



North Carolina's Version of E-Verify Signed Into Law

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Governor Purdum has signed into law North Carolina's version of E-Verify. Under the new law, which takes effect over a period of years as described below, all employers with 25 or more employees working in North Carolina are required to use the federal E-Verify database to determine whether new hires are authorized to work. The requirement does not include an employer's existing employees ? only new hires after the effective date(s). It also excludes from coverage seasonal temporary employees who are employed for 90 or fewer days during a 12-consecutive-month period.

The law will be phased in over a period of two years. For employers that employ 500 or more employees, the effective date is October 1, 2012. For employers that employ 100 or more but less than 500 employees, the effective date is January 1, 2013. For employers that employ 25 or more but less than 100 employees, the effective date is July 1, 2013.

Unlike federal legislation requiring federal contractors to use E-Verify, the new law covers all employers with 25 or more employees in North Carolina ? not just those with state, county or municipal contracts. Failure to comply with the new law may result in fines and penalties including revocation of state business licenses. Consequently, employers should become familiar with the law as quickly as possible.

Our recent *Client Alert* discussing the application of the E-Verify program in Arizona can be accessed at <http://www.williamsmullen.com/supreme-court-upholds-arizona-e-verify-law-new-national-landscape-for-employers-06-01-2011/>.

Related People

- William J. Benos ? 804.420.6402 ? bbenos@williamsmullen.com
- George H. Bowles ? 757.473.5341 ? gbowles@williamsmullen.com

- Lawrence H. Bryant ? 757.629.0712 ? lbryant@williamsmullen.com
- Stephen W. Burke ? 757.473.5332 ? sburke@williamsmullen.com
- David C. Burton ? 757.473.5354 ? dburton@williamsmullen.com
- Kelly C. Hanley ? 919.981.4008 ? khanley@williamsmullen.com
- Monroe "Mike" Kelly, III ? 757.473.5378 ? mkelly@williamsmullen.com
- Robert E. Korroch ? 757.629.0624 ? rkorroch@williamsmullen.com
- Gilbert C. "Gib" Laite, III ? 919.981.4046 ? glaite@williamsmullen.com

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