

PUBLIC WORKS EMPLOYMENT VERIFICATION ACT

In accordance with Act of July 5, 2012 (P.L. 1086, No. 127), known as the “Public Works Employment Verification Act” (43 P.S. 167.1 et. seq.), CONTRACTOR and subcontractors (if any) shall verify employment eligibility. An employee is an individual hired by CONTRACTOR or a subcontractor for whom CONTRACTOR or subcontractor is required by law to file a Form W-2 with the Internal Revenue Service. The Act does not apply to material suppliers for projects.

CONTRACTOR and subcontractors shall participate in EVP and shall, subject to the requirements of Federal law governing the use of EVP, use EVP to verify employment eligibility of each new employee (EVP is the E-Verify Program operated by the Department of Homeland Security that electronically verifies employment eligibility for employees). The Department of General Services of the Commonwealth shall post on its publicly accessible Internet website information regarding the requirements of Federal law governing the use of EVP. In conducting the verification required, CONTRACTOR and subcontractors shall not discriminate against an employee on the basis of race, ethnicity, color or national origin.

As a precondition of being awarded a contract for a Public Work, as defined in the Pennsylvania Prevailing Wage Act, 43 P.S. 165.1 et. seq.; or with respect such a contract that was awarded prior to the effective date identified in Section 20 of the Act but has not yet been executed, prior to the execution of the contract, CONTRACTOR shall provide OWNER with a verification form described in Subsection (c) of Section 4, acknowledging its responsibilities under and its compliance with Section 3 of the Act. Contracts between CONTRACTOR and subcontractors shall contain information about the requirements of the Act.

Prior to commencing work on a public works project, subcontractor(s) shall provide the OWNER with a verification form described in Subsection (c) of Section 4 of the Act acknowledging subcontractor’s responsibilities and compliance with Section 3 of the Act. Contracts between a subcontractor and its subcontractors shall contain information about the requirements of the Act.

The verification required by Section 4 of the Act shall be in a form prescribed by the Secretary of General Services of the Commonwealth and shall be posted on the Internet, and shall comply with the following additional requirements:

- 1) The statement shall include a certification that the information in the statement is true and correct and the individual signing the statement understands the submission of false or misleading information in connection with the verification shall subject the individual and the CONTRACTOR or subcontractor, as the case may be, to sanctions provided by law.
- 2) The statement shall be signed by a representative of the CONTRACTOR or subcontractor, as applicable, who has sufficient knowledge and authority to make the representations and certifications contained in the statement.

The Public Works Employment Verification Form is on the next page.

COMMONWEALTH OF PENNSYLVANIA
PUBLIC WORKS EMPLOYMENT VERIFICATION FORM

Date _____

Business or Organization Name (Employer) _____

Address _____

City _____ State _____ Zip Code _____

Contractor Subcontractor (check one)

Contracting Public Body _____

Contract/Project No _____

Project Description _____

Project Location _____

As a contractor/subcontractor for the above referenced public works contract, I hereby affirm that as of the above date, our company is in compliance with the Public Works Employment Verification Act ('the Act') through utilization of the federal E-Verify Program (EVP) operated by the United States Department of Homeland Security. To the best of my/our knowledge, all employees hired post January 1, 2013 are authorized to work in the United States.

It is also agreed to that all public works contractors/subcontractors will utilize the federal EVP to verify the employment eligibility of each new hire within five (5) business days of the employee start date throughout the duration of the public works contract. Documentation confirming the use of the federal EVP upon each new hire shall be maintained in the event of an investigation or audit.

I, _____, authorized representative of the company above, attest that the information contained in this verification form is true and correct and understand that the submission of false or misleading information in connection with the above verification shall be subject to sanctions provided by law.

Authorized Representative Signature