



Legal Alert: New Executive Order Requires Florida Agencies to Comply with E-Verify

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In one of his first official acts after being sworn into office, Florida Governor Rick Scott signed an Executive Order (EO 11-02) requiring all agencies under the direction of the Governor to use the federal E-Verify system to verify the employment eligibility of their current and prospective employees. EO 11-02 imposes similar E-Verify requirements on state contractors and encourages agencies not under the direction of the Governor to use the E-Verify system. A copy of the Order, signed January 4, 2010, is available at http://www.flgov.com/wp-content/uploads/2011/01/scott.eo_two.pdf. EO 11-02 is effective immediately.

The federal E-Verify system is an Internet based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees. While the E-Verify system is mandatory for qualified federal contractors, it was voluntary for state agencies in Florida until the Governor signed EO 11-02.

Additionally, Governor Scott signed EO 11-01 suspending all state agency rulemaking and creating the Office of Fiscal Accountability and Regulatory Reform to review all proposed and existing state agency rules and regulations. EO 11-01 prohibits agencies from issuing new rules except at the direction of the Office. The Office is to review current and proposed agency rules to determine whether they negatively impact job availability and/or the business climate in Florida. EO 11-01 also prohibits state agencies, for a period of 90 days from the date of the Order, from executing a contract in excess of \$1 million without obtaining prior approval from the Office. A copy of EO 11-01 is available at http://www.flgov.com/wp-content/uploads/2011/01/scott.eo_one.pdf.

Governor Scott also signed two other Executive Orders on January 4, one establishing the Office of Open Government and creating the Governor's Code of Ethics and the other reaffirming the commitment to diversity in government.

If you have any questions regarding these orders or other labor or employment issues, please contact the Ford & Harrison attorney with whom you usually work.