



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2023-2340, **Version:** 1

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A resolution approving a Memorandum of Understanding between the United States Department of Homeland Security and the Metropolitan Government of Nashville and Davidson County, for participation in the E-Verify Program.

WHEREAS, E-Verify is an internet-based system operated by the United States Department of Homeland Security that allows enrolled employers to confirm the eligibility of their employees to work in the United States; and,

WHEREAS, the Memorandum of Understanding attached hereto sets forth the terms and conditions employers will follow to participate in the E-Verify program; and,

WHEREAS, the Metropolitan Department of Human Resources recommends the utilization of E-Verify to facilitate compliance with requirements of employment eligibility verification, and wage and tax reporting; and,

WHEREAS, Tennessee Code Annotated Section 12-9-104 provides that intergovernmental agreements may be approved by Resolution; and,

WHEREAS, it is in the interest of the citizens of the Metropolitan Government of Nashville and Davidson County that the E-Verify Memorandum of Understanding between the United States Department of Homeland Security and the Metropolitan Government of Nashville and Davidson County, attached hereto, be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the E-Verify Memorandum of Understanding between the United States Department of Homeland Security and the Metropolitan Government of Nashville and Davidson County, attached hereto and incorporated herein, is hereby approved and the Director of Human Resources is authorized to execute the same.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This resolution approves a Memorandum of Understanding (“MOU”) between the United States Department of Homeland Security (“DHS”) and the Metropolitan Government for participation in the E-Verify Program.

The E-Verify Program is an internet-based system that is operated by DHS and allows enrolled employers to confirm the eligibility of their employees to work in the United States. Pursuant to the MOU, Metro agrees to display a notice of participation in the E-Verify Program and a Notice of Right to Work in a prominent place clearly visible to prospective employees and employees who are to be verified through the program. E-Verify cannot be used for pre-employment screenings of job applicants and Metro is prohibited from creating an E-Verify case before an employee has been hired. Metro agrees to use E-Verify for all new hires. Metro agrees that the information it receives from E-Verify will only be used to confirm the employment eligibility of employees. E-Verify services will be provided to Metro at no cost. The MOU will be in effect for as long as the

Social Security Administration and DHS operate the E-Verify program, unless modified by the parties.

*Fiscal Note: There are no service fees charged to Metro for access and use of E-Verify under this agreement.*