North Carolina Among States Requiring Employers to Enroll in E-Verify

The North Carolina Legislature passed a bill that requires all private employers with more than 25 employees to use the federal online E-Verify program to verify the employment authorization of newly hired employees. E-Verify is a free internet-based system that allows employers to determine employment authorization by checking an employee’s documentation against Department of Homeland Security and Social Security Administration databases. Employers enroll in E-Verify at https://e-verify.uscis.gov/enroll/.

This new E-Verify law, signed into law in 2011, required North Carolina counties and cities to register and participate in E-Verify by October 1, 2011. Private sector employers' participation in E-Verify is being phased in more slowly, according to the employer's size:

- Employers with 500 or more employees were required to participate by October 1, 2012;
- Employers with 100 or more employees were required to participate by January 1, 2013; and
- Employers with 25 or more employees will be required to participate by July 1, 2013.

Businesses will not be required to verify the employment eligibility of current employees unless the employer has been awarded a federal contract on or after September 8, 2009 that contains the Federal Acquisition Regulation (FAR) E-Verify clause.

Civil penalties for violations of North Carolina's E-Verify law are assessed by the NC Commissioner of Labor and range from $1,000 to $10,000.

The federal government has added E-Verify Self-Check which permits an employee or prospective employee to check his or her employment eligibility, just like an employer would when it uses E-Verify. E-Verify Self-Check also provides information to the employee on how to correct any problems. The E-Verify Self-Check website is https://selfcheck.uscis.gov/SelfCheckUI/start.html.