

What Your Business Needs to Know about Georgia's E-Verify Requirements (Effective July 1, 2013)

What is E-Verify?

E-Verify is a federal web-based system that electronically verifies the employment eligibility of newly hired employees. It works by allowing participating employers to electronically compare employee information taken from the I-9 Form (an employee eligibility verification form used for all new hires) against records in the Social Security Administration's database and the Department of Homeland Security database.

Where Do I Find My E-Verify Number?

The department within your organization that is charged with the responsibility of verifying new hire information should have your E-Verify number. Your E-Verify number can also be found on the MOU that your company entered into with the Department of Homeland Security after obtaining your E-Verify number. Your E-Verify number consists of four to six numerical characters. Your Social Security Number or Federal Tax Identification Number/Employer Identification Number (EIN) are not the same as your E-Verify number. Your E-Verify number must be obtained by registering your organization through the Department of Homeland Security website at <http://www.dhs.gov/e-verify>.

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 in which the labor or services exceed \$2499.99 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, Title 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 subcontractors of your subcontractors, in furtherance of your contract with the public employer, is also subject to the e-verify requirement. E-verify affidavits can be found on the Bartow County website.

E-Verify Private Employer Requirements

Georgia law O.C.G.A. § 36-60-6 requires all businesses with more than 10 employees that are seeking an occupation tax certificate/business license or other document required to operate a business with a county or city to sign an affidavit attesting that they are registered for and use E-Verify. Business with 10 or fewer employees are required to sign an affidavit attesting that they are exempt from this requirement. Once a business has provided this affidavit to the county, all subsequent renewals can be provided with the submission of the E-Verify number, as long as it is the same number as provided on the affidavit, or assertion that your business is exempt. The county will provide the format in which renewal information is collected. E-Verify Private Employer and Exemption Affidavits can be found on the Bartow County website.