Immigration Compliance and Reporting Requirements
For Local Education Agencies
Before we get started.. Let’s see what you know....
Let’s Play Kahoot IT
Agenda

- Compliance Statistics
- Analytics
- Compliance Requirements
- Reporting Requirements
- Reporting System
- Resources
- Q&A
Thank you for your efforts to comply with reporting requirements.
We did some analytics
And this is what we found...
88% of LEAs Reported Doing Business with Vendors that Fell Under Title 13 Requirements
Examples of expenses reported by LEAs that had "Nothing to Report"

- Expenses with Law Firm
- Consulting Services
- Electrical Services
- Land Surveyors
- Tree Surgeon
- Body Shop
- Engineering Services
- IT Services
- Construction Company Services
- Waste Management Services
- Roofing Company Services
What is the Takeaway?

The LEAs are doing a great job of submitting their immigration reports.

Increased Emphasis is needed to assess what needs to be reported.
Title 13
Compliance Requirements
Two Public Employer Requirements under O.C.G.A. §13-10-91

• must register and participate in the federal work authorization program to verify employment eligibility of all new hires.

• May not enter into a contract for the “physical performance of services” unless the contractor registers and participates in the federal work authorization program.
Verification of New Hires

Use E-Verify to confirm employment eligibility of all new hires.

Complete verification process within 3 days of a person’s employment.

Will receive results within 24-36 hours of verification request.

E-Verify administered by the U.S. Customs and Immigration Service. website is: https://www.uscis.gov.
• A public employer cannot enter into a contract for the physical performance of services unless the contractor registers and participates in the Federal Work Authorization Program.

Federal Work Authorization Program is commonly referred to as: E-Verify!
Physical Performance of Services

• Defined as...the performance of labor and services using a bidding process or by contract wherein the labor or services exceed $2,499.99.
  • Includes routine operation, repair, and maintenance of existing structures;
  • Includes services needed for normal operations.

Per the Attorney General.... A Purchase Order is a Contract.
Exceptions

- Individual licensed pursuant to Title 26 or Title 43 of OCGA or by the State Bar of Georgia
- Contracts between two public employers
Documenting Contractor Compliance

• Obtain a notarized affidavit that states...
  • The contractor uses the federal work authorization program
  • The contractor will continue to use program for duration of contract
  • E-Verify number and date of authorization
• Affidavit required even if contractor only has one employee

Locate Affidavit at:
http://www.audits.ga.gov/NALGAD/section_3_affidavits.html
Contractor Affidavit under O.C.G.A. § 13-10-91(b)(l)

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and

g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers’ licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

Federal Work Authorization User Identification Number ____________________________

Date of Authorization ____________________________

Name of Contractor ____________________________ Name of Project ____________________________

Name of Public Employer ____________________________

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on ______, _____ 20____ in ________, _______ (city), ________ (state).

Signature of Authorized Officer or Agent ____________________________

Printed Name and Title of Authorized Officer or Agent ____________________________

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF __________, 20____.

NOTARY PUBLIC
My Commission Expires: ____________________________
Retained for 5 years

New affidavit required each time you contract with a vendor

Obtain affidavit in advance of awarding the bid

Contractors must obtain similar affidavits from sub-contractors (must be submitted to public employer within 5 days of receipt)
Contractors with No Employees

Entities must still verify eligibility to work in the United States

Would not have E-Verify Number

Affidavit not required

Verify through Driver’s License or State ID

AG’s Office maintains list of states that verify eligibility through its driver’s license process.
Statewide Contracts

For statewide contracts, DOAS obtains E-Verify Number and affidavit.

Entities can use information obtained by DOAS.

E-Verify Affidavit located in TGM (within the attachments)

Entities must still include on annual report.
Title 13
Reporting Requirements
Title 13
Reporting Requirements

Requirements outlined in O.C.G.A. §50-36-4 (d) (2) and (3).

Reports due no later than December 31st of each year.

Reporting period is December 1 – November 30.

System will open on November 1st.

Include every contractor hired that meets the definition of “physical performance of services.”

Every entity must submit a report, even if they have no contracts defined as “physical performance of services.”
Report Must Include…

1. Name and Address of Contractor
2. Yes/No Response of Whether Contractor Must Submit E-Verify Number
3. E-Verify Number if Required
4. Date of Contract
Requested Optional Information

1. Contract Number
2. Contract Amount
### Example of File Layout

<table>
<thead>
<tr>
<th>Name of Contractor</th>
<th>Contractor Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
<th>Contractor E-verify #</th>
<th>Exempt</th>
<th>Date of Contract</th>
<th>Contract Number</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Tree Service</td>
<td>20 North Rd</td>
<td>Decatur</td>
<td>GA</td>
<td>30030</td>
<td></td>
<td>Y</td>
<td>5/4/2013</td>
<td>21345</td>
<td>3500.00</td>
</tr>
<tr>
<td>A Good Company</td>
<td>123 Dover St</td>
<td>Destin</td>
<td>FL</td>
<td>32147</td>
<td>78544</td>
<td>N</td>
<td>12</td>
<td>45000.00</td>
<td></td>
</tr>
<tr>
<td>XYZ Company</td>
<td>44 Right way</td>
<td>Albany</td>
<td>GA</td>
<td>39999</td>
<td>11235</td>
<td>N</td>
<td>25</td>
<td>7800.00</td>
<td></td>
</tr>
<tr>
<td>John Doe</td>
<td>PO Box 222</td>
<td>Savannah</td>
<td>GA</td>
<td>31417</td>
<td></td>
<td>Y</td>
<td></td>
<td>99</td>
<td>100000.00</td>
</tr>
</tbody>
</table>
Tips to Facilitate Title 13 Reporting...

- Plan Ahead
  - Know what account codes may involve services to be reported
  - Have a process for identifying vendors at the front-end
  - Have a process in place for gathering/storing affidavits
- Review completed affidavits to ensure they are complete and E-Verify Number meets criteria
- Keep a spreadsheet throughout the year to include information that needs to be reported.
Filing Your Annual Report
Collection System

• DOAA uses a web-based system to collect reports.

• Access system at: https://www.audits.ga.gov/auth
Collection System - Points to Remember

- Must have an account to access collection system.
- May access multiple applications or entities under an account.
- Employees have the accounts, not the entities.
- Multiple employees within an entity may have an account.
Your user name is your e-mail address.
Below are the applications you currently have access to. Click the tile to enter the system.

To request access to an application click the tile below. Once you have access it will appear in the area above.

You have access to all applications
Immigration Collection System

Please select from the following sections to begin:

Section 1
- Please Enter / Confirm your E-Verify #

Section 2
- Title 13: E-Verify Contractor Reporting

Section 3
- Title 36-60-6: Issuance/Renewal of Business Licenses
- Title 36-80-23; Sanctuary Policy

Section 4
- Title 50: Public Benefit Reporting

Status
- Need Response
- Need Response
- Not Required
- Need Response
- Need Response

For Technical Support please call 404-732-9199 or email webmaster@audits.ga.gov
This information will be pre-populated. Just verify and hit “confirm.”
Section 2 – Contractor Report

Title 13: E-Verify Contractor Reporting -- Step 1 of 3

During the reporting period (Dec 1, 2017 through Nov 30, 2018) did you enter into any contracts for the physical performance of services as defined in OCGA 13-10-90?

Yes ☐ No ☐

Next
If Entity Responds “No”

If an agency does not have any contracts that meet the definition of “physical performance of services,” the agency must report that in the system.
If Entity Responds “Yes”

- There are two ways to enter contractor information:
  - Upload a CSV file or
  - Directly enter data into the system.
Automatic Upload Into System

Option 1: Upload a file:

Please select a file:

\atl-fs\groups\admin\ADM

Browse...

Upload
Direct Entry of Information into System

Title 13: E-Verify Contractor Reporting -- Step 2 of 3

Add New E-Verify Contractor Report Record

- Legal Name of Contractor
- E-Verify Number
- Legal Address of Contractor
- City
- Contract Number
- Contract Date
- Contract Amount
- State
- Zip

For Technical Support please call: 404-792-9100 or email webmaster@audits.ga.gov
Your Data – In Working Form

Browse Screen:

Once you input or upload data, you will be able to look at your records (10 per page) on the screen.

<table>
<thead>
<tr>
<th>Name</th>
<th>EVerify Number</th>
<th>Exempt</th>
<th>Date of Contract</th>
<th>Contract Number</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Good Company</td>
<td>78544</td>
<td>No</td>
<td></td>
<td>12</td>
<td>$45,600</td>
</tr>
<tr>
<td>John Doe</td>
<td></td>
<td>Yes</td>
<td></td>
<td>99</td>
<td>$100,000</td>
</tr>
<tr>
<td>The Tree Service</td>
<td></td>
<td>Yes</td>
<td>5/4/2013</td>
<td>21345</td>
<td>$3,500</td>
</tr>
<tr>
<td>XYZ Company</td>
<td>11236</td>
<td>No</td>
<td></td>
<td>26</td>
<td>$7,600</td>
</tr>
</tbody>
</table>

Information is Valid

Information is invalid and should be corrected before you confirm.
Your Data - Finalized

Green flags indicate information meets all validation checks.

Organization: Audits and Accounts, Department of
Submission Period: 2018

Your organization has entered into contracts for the physical performance of services as defined in OCGA 13-10-90 during the reporting period (Dec 1, 2017 through Nov 30, 2018).

<table>
<thead>
<tr>
<th>Name</th>
<th>E-Verify Number</th>
<th>Exempt</th>
<th>Date of Contract</th>
<th>Contract Number</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-20 Services LLC</td>
<td>1241344</td>
<td>No</td>
<td>06/30/18</td>
<td>25563</td>
<td>$6,750.00</td>
</tr>
<tr>
<td>20-20 Services LLC</td>
<td>1241344</td>
<td>No</td>
<td>08/21/18</td>
<td>25650</td>
<td>$3,750.00</td>
</tr>
<tr>
<td>20-20 Services LLC</td>
<td>1241344</td>
<td>No</td>
<td>10/10/18</td>
<td>25679</td>
<td>$8,160.00</td>
</tr>
<tr>
<td>20-20 Services LLC</td>
<td>1241344</td>
<td>No</td>
<td>11/28/18</td>
<td>25708</td>
<td>$7,692.74</td>
</tr>
<tr>
<td>Alivia Capital, LLC</td>
<td>774328</td>
<td>No</td>
<td>01/24/18</td>
<td>25409</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>American Cleaning Corp</td>
<td>460589</td>
<td>No</td>
<td>07/11/18</td>
<td>25578</td>
<td>$2,892.00</td>
</tr>
<tr>
<td>Automotive Rentals Inc.</td>
<td>714060</td>
<td>No</td>
<td>07/11/18</td>
<td>25577</td>
<td>$2,949.84</td>
</tr>
<tr>
<td>Becker Professional Development Corporation</td>
<td>16506</td>
<td>No</td>
<td>07/23/18</td>
<td>25611</td>
<td>$18,100.00</td>
</tr>
<tr>
<td>CDWG LLC</td>
<td>109477</td>
<td>No</td>
<td>02/20/18</td>
<td>25425</td>
<td>$23,561.20</td>
</tr>
</tbody>
</table>
Title 13: E-Verify Contractor Reporting -- Step 3 of 3

Your organization has entered into contracts for the physical performance of services as defined in OCGA 13-10-90 during the reporting period (Dec 1, 2012 through Nov 30, 2013).

You have input a total of 2 record(s) for Title 13.

When complete, please click "Confirm" button. Note: you will not be able to modify your selections after clicking "Confirm".

[Buttons: Back, Confirm]
Title 13: E-Verify Contractor Reporting -- Step 3 of 3

Your organization has entered into contracts for the physical performance of services as defined in OCGA 13-10-90 during the reporting period (Dec 1, 2016 through Nov 30, 2017).

You have input a total of 40 record(s) for Title 13.

The process for Title 13 section has been completed by Shannon Horner on 12-08-2017 8:32 AM.

If you clicked "Confirm" by mistake, please contact ImmHelp@audits.ga.gov for assistance.
Other Reporting Requirements

- Confirm E-Verify Number
- Public Benefits Report
- Sanctuary Policy
Need Resources?

“Integrity, Independence, Initiative and Accountability”

The Department of Audits and Accounts exists to provide decision-makers with credible management information to promote improvements in accountability and stewardship in state and local government.

Greg S. Griffin
State Auditor

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► Illegal Immigration and Enforcement Act
► Award of Distinction

Contact Us
Need more information? Access this section for key contact information for our various programs and services.
Illegal Immigration Reform and Enforcement Act

Important information and News

- Auditine and Accounts cannot provide legal advice or legal assistance
- SUBMITTING REPORT: The Immigration and Collection System is now open, please see FAQ and INSTRUCTIONS for help.
- The submission system spreadsheets will no longer be accepted
- Download our quick reference sheet

Reporting Requirements and Resources

Contact

Frequently Asked Questions

Information about Reform Act

Enforcement Review Board Information

Submission Instructions and Videos
Need Assistance?

FAQ Page

Submission Instructions

Guidance from the Attorney General

immhelp@audits.ga.gov
Georgia Attorney General’s Office
https://law.Georgia.gov/resources/immigration-reports

Georgia Municipal Association’s Guidebook

Department of Homeland Security – Information Regarding E-Verify
https://www.e-verify.gov

Department of Homeland Security – Information Regarding SAVE
https://www.uscis.gov/save
My Contact Information

Carol Schwinne
Director of Administration
Department of Audits and Accounts
Schwinne@audits.ga.gov
404-463-2670
Thank you!

Any questions?
Thank You