

E-VERIFY and STEM-OPT AT NYU

WHAT IS E-VERIFY?

E-Verify is an online system through which employers electronically verify employees' eligibility to work in the United States using information employees provide on I-9 forms against the Social Security Administration and Department of Homeland Security databases. Federal regulations (*FAR 52.222-54*) require organizations with federal contracts that contain Federal Acquisition Regulations and have a value of more than \$100,000, and federal subcontracts with a value of more than \$3,000, to verify the employment eligibility of *all* new employees through the E-Verify system.

However, colleges and universities are permitted to choose to E-Verify only employees who are actually working under covered **federal contracts and subcontracts** rather than all new employees through an exception granted to institutions of higher education that have federal contracts and subcontracts. Employees working on federal grants are not vetted through E-Verify under this exception.

NYU has many employees working under federal grants, but very few employees working on covered federal **contracts and subcontracts**. We have therefore chosen to take advantage of the higher education exception, and are only performing E-Verify queries for employees who are working on covered federal **contracts and subcontracts**.

F-1 STEM-OPT EXTENSIONS AND E-VERIFY AT NYU:

F-1 OPT benefits accruing from STEM fields are only available to individuals who work for employers who fully participate in the E-Verify Program by performing E-Verify queries for all newly hired employees.

Since NYU performs E-Verify queries only for employees working on federal contracts and subcontracts, but not for employees working under federal grants and not for all new hires, international students in F-1 Post OPT who are employed at NYU are not eligible for the special STEM extension of OPT.