

## Immigration Compliance Exemption Memo

**DATE:** November 2016

**TO:** All FCSS Employees authorized to enter into contracts or issue purchase orders.

**CC:** Rick Gunn, Dr Bearden

**FROM:** Brad Richardson

**RE:** Updated Immigration Compliance Process-----Exemption Protocol

The purpose of this Memo is to clarify the FCS internal process for handling and processing exemptions under current State of Georgia Immigration law (SB 160- O.C.G.A. § 13-10-91). Please see notes below regarding exemptions under Title 43 or Title 26 and/or exemption by "No Employees".

- While the law does not require FCS to submit records of contracts where the person/organization are exempt under SB160, there should still be an obligation of the end user department and/or the originator of the Contract/Purchase Order to verify exemption status (to ensure FCS remains in compliance of reporting requirements).
- Thus- FCS has modified the *"Affidavit of Exemption"* for internal use only. You are not required to submit this form to the State or to the Purchasing department, but is offered as a tool for internal department use to ensure compliance with applicable law.
- Whether you choose to use this form or another internal protocol, records of verification should be kept with any applicable contract information.
- Regarding Exemption of "No Employees"- similarly, the law does not require submission of Contract/PO's with an organization of less than 2 employees and the associated requirements under the statute. However, it does require FCS to obtain the Driver's License information as proof.
- Thus- FCS has modified the *"Affidavit of No Employees"* for internal use only. You are not required to submit this form to the State or to the Purchasing department, but is offered as a tool for internal department use to ensure compliance with applicable law.
- Whether you choose to use this form or another internal protocol, records of verification should be kept with any applicable contract information.