Online I-9 Administrators
Job – Aid
Update Existing Employees for Certain Federal Contracts

General Information

Federal contractors and subcontractors are required to begin using the U.S. Citizenship and Immigration Services’ E-Verify system starting September 8, 2009, to verify their employees’ eligibility to legally work in the United States. The new rule implements Executive Order 12989, as amended by President George W. Bush on June 6, 2008, directing federal agencies to require that federal contractors agree to electronically verify the employment eligibility of their employees.

Federal contracts awarded and solicitations issued after September 8, 2009 will include a clause committing government contractors to use E-Verify. The same clause will also be required in subcontracts over $3,000 for services or construction. Contracts exempt from this rule include those that are for less than $100,000 and those that are for commercially available off-the-shelf items. Companies awarded a contract with the federal government will be required to begin using the E-Verify system to confirm that current employees directly working on federal contracts are authorized to legally work in the United States.

Sponsored Projects Administration (SPA) will contact the department’s Administrator and Principal Investigator if the FAR E-Verify clause is in your contract. You must:

- Initiate an Online I-9 verification of all existing employees assigned to the Federal contract that includes the FAR E-Verify clause within either:
  - 90 calendar days of the contract award date, or
  - 30 calendar days of the employee’s assignment to the contract, whichever date is later.

Online I-9 Process

The Online I-9 process for current employees working on a federal contract is the same as for new employees. See the Online I-9 Administrators User Guide, ([http://www1.umn.edu/ohr/prod/groups/ohr/@pub/@ohr/documents/asset/ohr_asset_115734.pdf](http://www1.umn.edu/ohr/prod/groups/ohr/@pub/@ohr/documents/asset/ohr_asset_115734.pdf)) and follow these steps for completion of the Online I-9 and E-Verify:
NOTE: SPA will inform the department of any federal contracts that fit the criteria for completion of Online I-9/E-Verify employment verification.

- Determine which employees are assigned to the contract (directly performing work under the contract).
  - Employees assigned to the contract for a minimal amount of time – intermittently – must also be verified through e-Verify.
  - An employee is not considered to be directly performing work under the contract if the employee normally performs support work, such as indirect or overhead functions, and does not perform any substantial duties under the contract.

- Federal Contractor Verification Timeline
  - **Reminder:** You may only verify employees working in the United States who were hired after November 6, 1986.

<table>
<thead>
<tr>
<th>WHEN DO I VERIFY NEW HIRES?</th>
<th>WHEN DO I VERIFY EXISTING EMPLOYEES ASSIGNED TO A CONTRACT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No later than the 3rd business day after the employee’s start date.</td>
<td>Verify all existing employees (NOT previously verified through E-verify) assigned to a contract within 90 calendar days of contract award OR Within 30 calendar days of employee’s assignment to a contract, whichever date is later.</td>
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- Notify employee to complete Section 1 of the Online I-9 and explain the requirement for current employees assigned to a federal contract to complete the Online I-9/E-Verify process:

<table>
<thead>
<tr>
<th>I-9 Administrator’s Responsibilities – Section 1</th>
<th>Employee Responsibilities – Section 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Inform employee of the timeline to complete the I-9 process</td>
<td>- Complete I-9 Section 1 at Self-service web site hrss.umn.edu</td>
</tr>
<tr>
<td>- Refer employee to I-9 employee link and Reference Guide</td>
<td>- Click on the link I-9 form – new employee</td>
</tr>
<tr>
<td>- Give employee Location code</td>
<td>- Employer code = 13636</td>
</tr>
<tr>
<td>- Start Date – Original hire date at the U</td>
<td>- Use correct location code</td>
</tr>
<tr>
<td></td>
<td>- Use original Start date</td>
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</tbody>
</table>
• **Start Date:** For purposes of completing the Online I-9/E-Verify process to comply with federal contract regulations, use the employee’s original hire date at the University.

<table>
<thead>
<tr>
<th>I-9 Administrator’s Responsibilities – <strong>Section 2</strong></th>
<th>Employee Responsibilities – <strong>Section 2</strong></th>
</tr>
</thead>
</table>
| • Employee presents acceptable identity and work authorization documents  
  • Complete Section 2  
  • Carefully review information for both sections 1 & 2 – correct any errors  
  • Indicate I-9 is verified as part of a federal contract  
  • Successfully Complete I-9 with electronic signature  
  • Add comment | • Review list of acceptable documents for I-9 completion  
  • See I-9 Administrator to show documents and complete Section 2  
  • Carefully review information on both Sections 1 & 2 for errors |

• **Indicate I-9 is part of federal contract:** As part of the Section 2 signature, indicate if the I-9 for an existing employee needs to be E-Verified (as part of a federal contract). This information is also listed on the employee detail page in the delay reason, as well as on the All I-9 report. It demonstrates that the E-Verify transaction was completed on time for a Federal Contractor.

• **Click on Add Comment:** Describe why a current employee is being verified through e-Verify:

  **Short Description:** Federal Contract

  **Comment:** Employee currently working on a federal contract (add any information you feel is pertinent)