

## **E-Verify**

### **What your business needs to know about Georgia's E-Verify Requirements (Effective July 1, 2013)**

#### **E-Verify Contractor Requirements**

Georgia law, **O.C.G.A. 13-10-91**, requires **all businesses** that contract with a public employer for **labor or services** by bid or by contract (formal or informal) in which the labor or services **exceed \$2,499.99** to sign an affidavit attesting that they are registered for and use E-Verify **unless** 1) the contractor has **no employees** (in which case they must present an approved state issued identification card/drivers' license from an approved state as provided on the Attorney General's website) or, 2) the contract is with an individual licensed under Title 26, Tile 43, or the State Bar of Georgia who is in good standing and that individual is performing that service. Anyone your business subcontracts with for labor and services, as well as the subcontractors of your subcontractors, in furtherance of that contract is also subject to this requirement.

**How do I register for E-Verify?** To register for E-Verify, please visit the DHS website. If you need assistance in completing the registration process or need additional information relating to E-Verify, call their customer service number at 1-888-464-4218, email them at [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov) or visit their website at <http://www.dhs.gov/e-verify>.

## Appendix B

### E-Verify Affidavit

*Georgia Security & Immigration Compliance (GSIC) Act*  
**CONTRACTOR E-VERIFY AFFIDAVIT AND AGREEMENT**

Union County Commissioner and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91 and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, *stating affirmatively that the individual, firm, or corporation which is contracting with the Union County Commissioner has registered with and is participating in the federal work authorization program known as "E-Verify", web address <https://e-verify.uscis.gov/enroll/>* operated by the United States Citizenship and Immigration Services Bureau of the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 [(IRCA), P.L. 99-603], *in accordance with the applicability provisions and deadlines established in O.C.G.A. § 13-10-91.* The undersigned Contractor also verifies that he/she/it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned Contractor agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the Union County Commissioner, Contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees the Contractor will advise the Union County Commissioner of the hiring of a new subcontractor and will provide Union County Commissioner with a Subcontractor Affidavit attesting to the Subcontractor's name, address, user identification number, and date of authorization to use the Federal Work Authorization Program within five (5) days of the hiring before the Subcontractor begins working on the Project. Contractor also agrees to maintain all records of such compliance for inspection by Union County Commissioner at any time and to provide a copy of each such verification to the Union County Commissioner at the time the subcontractor(s) is retained to perform such services.

\_\_\_\_\_  
E-Verify Employment Eligibility Verification User identification Number

\_\_\_\_\_  
Date of Authorization to Use Federal Work Authorization Program

\_\_\_\_\_  
NAME OF CONTRACTOR

\_\_\_\_\_  
Title of Authorized Officer or Agent of Contractor

\_\_\_\_\_  
Signature and Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

*\* As of the effective date of O.C.G.A. § 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA). Authority O.C.G.A. § 13-10-91. History: Original Rule entitled "Contractor Affidavit and Agreement" adopted F. May 25, 2007; eff. June 18, 2007, as specified by the Agency.*

For use when county departments are  
obtaining labor or service over  
\$2,499.99 and vendor has no employees  
**MUST BE ACCOMPANIED BY ID -**  
**See Next Page**

**CONTRACTOR E-VERIFY EXEMPTION AFFIDAVIT  
PURSUANT TO O.C.G.A. 13-10-91(b)(1)(D)(5)**

*To be used by exempt contractors, sub-contractors and sub-subcontractors*

By executing this affidavit, the undersigned contractor, sub-contractor, or sub-subcontractor verifies that it is exempt from compliance with O.C.G.A. 13-10-91, stating affirmatively that the contractor, sub-contractor, or sub-subcontractor has NO EMPLOYEES and does not hire or intend to hire employees for purposes of satisfying or completing the terms and conditions of any part or all of the original contract with Union County Government and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. 13-10-91.

\_\_\_\_\_  
Name of Exempt Contractor / Sub-Contractor / Sub-subcontractor

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_ (city),  
\_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent of Contractor

\_\_\_\_\_  
Printed Name and Title of of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

## Appendix B

**All E-Verify exemption affidavits must be accompanied by a state issued identification card/drivers' license from an approved state as provided on the following list established annually by the Georgia Attorney General's Office:**

List of states that verify immigration status prior to issuance of a driver's license or I.D. card and only issue to persons lawfully present in the United States, as required by O.C.G.A. 13-10-91(b)(5).

### Compliant

Alabama  
Arizona  
Arkansas  
California  
Colorado  
Connecticut  
Delaware  
Florida  
Georgia  
Hawaii  
Indiana  
Iowa  
Kansas  
Kentucky  
Louisiana  
Maine  
Michigan  
Minnesota  
Mississippi  
Missouri  
Montana  
Nebraska  
Nevada  
New Hampshire  
North Carolina  
North Dakota  
Ohio  
Oklahoma  
Oregon  
Pennsylvania  
South Carolina  
South Dakota  
Tennessee  
Texas  
Vermont  
Virginia  
West Virginia  
Wisconsin  
Wyoming

### Non-Compliant

Alaska  
Idaho  
Illinois  
Massachusetts  
New Jersey  
New Mexico  
New York  
Rhode Island  
Utah  
Washington

### Compliance Verification Pending

Maryland