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Compliance Bulletin

Illinois amends E-Verify requirements for employers using designated agents

The Illinois Department of Labor has revised its E-Verify attestation form to accommodate employers using designated agents such as TALX to submit queries to E-Verify, the federal system for verifying eligibility to work.

Under the new attestation form, employers using designated agents are no longer required to take the computer based E-Verify training provided by the Department of Homeland Security. The new form also extends the date by which the form must be completed.

The Illinois DOL site [states](#): “Employers directly enrolled in the federal E-Verify Program (or other employment eligibility verification systems) must complete and maintain the required attestation form by January 30, 2010. Employers using a Designated Agent approved by the Department of Homeland Security (DHS) have until February 28, 2010 to complete and maintain the required attestation form.”

Under Illinois' E-Verify law, employers using E-Verify directly are required to attest that they have received the E-Verify training materials from DHS, and all those administering the program have completed the DHS-provided Computer Based Tutorial. Employers are also required to attest that they have posted the E-Verify anti-discrimination notice in a conspicuous place, and keep the signed attestation and training certificate available for inspection by the Illinois DOL.

The requirements to post the anti-discrimination notice and to keep the signed attestation available apply whether the employer is using a designated agent or not. Employers using a designated agent must still attest that personnel using E-Verify via a designated



agent have familiarized themselves with the E-Verify User Manual, and are aware of the restrictions on its use.

For more information about the changes, or to consult further on these issues with a TALX representative, please respond to compliance.bulletin@talx.com with “IL attestation form” in the subject line.

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