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Pennsylvania Expands Mandatory E-Verify Use to Entire Construction Industry

by [Jamie Lipsitz](#)

Pennsylvania recently passed noteworthy new legislation known as the Construction Industry Employee Verification Act (the “Act”). The Act requires all employers in the construction industry to use E-Verify, a free government database, to confirm the eligibility of their employees to work in the United States. For purposes of the Act, “construction industry” encompasses those engaged in erection, reconstruction, demolition, alteration, modification, custom fabrication, building, assembling, site preparation, and repair work or maintenance done on real property or premises under a contract, including work for a public body or work paid for from public funds. Any individual, entity, or organization that operates within the expansive broadly defined “construction industry,” transacts business in Pennsylvania, and employs at least one employee in Pennsylvania must comply with the Act. Failure to use E-Verify when hiring new employees may ultimately result in the loss of a company’s license to do business in Pennsylvania. The Act takes effect across Pennsylvania in October, 2020.

Several other states have enacted similar E-Verify laws that apply to all or some employers. For those outside of Pennsylvania, the Act serves as a good reminder to review your state’s regulations and ensure that E-Verify procedures are in place where required.