E-Verify®

Employment Eligibility Verification

E-VERIFY IS A SERVICE OF DHS AND SSA

Purpose

- Discuss changes and program enhancements.
- Establish and maintain a dialogue with E-Verify Employer Agents.
- Initiate periodic web-conferences for E-Verify Employer Agents.

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Agenda

1. E-Verify Overview
2. E-Verify Employer Agent Overview
3. Using E-Verify
4. E-Verify Recent Enhancements
5. Employee Rights
6. What's Hot in E-Verify
7. Contact Information

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What is E-Verify?

No cost Internet based system

Fast and easy to use

Electronically verifies the employment eligibility of

- Newly hired employees
- Existing employees assigned to work on a qualifying federal contract

Partnership between the U.S. Department of Homeland Security and the Social Security Administration

What is E-Verify?

E-Verify is not…

…a system that provides immigration status

…used for prescreening

…a safe harbor from worksite enforcement

E-Verify Program Goals

- **Reduce** unauthorized employment.
- **Minimize** verification related discrimination.
- Be **quick and non burdensome** to employers.
- **Protect** civil liberties and employee privacy.

Who is an E-Verify Employer Agent?

- E-Verify Employer Agent (EEA) formerly known as *Designated Agent*.

- EEA's provide a verification service to client companies enrolled in E-Verify.

E-Verify Usage

More than 265,000 employers are enrolled and use E-Verify at over 900,000 hiring sites

- **9 million cases created in FY 2009**
- **More than 16 million cases created in FY 2010**
- **More than 10 million cases created to date in FY 2011**
- **1,400 new enrollees per week**

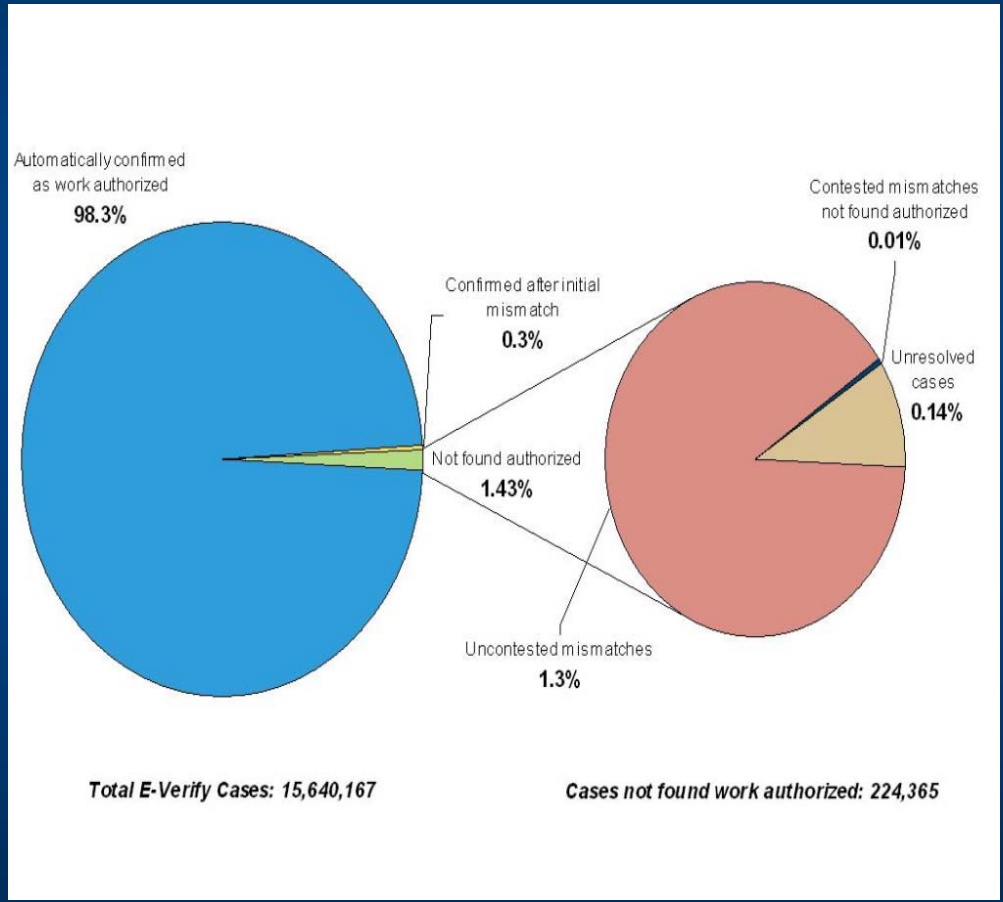
E-Verify Employer Agent Statistics

- In FY 2010, EEAs created about 5 million cases.
- In FY 2011, EEAs have created over 3.5 million cases.

Performance

- 98.3% are automatically confirmed as “work authorized” instantly or within 24 hours - requiring no employee or employer action

- The remaining 1.7% receive initial system mismatches
  - 0.3% are later confirmed as work authorized after contesting and resolving the mismatch
  - 1.43% are not found work authorized



Responsibilities of an EEA

Provide user information to E-Verify Program staff:

- **EEAs must sign up all users within the company that will do verifications.**

All users must comply with MOU:

- **Users must have individual passwords,**
- **Unauthorized users must not have access,**
- **All users must take tutorial, including refresher tutorials, and**
- **Cases must be created in E-Verify within three business days of employees' start date.**

Add your company as a client (company) to do verifications on your employees.

Provide E-Verify and Office of Special Counsel posters to clients.

Responsibilities of an EEA – Remind Your Clients

- Obtain SSN for all employees.
- All List B documents must contain a photo.
- Copies must be made of Permanent Resident Cards, Employment Authorization Documents, U.S. passports/passport cards.

Your Client's Responsibilities

- Unless your client is a *federal contractor whose contract contains the FAR E-Verify Clause,* you can only use E-Verify to verify new hires.
- Complete Form I-9 for all employees, and obtain "A Number" for Permanent Resident and Alien Authorized to Work attestations.
- Display E-Verify and Office of Special Counsel posters.
- Must apply E-Verify policies and procedures **to** ALL new hires, regardless of citizenship status.

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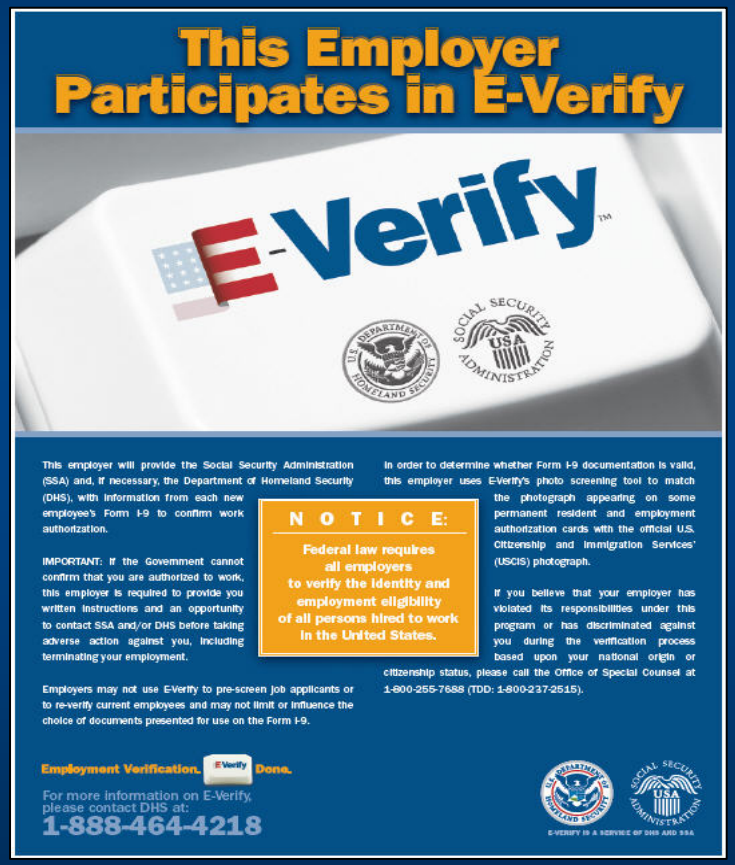
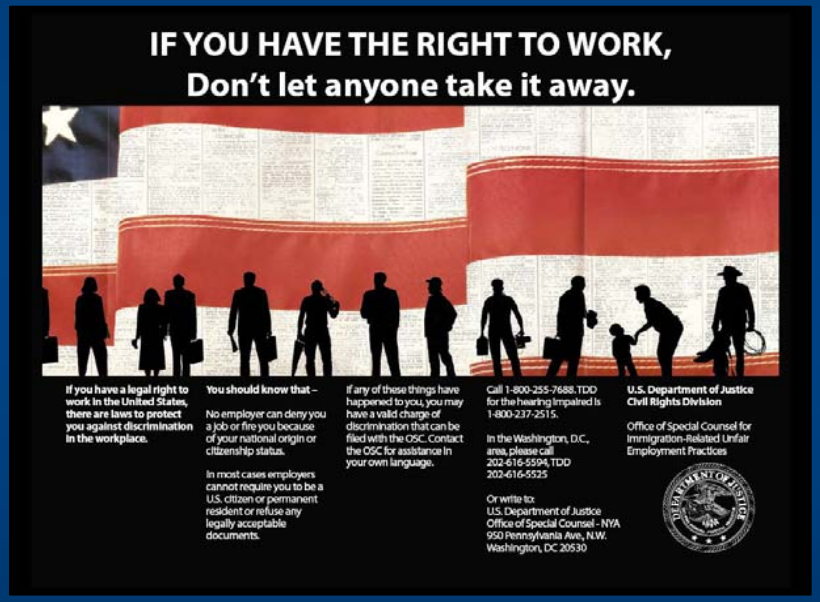
Posters





EEA Reference Materials

- E-Verify Memorandum of Understanding for EEAs
- E-Verify Memorandum of Understanding for Client Employers of EEAs
- E-Verify User Manual for EEAs
- E-Verify Quick Reference Guide for EEAs
- Handbook for Clients of EEAs

Find publications at: **www.dhs.gov/E-Verify**

Form I-9, Employment Eligibility/E-Verify

- Information from the Form I-9 is entered into E-Verify.
- Use the most current version of the Form I-9 (Rev. 02/02/09 or 08/07/09 Exp. 08/31/2012).
- Form I-9 must include the employee's social security number before the case can be created in E-Verify.
- If employee chooses to present a List B document, it must contain a photograph.
- You must continue to update Form I-9 as required, and reverify the employment authorization status, even if you use E-Verify.
- For more I-9 information, visit **www.uscis.gov/I-9Central**.

When to E-Verify

You must enter Form I-9 information into E-Verify for all newly hired employees **no later than the third business day after the employees' start date.**

E-Verify

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Initial verification results will indicate:

Employment Authorized	SSA Tentative Nonconfirmation	DHS Verification in Process
The employee is authorized to work.	There is an information mismatch.	DHS will usually respond within 24 hours with either: **Employment Authorized** or **DHS Tentative Nonconfirmation.**

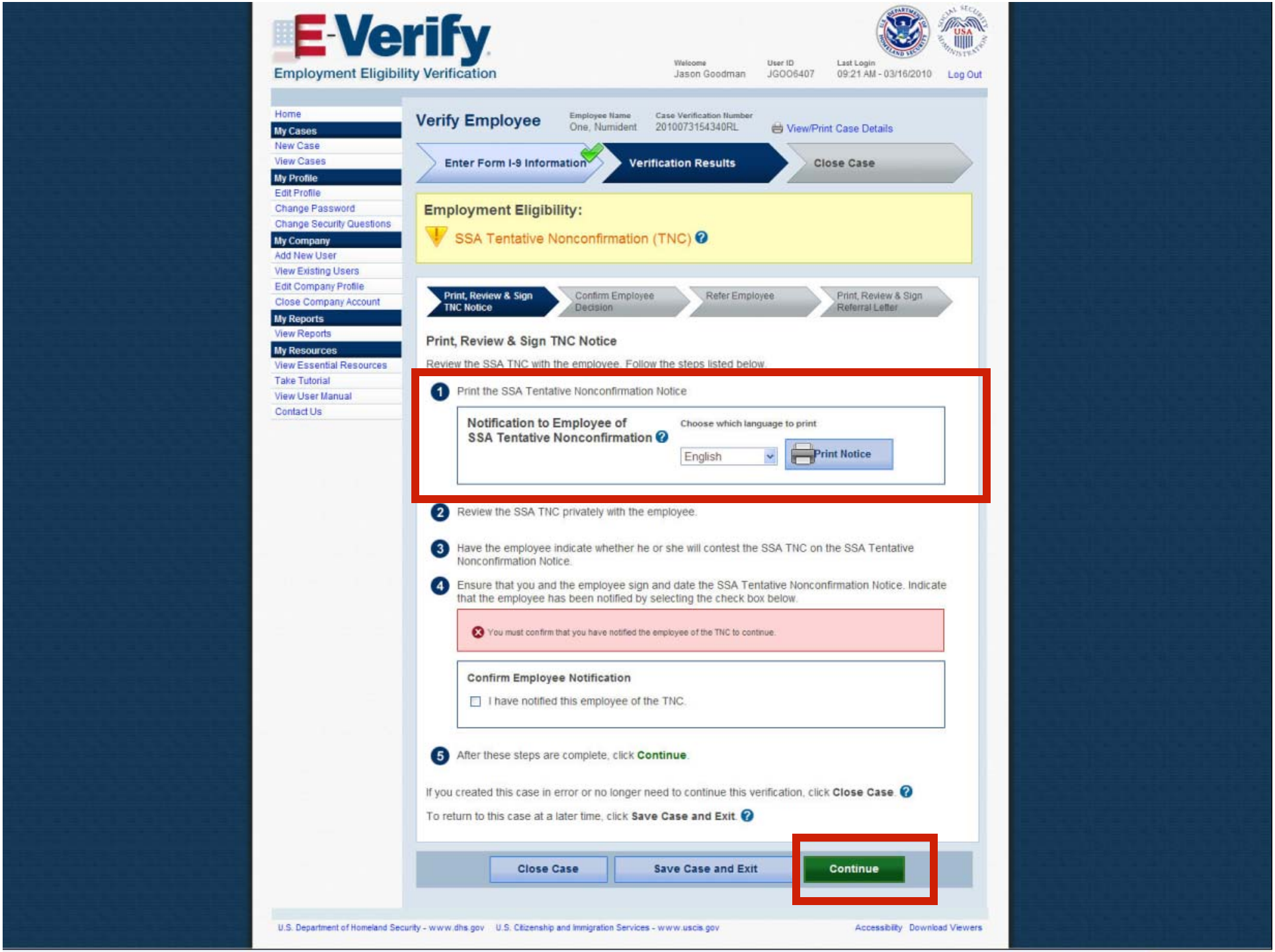
Handling a TNC – Client Reminder

- **Client/representative must inform** the employee of the TNC.
- **Client/representative must print** the TNC Notice and **review** it with the employee.

CONTEST	NOT CONTEST
Refer employee to appropriate agency	You may terminate the employee and close the case in E-Verify

Handling a TNC – Client Reminder

- The employee has **eight federal government workdays** from the referral date to visit or call the appropriate agency to begin resolution process.
- The **employee continues to work** during the TNC resolution process.
- During the TNC process, DO NOT take any adverse action against the employee.


E-Verify
Employment Eligibility Verification
Welcome
Jason Goodman
User ID
JGOO6407
Last Login
09:21 AM - 03/16/2010
Log Out
Home
My Cases
New Case
View Cases
My Profile
Edit Profile
Change Password
Change Security Questions
My Company
Add New User
View Existing Users
Edit Company Profile
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us
Verify Employee
Employee Name
One, Numident
Case Verification Number
2010073154340RL
View/Print Case Details
Enter Form I-9 Information
Verification Results
Close Case
Employment Eligibility:
SSA Tentative Nonconfirmation (TNC)
Print, Review & Sign TNC Notice
Confirm Employee Decision
Refer Employee
Print, Review & Sign Referral Letter
Print, Review & Sign TNC Notice
Review the SSA TNC with the employee. Follow the steps listed below.
1 Print the SSA Tentative Nonconfirmation Notice
Notification to Employee of SSA Tentative Nonconfirmation
Choose which language to print
English
Print Notice
2 Review the SSA TNC privately with the employee.
3 Have the employee indicate whether he or she will contest the SSA TNC on the SSA Tentative Nonconfirmation Notice.
4 Ensure that you and the employee sign and date the SSA Tentative Nonconfirmation Notice. Indicate that the employee has been notified by selecting the check box below.
You must confirm that you have notified the employee of the TNC to continue.
Confirm Employee Notification
I have notified this employee of the TNC.
5 After these steps are complete, click Continue.
If you created this case in error or no longer need to continue this verification, click Close Case
To return to this case at a later time, click Save Case and Exit.
Close Case
Save Case and Exit
Continue
U.S. Department of Homeland Security - www.dhs.gov
U.S. Citizenship and Immigration Services - www.uscis.gov
Accessibility
Download Viewers

E-Verify
Employment Eligibility Verification
Welcome
Jason Goodman
User ID
JGOO6407
Last Login
02:36 PM - 03/15/2010
Log Out
Home
My Cases
New Case
View Cases
My Profile
Edit Profile
Change Password
Change Security Questions
My Company
Add New User
View Existing Users
Edit Company Profile
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us
Verify Employee
Employee Name
Test, Mike
Case Verification Number
2010074154157AE
View/Print Case Details
Enter Form I-9 Information
Verification Results
Close Case
Employment Eligibility:
Employee Referred to SSA
Print, Review & Sign TNC Notice
Confirm Employee Decision
Refer Employee
Print, Review & Sign Referral Letter
Print, Review & Sign Referral Letter
This employee was referred to SSA on March 15, 2010. The employee must visit a SSA field office within 8 federal government workdays. To complete the referral process follow the steps below.
1 Print the SSA Referral Letter.
SSA Referral Letter
Choose which language to print
English
Print Letter
2 Review the SSA Referral Letter privately with the employee.
3 Ensure that you and the employee sign and date the SSA Referral Letter.
4 Give the employee the signed SSA Referral Letter. The employee will need to bring the letter to the SSA field office.
5 After you complete these steps, click Continue.
If you created this case in error or no longer need to continue this verification, click Close Case.
To return to this case at a later time, click Save Case and Exit.
Close Case
Save Case and Exit
Continue
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Change Security Questions
My Company
Add New User
View Existing Users
Edit Company Profile
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us
Verify Employee
Employee Name
Test, Mike
Case Verification Number
2010074154157AE
View/Print Case Details
Enter Form I-9 Information
Verification Results
Close Case
Employment Eligibility:
Employee Referred to SSA
Print, Review & Sign TNC Notice
Confirm Employee Decision
Refer Employee
Print, Review & Sign Referral Letter
Check for Case Status Updates
This employee was referred to SSA on March 15, 2010. The employee has until March 25, 2010, to visit a SSA field office.
E-Verify will update the employee's case status by March 29, 2010. E-Verify will alert you to an update through the case status alert feature on the E-Verify home page. Be sure to log in to E-Verify periodically — you'll need to close the case once it is updated with a final status.
To reprint the SSA Referral Letter, click Reprint Letter.
SSA Referral Letter
Choose which language to print
English
Reprint Letter
To return to the E-Verify home page, click E-Verify Home.
If you created this case in error or no longer need to continue this verification, click Close Case.
To begin a new case, click New Case.
E-Verify Home
Close Case
New Case
U.S. Department of Homeland Security - www.dhs.gov
U.S. Citizenship and Immigration Services - www.uscis.gov
Accessibility
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TNC Resolutions

You should check E-Verify periodically for one of the following responses:

Employment Authorized
Review and Update Employee Data
Case in Continuance
DHS Verification in Process
DHS No Show
Final Nonconfirmation

Photo Matching

Allows you to match the photo on an employee's:

- Form I-766 (Employment Authorization Document),
- Form I-551 (Permanent Resident Card or "green card") to the photo that USCIS has on file for that employee, and
- U.S. passport or passport card.

Helps detect instances of document fraud.

E-Verify
Employment Eligibility Verification

Welcome Jason Goodman | User ID JGOO6407 | Last Login 02:36 PM - 03/15/2010 | Log Out

- Home
- **My Cases**
  - New Case
  - View Cases
- **My Profile**
  - Edit Profile
  - Change Password
  - Change Security Questions
- **My Company**
  - Add New User
  - View Existing Users
  - Edit Company Profile
  - Close Company Account
- **My Reports**
  - View Reports
- **My Resources**
  - View Essential Resources
  - Take Tutorial
  - View User Manual
  - Contact Us

Verify Employee

Employee Name: Lin, Su
Case Verification Number: 2010074160135AM
View/Print Case Details

Enter Form I-9 Information > Verification Results > Close Case

Photo Matching

Does the photograph below match the photograph on the Permanent Resident Card or Alien Registration Receipt Card (Form I-551) provided by the employee?

NOTE: A watermark has been added to prevent unauthorized use of the photograph below.

Click to Enlarge

- ○ Yes
- ○ No

Continue

Federal Contractors

- The Federal Acquisition Regulations (FAR) have been amended by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council to reflect the FAR final rule which was published on November 14, 2008.
- As of **September 8, 2009**, the FAR final rule requires federal contractors (and subcontractors) to use E-Verify to verify their employees' eligibility to work legally in the United States.
- We now have a FAR fact sheet you can post on your Web site: http://www.uscis.gov/USCIS/Verification/E-Verify/E-Verify_Native_Documents/m1010federalcontractorflyer.pdf

E-Verify Self Check Launched March 21, 2011

- Allows individuals to check their own employment eligibility.
- Voluntary, fast, and free online service.
- Identity assurance built in to protect users.
- Not a tool for employers! No one can demand that anyone use E-Verify Self Check.

E-Verify Self Check

- E-Verify Self Check currently available to anyone with a residence in:
  - Arizona
  - Colorado
  - Idaho
  - Mississippi
  - Virginia
  - District of Columbia

- More states will be added this year

E-Verify Self Check

- How does it work?
  - Users must pass an identity assurance quiz to gain access.
  - Users then enter personal information similar to what is on Form I-9.
  - If data can't be verified, and user chooses to follow-up, instructions are issued in English or Spanish.

For more information on E-Verify Self Check, visit **www.uscis.gov/everifyselfcheck**

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E-Verify's Latest Enhancements

as of June 12, 2011

E-Verify Enhancements – June 12, 2011

New feature: ***Records and Information from DMVs for E-Verify*, also known as RIDE**

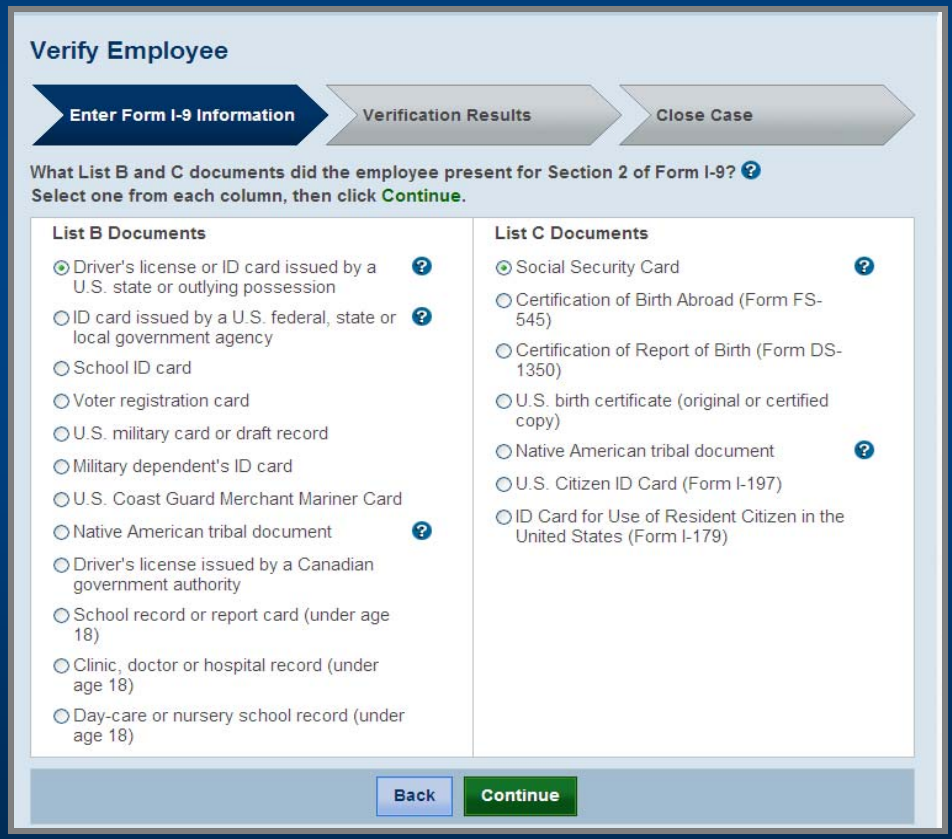
- Driver's License Verification Enhancement:
  - Capability to verify driver's license data.
  - Mississippi is the launch partner for this project; E-Verify will send prompt for driver's license number, when MS driver's license is used as List B document.

E-Verify Responds to Customer Feedback- EEA
EEA Enhancements

- EEA Enhancements:
  - Alphabetical client list,
  - Three-day time limit category for federal contractor clients,
  - Client activation emails,
  - EEA log in screen.

E-Verify Responds to Customer Feedback
E-Verify Enhancements

- New “Create a Case Screen” Enhancement
  - Based on customer feedback, List B & C documents are displayed similar to Form I-9.
  - List B Documents must contain a photo.



E-Verify Enhancements - Hire Date Validation

- E-Verify will permit you to select a future hire date.
- The hire date is the date the employee began (or will begin) work for pay.
- Employers must now use the Section 2 ‘Certification’ date from the employee’s Form I-9 as the hire date in E-Verify.
- Employers may select a hire date that is up to 365 calendar days in the future.

E-Verify Enhancements - Hire Date Validation (continued)

- Does not change the rule that prohibits prescreening.
- A prospective employee MUST have accepted an employment offer before the employer may complete Form I-9 and create a case in E-Verify.
- Selecting a future hire date eliminates a confusing workaround in cases where E-Verify is used after an employee accepts an employment offer, but before he or she begins work for pay.
- This modification also enables us to better accommodate our E-Verify users in Guam, who have had to add an additional workaround because Guam is a day ahead of the continental United States.

E-Verify Enhancements – June 12, 2011

- Other enhancements include:
  - Homepage: search cases
  - Help text, (14 new)
  - Case details, fields added,
  - User registration email process,
  - Create a password help,
  - Tutorial, refresher & passing screen,
  - Enrollment content updates,
  - Publication updates.

For more information visit **www.dhs.gov/E-Verify**

Employee Rights

- The employee has the right to contest a tentative nonconfirmation (TNC) from SSA or DHS.
- The **employee continues to work** during the TNC resolution process.
- Employees who believe they have been subjected to discrimination should call:

  Department of Justice
  Civil Rights Division
  Office of Special Counsel for
  Immigration Related Unfair Employment Practices
  1-800-255-7688 (TDD: 1-800-237-2515).

Employee Rights

Employee Hotline: (888) 897-7781

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Top E-Verify Do's

- Use program in a non-discriminatory manner, without regard to the national origin or citizenship status of your employees
- Use program for new employees after they have completed the I-9 Form
- Promptly provide and review with the employee the notice of tentative nonconfirmation
- Promptly provide the referral notice from the Social Security Administration (SSA) or Department of Homeland Security (DHS) to the employee who chooses to contest a tentative nonconfirmation
- Allow an employee who is contesting a tentative nonconfirmation to continue to work during that period
- Check E-Verify daily for updates in connection with the tentative nonconfirmation
- Contact E-Verify if you believe an employee has received a final nonconfirmation in error
- Display the required E-Verify participation poster (available from E-Verify) and the required antidiscrimination poster issued by the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC)
- Accept any Form I-9 List B document with a photo from an employee who chooses to provide a List B document
- Safeguard the password used to access the E-Verify program in order to ensure the privacy of employees' personal information
- Delay running an E-Verify query for an employee who has not yet been issued a Social Security number until the Social Security number is issued
- Allow an employee who has not been issued a Social Security number to work throughout the period that the employee is waiting for his or her Social Security number to be issued

Employer Hotline 1-800-255-8155 **Employee Hotline 1-800-255-7688**

Office of Special Counsel for Immigration Related Unfair Employment Practices

E-VERIFY IS A SERVICE OF DHS AND SSA

Top E-Verify Don'ts

- Use program to verify any employee hired on or before November 6, 1986
- Use program to verify current employees, unless permitted as a federal contractor
- Use program for an existing employee previously verified through E-Verify at the time of hire, even as a federal contractor
- Use program selectively based on a "suspicion" that an employee may not be authorized to work in the U.S. or based on national origin
- Use program to pre-screen employment applicants unless you are a State Workforce Agency
- Influence or coerce an employee's decision whether to contest a tentative nonconfirmation
- Terminate or take adverse action against an employee who is contesting a tentative nonconfirmation, including denying or reducing scheduled hours, delaying or preventing training, mistreating the employee, requiring the employee to work longer hours, requiring the employee to work in poorer conditions, refusing to assign the employee to work on a federal contract or other job, or subjecting the employee to any assumption that s/he is unauthorized to work during this period, unless and until receiving a final nonconfirmation or no show response
- Ask an employee to obtain a printout or other written verification from SSA or DHS when referring that employee to either agency
- Ask an employee to provide additional documentation of his or her employment eligibility after obtaining a tentative nonconfirmation for that employee
- Request specific documents in order to activate E-Verify's photo tool feature
- Create a case for an employee who is waiting for his or her Social Security number to be issued until the employee is issued a Social Security number
- Require an employee to use E-Verify Self Check or present any E-Verify Self Check documentation

Employer Hotline 1-800-255-8155 **Employee Hotline 1-800-255-7688**

Office of Special Counsel for Immigration Related Unfair Employment Practices

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What's Hot for E-Verify Users!

What's Hot in E-Verify

- I-9 Central - Launched May 13
  - One-stop shop for Form I-9 information
  - Provides more accessible and user-friendly information
  - For more information visit **www.uscis.gov/I-9Central**

- E-Verify Web Content in Spanish
  - Please visit **www.dhs.gov/E-Verify-espanol** to view important information for both employees and employers now available in Spanish

What's Hot in E-Verify

- Request use of E-Verify Name and Logo
- Request I E-Verify Seal
  - Download the Licensing Agreement to get started, for more information visit "About the Program" at **www.dhs.gov/E-Verify**

Educational Videos

- How to Enroll in E-Verify
- How to Create a Case
- How to Respond to a TNC
- Civil Rights:
  - Employee Rights and Responsibilities
  - Employer Responsibilities and Worker Rights, request copies at **E-Verify@dhs.gov**

View the videos at:

- **www.dhs.gov/E-Verify**
- **www.youtube.com/ushomelandsecurity**

E-Verify Outreach Branch

- Provides:
  - **Speakers for your events**
  - **Panel participants**
  - **Exhibit participation**
  - **Free Webinars**
  - **Content for your newsletters**
  - **Authorization to use the E-Verify® Logo and Name**

E-Verify e-mail: E-Verify@dhs.gov

Contact Information

Employer Hotline: (888) 464-4218

Employee Hotline: (888) 897-7781

E-Verify E-Mail: E-Verify@dhs.gov

E-Verify Employer Agent E-Mail: E-VerifyEmployerAgent@dhs.gov

E-Verify Website: www.dhs.gov/E-Verify

Form I-9 Website: www.uscis.gov/I-9Central

Form I-9 Email: I-9Central@dhs.gov

Follow us on twitter: http://twitter.com/uscis

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Stay Up to Date

- Get email updates for
  - I-9 Central - **www.uscis.gov/I-9Central**
  - E-Verify - **www.dhs.gov/E-Verify**
  - E-Verify Self Check - **www.uscis.gov/everifyselfcheck**

- Subscribe to *E-Verify Connection* (e-newsletter)
  - Send a message with the word SUBSCRIBE in the subject line to **E-VerifyOutreach@dhs.gov**

Disclaimer

Immigration law can be complex and it is not possible to describe every aspect of the process.

This presentation provides basic information to help you become generally familiar with rules and procedures.

For more information on the law and regulations please see our website: www.dhs.gov/E-Verify.

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Thank You