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.

Rebecca Holland/NYU Office of Compliance and Risk Management/Feb. 3, 2014