

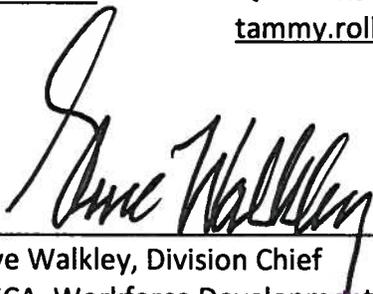
ALABAMA WORKFORCE INVESTMENT SYSTEM

**Alabama Department of Economic and Community Affairs
Office of Workforce Development
401 Adams Avenue
Post Office 5690
Montgomery, Alabama 36103-5690**

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2011-11, Change 1

SUBJECT: Alabama Immigration Law Compliance Guidelines

- 1. Purpose.** This Directive transmits the most recent version of the Certificate of Compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act.
- 2. Discussion.** On May 18, 2012, Governor Bentley signed into law Act 2012-491, which made amendments to the Beason-Hammon Alabama Taxpayer and Citizen Protection Act. On July 5, 2012, the Department of Finance, Office of the State Comptroller, issued a memorandum containing guidance for state agencies concerning the Act. The Act continues to impose conditions on the award of State contracts, grants, and incentives. However, the requirement for an affidavit swearing to the required condition was deleted and the limitation to within the State of Alabama was added. A new certification replacing the affidavit is now required for contracts, grants, and incentives issued on or after July 5, 2012.
- 3. Action.** Please ensure that the most recent version of the above-referenced Certificate of Compliance is completed and accompanies the E-Verify MOU with each agreement for which this Law applies.
- 4. Contact.** Questions regarding this information should be directed to Tammy Rolling at tammy.rolling@adeca.alabama.gov or via phone at (334) 242-5667.



Steve Walkley, Division Chief
ADECA, Workforce Development Division

1/9/2014

Date

Attachments

Certificate of Compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535, as amended by Act 2012-491)

State of _____)

County of _____)

CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by Act 2012-491)

DATE: _____

RE: Contract/Grant/Incentive (describe by number or subject):

_____ by and between
_____ (Contractor/Grantee) and
_____ (State Agency, Department, or Public Entity)

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of _____ with the Contractor/Grantee named above, and is authorized to provide representations set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by Act 2012-491) which is described herein as "the Act".

2. Using the following definitions from Section 3 of the Act, select and initial either (a) or (b), below, to describe the Contractor/Grantee's business structure.

BUSINESS ENTITY

Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. "Business Entity" shall include, but not be limited to the following:

a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.

b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

EMPLOYER

Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

_____ (a) The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

_____ (b) The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.

3. As of the date of this Certificate, Contractor/Grantee does not knowingly employ an unauthorized alien within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama;

4. Contractor/Grantee is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Certified this _____ day of _____ 20 _____

Name of Contractor/Grantee/Recipient

By: _____

its _____

The above Certification was signed in my presence by the person whose name appears above, on this

_____ day of _____ 20 _____

WITNESS: _____

Printed Name of Witness