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I-9 Compliance Bulletin

New Legislation Introduced to Mandate E-Verify

There is a definite trend toward employers being required to use E-Verify® to confirm employment eligibility. As it stands today, when not required by state law or Federal Contracts, employers have the option of voluntarily using the E-Verify system to confirm, proactively, the employment eligibility of new employees. Currently, 27 states require some, or all, employers to use E-verify as part of their hiring programs, and that number will likely trend higher. Already this year, 7 states have introduced bills to mandate the use of E-Verify for all or some employees, which is significantly higher than the past few years.

In addition to state requirements to use E-Verify, there is a federal effort underway that would mandate E-Verify for all U.S. employers. Senator Chuck Grassley recently introduced a bill known as the [Accountability Through Electronic Verification Act \(ATEVA\)](#), to mandate E-Verify in the United States. ATEVA would require employers to use E-Verify or face civil non-compliance penalties of \$1,000 to \$25,000 per violation. Pursuant to the ATEVA, any person or entity that engages in a pattern or practice of violations would be subject to criminal penalties of \$15,000 for each unauthorized alien hired, or face imprisonment for one to ten years, or both. The ATEVA E-Verify mandate would go into effect one year after being signed into law and would also require all existing employees to go through E-Verify within three years of passage.

With [President Trump's focus on immigration reform](#), E-Verify and employer hiring practices will almost certainly be a hot issue for the next four years. How are you currently navigating evolving state required E-Verify mandates? Is your organization prepared to respond to a nationwide E-Verify mandate?

Bottom line

The Equifax I-9 Management E-Verify solution seamlessly integrates with E-Verify to help keep you in compliance. Advanced features include "batch closure" functionality and auto queue features to streamline the process and reduce administrative burden. Additionally, Equifax completes the E-Verify knowledge test on behalf of clients to enable employees to easily access the E-Verify platform.

To learn how Equifax can help your organization, contact Pete Krieshok at pete.krieshok@equifax.com.