

Is E-Verify mandatory in Minnesota?

Q. I have heard rumors that Minnesota employers are now required to use E-Verify. What is this?

A. The E-Verify program is an employment eligibility verification system (EEVS) jointly administered by the U.S. Department of Homeland Security (DHS) and the Social Security Administration (SSA).

Participating employers can use the program to check whether the information provided by an employee on a Form I-9, Employment Eligibility Verification, matches the data contained in the DHS and SSA databases. It is one useful checkpoint for employers verifying an employee's authorization to work in the United States.

On January 7, 2008, Gov. Tim Pawlenty signed Executive Order 08-01, which requires certain Minnesota employers to use E-Verify. Specifically, the order applies to all hiring authorities within the executive branch of the state of Minnesota, as well as to all state vendors with contracts of \$50,000 or more. It also applies to employers receiving business subsidies from the state.

Other private employers are not required to use E-Verify but may do so if they comply with certain conditions. The conditions for using E-Verify include signing a Memorandum of Understanding (MOU) with the federal government that governs how employers may use the verification program.

At present, E-Verify may be used only for new hires (and under the MOU, an employer must agree to use the system for every new hire). Participation in E-Verify is free.

Users can access E-Verify via the Internet at www.vis-dhs.com/employerregistration.