



-Verify[®]

Employment
Eligibility Verification



E-VERIFY IS A SERVICE OF DHS AND SSA

Agenda

- **Section I: E-Verify Overview**
- **Section II: Receiving a Tentative Nonconfirmation (TNC)**
- **Section III: Employee Resources**
- **Section IV: SAVE Program**
- **Section V: Enhancements**

Section I: E-Verify Overview

- What is E-Verify
- E-Verify Statistics
- When to Verify
- E-Verify: How It Works

What is E-Verify?

Internet based system

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**

Free and easy to use



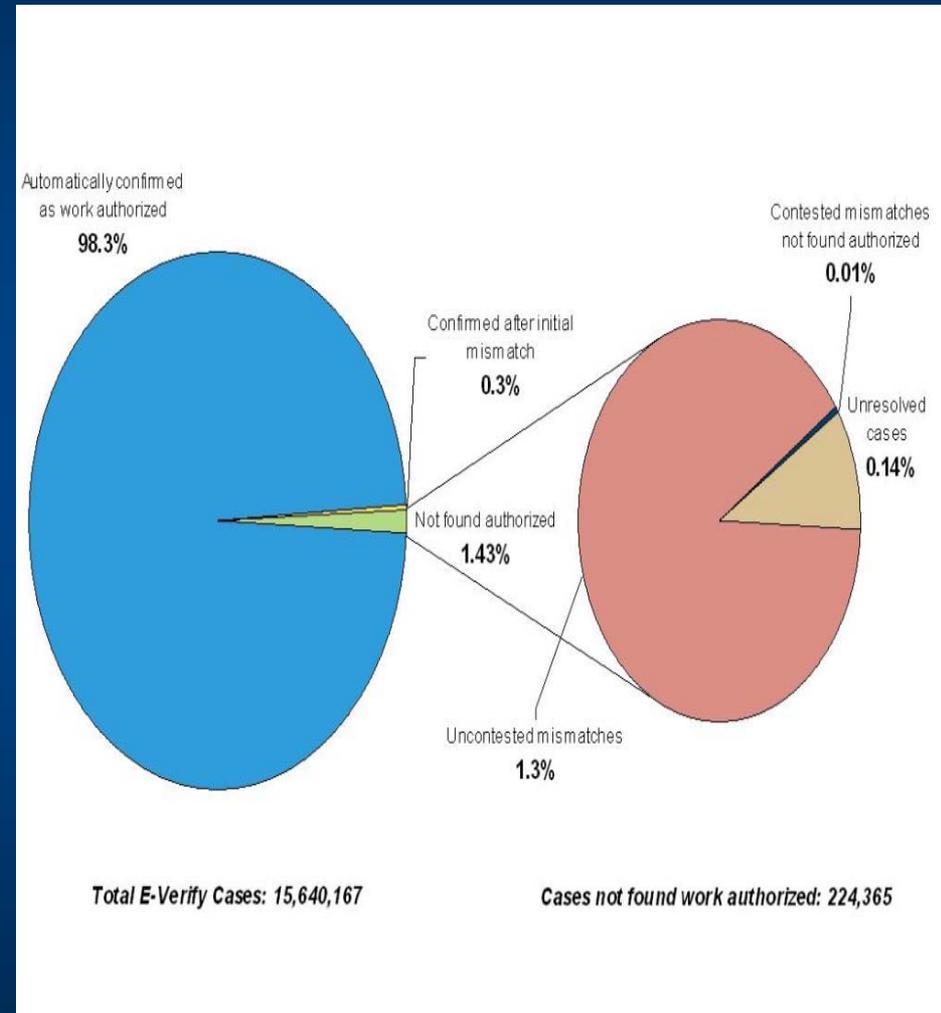
Statistics

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

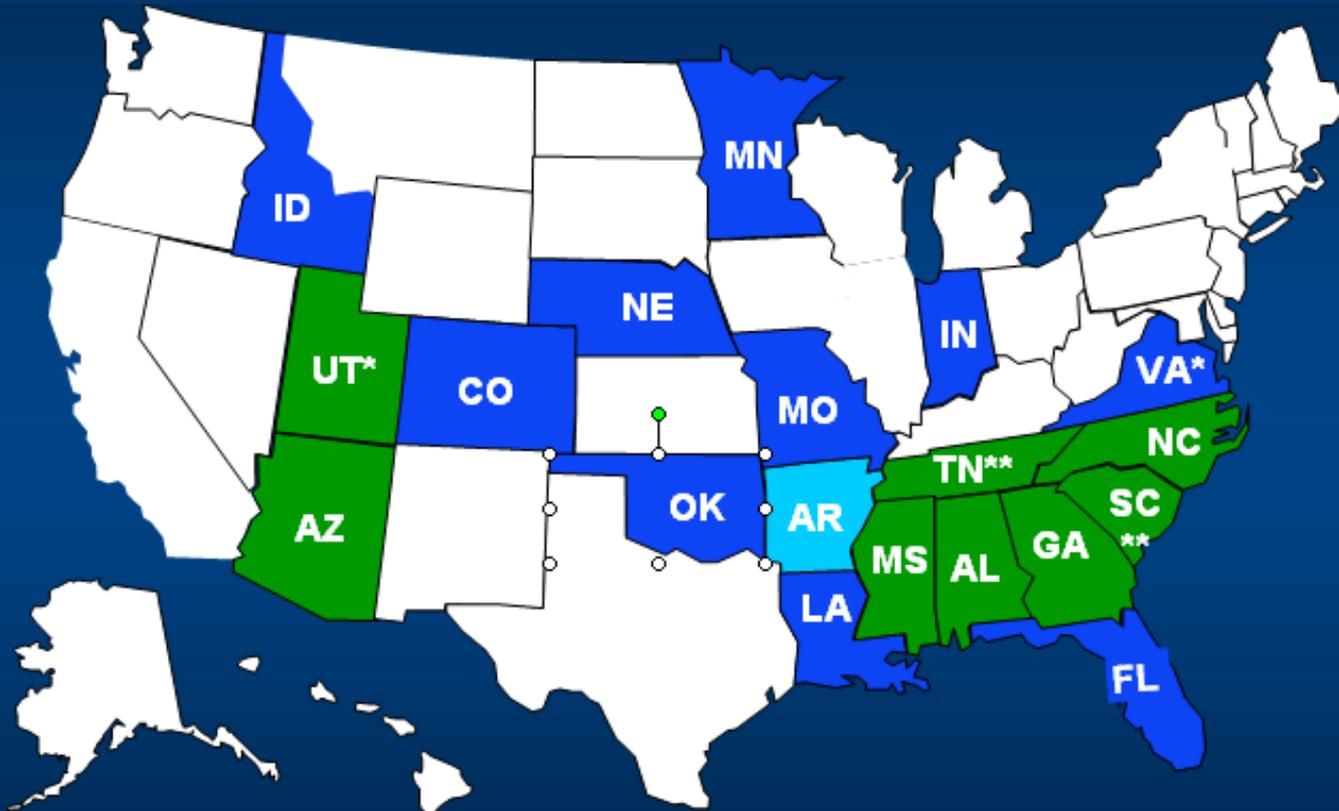
- More than **9.00 million** cases created in FY 2009
- More than **16.00 million** cases created in FY 2010
- More than **10.00 million** cases created to date in FY 2011
- 1,200 new enrollees per week

Performance

- 98.3% are confirmed as “work authorized” either 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



E-Verify Legislation



Enacted legislation requiring mandatory use of E-Verify for all employers

Enacted legislation requiring various public entities/contractors to use E-Verify

Enacted legislation requiring only public contractors to use E-Verify

When to verify

Employers 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: How It Works

OMB No. 1625-0047, Expires 06/30/12
Form I-9, Employment Eligibility Verification
 Department of Homeland Security
 U.S. Citizenship and Immigration Services

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document is they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification (To be completed and signed by employee at the time employment begins.)

First Name, Last	First	Middle Initial	Last Name
Address (Street Name and Number)	City	State	Zip Code
Age, #	Date of Birth (month/day/year)	Sex	Country of Birth

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I am a citizen of the United States.
 I am now lawful permanent resident of the United States (see instructions).
 I am a lawful permanent resident (Alien #) _____
 I am an alien authorized to work (Alien # or Authorization #) _____ and expiration date (if applicable - month/day/year) _____

Employer's Signature _____ Date (month/day/year) _____
 Preparer and/or Employer Certification (To be completed and signed by preparer or employer other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/ Employer's Signature _____ Title _____
 Address (Street Name and Number), City, State, Zip Code _____ Date (month/day/year) _____

Section 2. Employer Review and Verification (To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)

Document Title	List A	List B	List C
Document #			
Expiration Date (if any)			

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above named employee, that the above listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) _____ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment authorization only when the date the employee began employment.)

Signature of Employer or Authorized Representative _____ Title _____
 Address (Street Name and Number), City, State, Zip Code _____ Date (month/day/year) _____

Section 3. Updating and Reverification (To be completed and signed by employee.)

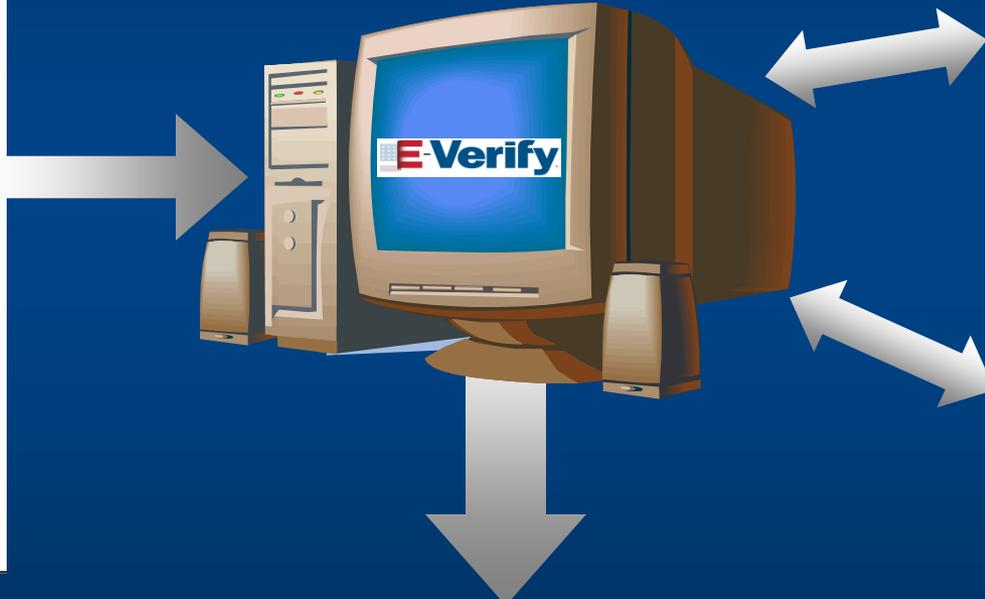
A. New Hire (if applicable) _____ B. Date of Expiry (month/day/year) (if applicable) _____

C. If employer's previous agent of record notification has expired, provide the information below for the document that establishes current employment authorization.

Document Title _____ Document # _____ Expiration Date (if any) _____
 I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) have remained proper to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative _____ Date (month/day/year) _____

Form I-9 (Rev. 08/14/09) - Page 4



Form I-9



E-Verify: How it Works

- Initial verification will return one of three results within seconds:
 - **Employment Authorized**
 - ◆ The employee is authorized to work
 - **SSA Tentative Nonconfirmation**
 - ◆ There is an information mismatch with SSA
 - **DHS Verification in Process**
 - ◆ DHS will usually respond within 24 hours with either an Employment Authorized or DHS Tentative Nonconfirmation

Section II: Receiving a Tentative Nonconfirmation (TNC)

- What is a TNC?
- Common Reasons for TNCs
- Handling a TNC

What is a Tentative Nonconfirmation (TNC)

A TNC response means that the Social Security Administration (SSA) and/or the U.S. Department of Homeland Security (DHS) could not confirm that the employee's information matches government records.

Note: It may not mean an employee is unauthorized to work or is an illegal immigrant. There are legitimate reasons why an employee may receive this result.

What is a Tentative Nonconfirmation (TNC)

Common reasons for SSA TNCs:

- Your citizenship or immigration status changed
- You did not report a name change
- You wrote name on I-9 differently than it was recorded in government data bases
- Your Social Security number (SSN) does not match
- Your information was not entered correctly in E-Verify

What is a Tentative Nonconfirmation (TNC)

Common reasons for DHS TNCs:

- Your name, A-number, and/or I-94 number was recorded incorrectly
- Your U.S. Passport, driver's license or state ID card information could not be verified
- Your citizenship or immigration status changed
- There is another type of error on your DHS record

If an Employee Receives a TNC

- **Employees** should be **informed** of the TNC promptly
- **Employer** should **print** the TNC Notice and Referral Notice and **review** it with the employee
- **Employees** have the **right** to contest or not contest a TNC

CONTEST

Refer employee to appropriate agency

**NOT
CONTEST**

Employer may terminate the employee and close the case in E-Verify

Social Security Administration (SSA) Notice to Employee of Tentative Nonconfirmation

Jefferson

Last Name of Employee

316-47-4400

Employee's Social Security Number (SSN)

10/28/2009

Date of SSA Tentative Nonconfirmation

Thomas

First Name of Employee

04/1962

Employee's Month/Year of Birth

2009301150428RN

Case Verification Number

- Reason for this Notice:
- SSN does not match.** The Social Security Number (SSN) entered in E-Verify is valid, but the name and/or date of birth entered for the employee do not match SSA records.
 - SSN is invalid.** The SSN entered in E-Verify is not a valid number.
 - SSA unable to confirm U.S. Citizenship.** Cannot confirm that the employee is eligible to work because SSA records do not show that the SSN holder is a U.S. citizen.
 - SSN record does not verify, Other Reason.** SSA found a discrepancy in the employee's record.
 - SSA unable to process data.** SSA found a discrepancy in other data in the employee's record.

Instructions for the Employer

==== IMPORTANT ====
Employee must acknowledge receipt of this letter, date and sign it, and return it to you.

Referral to the Social Security Administration (SSA)
SSA Field Office: See POMS RM 00206.305ff

Jefferson	Thomas
Last Name of Employee	First Name of Employee
316-47-4400	04/1962
Employee's Social Security Number (SSN)	Employee's Month/Year of Birth
10/28/2009	2009301150428RN
Date Referred to SSA	Case Verification Number
Reason for this Referral Letter:	<input type="checkbox"/> SSN does not match. The Social Security Number (SSN) entered in E-Verify is valid, but the name and/or date of birth entered for the employee do not match SSA records.
	<input checked="" type="checkbox"/> SSN is invalid. The SSN entered in E-Verify is not a valid number.
	<input type="checkbox"/> SSA unable to confirm U.S. Citizenship. Cannot confirm that the employee is eligible to work because SSA records do not show that the SSN holder is a U.S. citizen.
	<input type="checkbox"/> SSN record does not verify, Other Reason. SSA found a discrepancy in the employee's record.
	<input type="checkbox"/> SSA unable to process data. SSA found a discrepancy in other data in the employee's record.

Instructions for the Employer

==== IMPORTANT ====

Employee must acknowledge receipt of this letter, date and sign it, and return it to the Employer.

Employee Rights

- The employee has **eight federal government workdays** from the referral date to visit or call the appropriate agency to start to resolve the discrepancy
- The **employee continues to work** during the TNC resolution process
- During the TNC process, the **employer should not** take any adverse action against the employee

TNC Resolution

If an Employee Decides to Contest a TNC:

- Employer and Employee must sign the TNC notice
- Employer prints Referral letter
- Employer must ensure the employee receive the original signed referral letter
- Employees should contact appropriate agency within 8 days either in person or by phone to start to resolve the discrepancy
- Employees must have the original referral letter with him/her to take to the appropriate agency

Employee Rights

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)

Website: www.osc.gov

Note: Employers may also contact OSC at 1-800-255-8155 for questions.

Employer Responsibilities

- Do not use E-Verify to pre-screen employment applicants unless you are a State Workforce Agency.
- Do not influence or coerce an employee's decision whether to contest a TNC.
- Do not terminate or take adverse action against an employee who is contesting a TNC.
- Do not ask an employee to provide additional documentation of his or her employment eligibility after obtaining a TNC for that employee.
- Do not request specific documents in order to activate E-Verify photo matching.

Top E-Verify Dos

- 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

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
- Run an E-Verify query 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

Employee Resources

Section III: Employee Resources

[Employee Rights Video](#) – “Know Your Rights: Employee Rights and Responsibilities,” aimed at the rights of an employee when a problem with the employment eligibility documents arise that is submitted to the employer. Available in English and Spanish.

[Employee Hotline](#) – (888) 897-7781; a service for employees that have inquires about E-Verify, Form I-9, and employment eligibility verification.

Employee Resources

E-Verify Self-Check - A voluntary, fast, free, simple and secure online service that allows individuals over the age of 16 check their own employment eligibility prior to applying for a job.

- Launched on March 21, 2011
- Free online service that allows U.S. workers to check their own employment eligibility status
- Currently available to residents of AZ, CO, DC, ID, MS, and VA. More states will be added soon!
- Employers cannot require an employee to use Self Check
- For more information on E-Verify Self Check, visit www.uscis.gov/everifyselfcheck

Employee Resources

Multilingual TNC Letters –E-Verify notices and letters available in nine languages; English, Spanish, Chinese, Haitian-Creole, Japanese, Korean, Russian, Tagalog, and Vietnamese.

Multilingual Employee Brochures – “You Should Know Your Rights and Responsibilities. Available in nine languages: English, Spanish, Chinese, Haitian-Creole, Japanese, Korean, Russian, Tagalog, and Vietnamese.

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

I-9 Central – Employee rights section - Provides more accessible and user-friendly information. For more information, visit www.uscis.gov/I-9Central

SAVE PROGRAM

Section IV: SAVE Program

Systematic Alien Verification for Entitlements (SAVE) program is an intergovernmental initiative that aids benefit-granting agencies in determining an applicant's immigration status, thereby, ensuring that only entitled applicants receive federal, state or local public benefits and licenses.

www.dhs.gov/SAVE

Who can benefit from using SAVE?

- Noncitizens
- Naturalized or derived citizens

What are some of the benefits offered by agencies using SAVE?

- State-issued driver's license
- Social Security card
- Housing assistance
- Medicaid
- Food stamps, or other public benefit

For more information on the SAVE Program, go to: www.dhs.gov/SAVE

Enhancements

Section V: Enhancements

- I-9 Central - Launched May 13, 2011
 - 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

- RIDE - Records and Information from DMVs for E-Verify
 - Launched on June 13, 2011
 - E-Verify can now verify driver's license data
 - Mississippi is the first DMV partner for this project

Educational Videos

- How to Enroll in E-Verify
- How to Create a Case
- How to Respond to a TNC
- Civil Rights (request copies by emailing E-Verify@dhs.gov):
 - Employee Rights and Responsibilities
 - Employer Responsibilities and Worker Rights

View the videos at:

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

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-Newsletter *E-Verify Connection*
 - Send a message with SUBSCRIBE in the subject line to E-VerifyOutreach@dhs.gov

E-Verify Outreach

- 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**

SAVE Website: **www.dhs.gov/SAVE**

Follow us on twitter: **<http://twitter.com/uscis>**

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.](http://www.dhs.gov/E-Verify)

Thank You