

E-Verify Rule Timeline (updated for new effective date)

Starting Point: Award of a Contract With the Clause

The timeline for contractor obligations begins with the award of a contract that includes a contract clause entitled Employment Eligibility Verification, found at FAR 52.222-54. This should be the first contract over \$100,000 awarded after September 8, 2009, the effective date of the rule. (I'm assuming that the contractor does not enroll in the e-Verify program before it is required to do so.)

Within 30 Days of Award: Enroll in the e-Verify Program

The contractor is required to enroll in the e-Verify program within **30 days of award** of a contract containing the Employment Eligibility Verification clause.

Within 90 days of Enrollment, Begin Verifying Employment

The contractor is required to verify the employment eligibility of the following employees **within 90s of enrollment**:

1. All new employees.
2. All employees "assigned to the contract." "The contract" means the contract that includes the Employment Eligibility Verification clause. "Assigned to the contract" means directly performing work under the contract.

Note: An employee is not considered to be directly performing work under a contract if the employee:

- (1) Normally performs support work, such as indirect or overhead functions; and
- (2) Does not perform any substantial duties applicable to the contract.

Note: Employees subsequently assigned to the contract must be verified within 30 days of being assigned to the contract.

Note: Employees who were hired before November 6, 1986, or who have an active security clearances or who have had background checks and credentials HSPD-12 do not have to be verified.