

Immigration Blog

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Texas Agencies Ordered to E-Verify (state contractors are off-the-hook)

By Kevin Lashus on June 11, 2015

Texas Governor Greg Abbott signed a bill (S.B. 374) into law June 10, 2015, that requires state agencies in Texas to use the E-Verify system to check that new employees are authorized to work in the U.S.

E-Verify, managed by U.S. Citizenship and Immigration Services, compares information filled out by job applicants on an I-9 form with Social Security Administration and Department of Homeland Security records.

S.B. 374 authorizes the Texas Workforce Commission to monitor how the various state agencies sign-up for and implement E-Verify. Critically, the bill does not apply to private companies that contract with state agencies. The law will take effect on Sept. 1.

The bill will ensure that taxpayer-funded state paychecks are issued only to those eligible to work in the U.S., Abbott said in a statement.

“By rightfully prioritizing the needs of our own workforce and certifying employability at public agencies, Texas can — and will — keep Texans working and our economy growing for generations to come,” Abbott said.

Abbott’s predecessor, Governor Rick Perry, and Presidential hopeful, issued an executive order in December mandating the use of E-Verify by state agencies, but it did not have the enforcement mechanism that the Texas Workforce Commission will provide. That order also required state agency contractors to participate in E-Verify, and, like the Executive Order issued by President Bush amending the federal acquisition regulation, would have compelled private contractors to E-Verify their entire workforce. Some agencies in Texas were including Perry’s amended obligations in state contracts issued after January 1, 2015.

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