



August 2009

E-Verify Goes into Effect on September 8, 2009

On November 14, 2008, a new, final regulation was released amending the Federal Acquisition Regulation (FAR) requiring contractors and sub-contractors to use the E-Verify electronic employment verification system.

The effective date of this regulation has been moved out several times. Based on information from the U.S. Citizenship and Immigration Services' Frequently Asked Questions (June 3, 2009), and confirmed at the recent National Industry Liaison Group (NILG), it is believed that all contractors with federal contracts issued on or after September 8, 2009, must enroll in E-Verify*.

In a nutshell:

- Federal contractors not already enrolled in the E-Verify system have 30 days from the federal contract issuance to enroll and another 90 days to begin using it for new hire verification.
- Contractors already enrolled in E-Verify who are awarded contracts on or after September 8, 2009 need to update their profile in E-Verify.
- Usage of E-Verify also applies to existing indefinite/delivery/indefinite-quantity contracts with more than 6 months remaining and the amount of work is substantial.
- The rule requires federal contractors to use E-Verify for all new employees, regardless of whether the employee is assigned to a federal contract.
- Employees hired after November 6, 1986, classified as "employees assigned to the contract", performing "substantial duties under the contract" must be verified using E-Verify.

For more information on registration and use of E-Verify or to download a user's manual, visit <http://www.dhs.gov/E-Verify>

*Certain contracts are exempt. Log on to the DHS's website for more info.

For More Information Contact:
email: Info@gerstco.com
phone: 800-700-0937