campus HR office for Staff and Hourly employees or Campus Academic Affairs office for Academic employees to determine whether or not the employee is to be processed through E-Verify. If it is determined that this is required, the eDoc initiator is to follow the procedures described below in section “Employing Department Responsibilities”.

ii. An email will also be generated and sent to the final approver workgroup advising them that this employee is now working on an E-Verify covered account.

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 already been verified through E-Verify.
   c. 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.

5. If a current employee is moved through the FIS salary transfer procedures to an account requiring verification in E-Verify, the same review and messaging steps as described above will occur. (Note: Until Kuali Financials is installed and working within FIS, IU/IE reports will be developed and used to identify salary transfers for employees who have not been processed through E-Verify.)

C. Employing Department Responsibilities

   1. If it is determined by the campus 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 an invitation within the GIS system to the employee to complete section 1 of an on-line Form I-9.
      b. Once section 1 has been completed and within 25 calendar days of the employee’s assignment to a covered federal contract, the employing department must meet with the employee to complete Section 2 of the on-line Form I-9 following the instructions on the GIS system.
      c. The E-Verify process will be initiated automatically as soon as section 2 of the I-9 Form is submitted. Based on the E-Verify results, follow the procedures contained within the “IU Procedures for the Form I-9/E-Verify Process” available on the UHR web site at http://hr.iu.edu/eev/index.html.
      d. Inform the campus Human Resources/Academic Affairs office of the E-Verify results.
      e. Under the law, the employee must be allowed to continue working during the E-Verify process.