



**Georgia Security and Immigration Compliance Act
Federal Work Authorization Contractor Affidavit
FREQUENTLY ASKED QUESTIONS AS OF July 28, 2013**

- 1. Q: What is another name for the Federal Work Authorization program?**
A: The program is also known as the E-Verify program as administered by the Department of Homeland Security.
- 2. Q: Which contractors are exempt from the Affidavit requirement?**
A: Georgia law, **O.C.G.A. § 13-10-91**, requires **all businesses** that contract with a public employer for **labor or services** by bid or by contract in which the labor or services **exceed \$2499.99** to sign an affidavit attesting that they are registered for and use E-Verify **unless**

 - 1) The contractor has **no employees** (in which case the contractor must present an approved state issued identification card/drivers' license from a state which verifies lawful immigration status prior to issuing identification card/drivers' license).

Or

 - 2) The contract is with an individual licensed and in good standing under Title 26, Title 43, or the State Bar of Georgia (in which case the contractor must present a statement of exemption based on the appropriate Title). The list of Title 26 and Title 43 exempt contractors is shown below.
- 3. Q: Does MCSD need one affidavit per vendor?**
A: The affidavits are project-based. MCSD will need a new affidavit for every new contract entered into with the contractor.
- 4. Q: What is E-Verify?**
A: E-Verify is a federal web-based system that electronically verifies the employment eligibility of newly hired employees.
- 5. Q: Where can a contractor find their E-Verify Number?**
A: The Human Resources Department of the contractor's business should have the E-Verify number, if the company has registered. A contractor can register for E-Verify at the Department of Homeland Security website <http://www.dhs.gov/e-verify>.
- 6. Q: Is the Federal Tax/Employer Identification Number (EIN) the same as the E-Verify Number?**
A: No.



List of Title 26 and Title 43 Exempt Contractors

Title 26:

- Food – meat, poultry, dairy, eggs, bread, grains, fish/seafood & soft drinks
- Drugs and cosmetics/pharmacists at pharmacies
- Drug abuse treatment and education programs

Title 43:

- Accountant
- Architects
- Athlete Agents
- Ga. Athletic & Entertainment Commission
- Athletic Trainers
- Auctioneers
- Barbers
- Professional Counselors, Social Workers, and Marriage and Family Therapists; Psychologists
- Operators of Billiard Rooms
- Professional Boxing
- State Board of Cemeterians
- Chiropractors
- Cosmetologists
- Dentists and Dental Hygienists
- Disabled Veterans and Blind Persons Engaging in Peddling, Operating Businesses or Practicing Professions
- Ignition Interlock Device Providers
- Instructors in Driver Training and Operators of Driver Training Schools
- Electrical contractors, Plumbers, Conditioned Air Contractors, Low-Voltage Contractors, & Utility Contractors
- Professional Engineers & Land Surveyors
- Firearm Dealers
- Charitable Solicitations
- Funeral Directors & Establishments, Embalmers & Crematories
- Geologists
- Hearing Aid Dealers & Dispensers
- Registration of Immigration Assistance Act
- Operators of Hotels, Inns & Roadhouses
- Industrial Hygiene, Health Physics, & Safety Profession Recognition & Title Protection
- Junk Dealers
- Landscape Architects
- Librarians
- Massage Therapists
- Operators of Motor Vehicle Racetracks
- Music Therapy



- Nurses
- Nursing Home Administrators
- Occupational & Physical Therapists; Speech/Language Pathologists & Audiologists
- Dispensing Opticians
- Optometrists
- Pecan Dealers & Processors
- Peddlers & Itinerant Traders
- Physicians, Acupuncture, Physician Assistants, Cancer and Glaucoma Treatment, Respiratory Care, Clinical Perfusionists, and Orthotics and Prosthetics Practice
- Podiatry
- Dealers in Precious Metals & Gems
- Operators of Private Detective Businesses and Private Security Businesses
- Real Estate Appraisers, Brokers & Salespersons
- Residential & General Contractors
- Scrap Metal Processors
- Snow Skiing Safety
- Persons Engaged in Structural Pest Control
- Transient Merchants
- Used Motor Vehicle & Used Motor Vehicle Parts Dealers
- Dealers in Used Watches
- Veterinarians & Vet Technicians
- Water and Wastewater Treatment Plant Operators and Laboratory Analysts

Additional questions can be submitted to Amy Callahan, Director of Purchasing, 706-748-2349, callahan.amy.j@muscogee.k12.ga.us