Davis Technical College
E-Verify Employment Eligibility Authorization

Effective Date: 1 April 2009
Employee Input Team Approval: 11 March 2009
President's Council Approval: 17 March 2009
Board Approval: 26 March 2009

1. Purpose

The purpose of the Davis Technical College (College) E-Verify Employment Eligibility Authorization policy is to comply with State and Federal laws requiring that all employees of the College are authorized to work in the United States. This policy establishes and defines procedures and responsibilities to ensure workers are treated equitably when using E-Verify. Notice is given to employees and applicants regarding the College's use of E-Verify, Photo Screening, and their rights under the program.

2. References

2.1. Davis Technical College Criminal Background Checks Policy and Procedures

2.2. Davis Technical College Hiring Policy and Procedures

2.3. Utah Code §63G-11-103 Status Verification System

3. Definitions

3.1. E-Verify - The E-Verify system is a program run by the Federal Department of Homeland Security (DHS) and the Social Security Administration (SSA). This is an electronic system that compares employee's information against government records to ensure they are eligible to work in the United States.

4. Policy

4.1. Notices - The College will post the English and Spanish versions of the E-Verify Participation and Right to Work posters. These will be displayed in plain view at hiring sites to inform prospective employees that the College is participating in the E-Verify Employment Verification Program.

4.2. Screening - Employment eligibility queries will be initiated for newly hired employees only after they have completed the DHS Form I-9. The College will not use E-Verify to screen job applicants or to re-verify employment eligibility.

4.3. Timeline - The College will make verification inquiries for newly hired employees within three business days of their hire date.

4.4. Non-Discrimination - The College will not discriminate or use E-Verify selectively, but will verify all new employees regardless of national origin, citizenship, or immigration status.

4.5. Right to Contest - In the event the College is notified of a Tentative Non-Confirmation, the employee will be provided with the printed referral letter from E-Verify so they may contest the non-confirmation. No adverse action will be taken against the employee, including suspension or termination, while he or she contests a Tentative Non-Confirmation, even if the matter is not resolved within ten federal government work days. Employment will be terminated if the College is issued a final non-confirmation or if the employee chooses not to contest and therefore self-terminates.

5.   **Procedures**

5.1.   Responsibility - The E-Verify system will only be accessed by trained and authorized personnel in the Human Resources department.

5.1.1.   Confidentiality - Those who have access to the E-Verify system and the records generated will take steps to secure the privacy of employees' personal information. Employee records and work eligibility issues should only be disclosed to those people directly impacted, and the information will be limited to the relevant case details.

5.2.   Documentation Requirements - Employees are permitted to present any document or combination of documents acceptable by law, as defined on the DHS Form I-9. All "List B" identity documents must bear a photograph and the employee must document their social security number on the form. The College will not require that the employee use certain documentation for Form I-9 or E-Verify purposes.

5.3.   Notification - When the College receives a Tentative Non-Confirmation they will notify the employee and provide them with an opportunity to contest. The notification letter will include instructions to visit the SSA office within 8 working days, in an effort to resolve their case.

5.3.1.   The College will not take any adverse action against an employee based upon E-Verify unless the program issues a final non-confirmation, or, if the employee chooses not to contest the non-confirmation they may not remain employed and will be considered "self-terminated".