

#### www.E-Verify.gov

### **E-Verify Overview Webinar**

Official Website of the Department of Homeland Security			
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### Disclaimer

This presentation is intended for E-Verify employers and their designated agents. This presentation provides basic guidance about the rules and responsibilities during the employment eligibility verification process. For more information visit the <u>e-verify.gov</u> website.

*This presentation is not intended for members of the media. For all media inquires visit the <u>U.S. Citizenship and Immigration Services Media Contacts</u> webpage.* 





# Section I: E-Verify - The Big Picture Section II: E-Verify Enrollment and Use Section III: Additional Information



### Section I: E-Verify – The Big Picture

- What is E-Verify?
- Why use E-Verify?
- Who uses E-Verify?
- E-Verify and Form I-9



### What is E-Verify?

- Free web-based service that's 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 (DHS) and the Social Security Administration (SSA)

\*Contract that includes the <u>E-Verify Federal Acquisition Regulation (FAR)</u> <u>clause.</u>





### What Does E-Verify Not Do?

#### E-Verify is not...

- ...a system that provides immigration status
- ...used for prescreening
- ...a safe harbor from worksite enforcement



### Why use E-Verify?

#### Ensures a legal workforce

- Protects jobs for authorized workers
- Deters document and identity fraud
- Works seamlessly with Form I-9



### **State E-Verify Requirements**



Enacted legislation requiring mandatory use of E-Verify that may include most employers, various public entities / contractors



### **The Growth of E-Verify**



- More than 38 million cases created in FY 2018
- Employers in every industry, state and U.S. territory



### Performance





### **Form I-9 Reminders**

#### All employees MUST

- Complete Form I-9, Section 1 by 1st day of work for pay
- Choose and present acceptable documents by 3rd business day after 1st day of work for pay

#### **All employers MUST**

- ✓ Have Form I-9 for all current employees (hired after November 6, 1986)
- Use Form I-9 with revision date July 17, 2017 N for new hires and reverifications
- Complete Form I -9, Section 2 by 3rd business day after 1<sup>st</sup> day of work for pay
- 🖌 Not use Form I-9 to prescreen



### Form I-9 Process with E-Verify

#### All employees of E-Verify employers MUST

- Provide Social Security number (SSN) on Form I-9
- Select List B documents with photo, if provided for Form I-9

#### **All E-Verify employers MUST**

- ✓ Use completed Form I-9
- Create E-Verify case by 3rd business day after 1<sup>st</sup> day of work for pay
- Enter employee e-mail address into E-Verify, if provided for Form I-9
- Keep copy of photo matching document, if provided
- Reverify in Section 3 of Form I-9 only; do not create additional E-Verify case



# Section 1: Employee Information and Attestation

Last Name (Family Name) 🕖	First Name (Giv	ven Name) 🔃	Middle Initial 🕐	Other Last Names Used (if any) 🕐
Address (Street Number and Name) 💿	Apt. N	lumber 🕖 City or	Fown 🕖	State (2) ZIP Code (2)
Date of Birth (mm/dd/yyyy) (1) U.S. Soc	ial Security Number 🕖	Employee's E-m	ail Address 🕐	Employee's Telephone Number 📀

- Employee'se-mail address is an optional field
- Employees should enter N/A if choose to skip field
- Employers should not enter their businesse-mail address in Section 1



### **Participation Poll**

## Please respond to the poll question that will pop up on your screen.



### **Enroll in E-Verify**

- Step 1: Visit Enrollment Website
- Step 2: Answer Access Method Questions
- Step 3: Sign Memorandum of Understanding (MOU)
- Step 4: Enter Company Information
- Step 5: Print MOU





### **How to Enroll**

Official Website of the Department of Homeland Security and USCIS	Enroll · Login Español
E-Verify. Home Employers Employees About E-Verify myE-Verify Search	Q
Home / E-Verify Enrollment	
	Share This Page
E-Verify ENROLLMENT	
A Fast, Easy Way to Maintain a Legal Workforce	
E-Verify helps you:	
<ul> <li>quickly verify any new employee's work eligibility</li> <li>maintain a legal workforce; and</li> <li>learn and implement the employment eligibility verification process</li> </ul>	
Do you have questions before enrolling? Find answers on preparing to enroll and the enrollment process.	
More questions?	
Visit the questions and answers section or contact E-Verify customer support. You can also read our Quick Reference Guide for E-Verify Enrollment (PDF E-Verify Memorandum of Understanding for employers (PDF, 149.63 KB) details the official participation agreement between your company and USCIS, one-stop resource for publications related to E-Verify.	
Ready? ENROLL NOW	
	]



### **Enrolling is Easy!**

	Question		
1.	Does your company need to verify its employees?		
2.	Does your company have clients and need to verify their employees?		
3.	Does your company have a central office that needs to manage E-Verify use for multiple locations that access E-Verify ?		
4.	Does your company plan to develop its own software to use E-Verify ?		



### **Access Methods**

Employer	E-Verify Employer Agent	Corporate Administrator	Web Services
Allows E-Verify users in your company to electronically verify the employment eligibility of newly hired employees and existing employees assigned to a federal contract.	Select this access method if your company creates cases for client companies.	Allows you to create, manage and administer new and existing E-Verify accounts as well as create and view reports. Does <u>NOT</u> allow you to create cases.	Requires a company to develop software that interfaces with E-Verify. Web Services for Employers or Web Services for E-Verify Employer Agents



### **User Roles**

User Role	Permissions
<b>Program</b> <b>Administrator</b> (at least one required)	The program administrator is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.
General User	Employers can have as many or no general users as they desire. The general user is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.



### **Display Posters**

#### **Employers Must**

- Jisplay E-Verify participation poster
- Jisplay You Have Rights posters
- Contact Immigrant and Employee
   Rights (IER) with questions
   regarding discrimination:
   1-800-255-8155 (TDD: 1-800-362-2735)





### Form I-9 & E-Verify Work Together





### **E-Verify Case Processing**





### E-Verify Case Processing Biographic

Ver	ify Employee	Enter Form I-9 Information		
0	Enter Form I-9 Information	Employee Information		
0	Review Case	Looney	First Name Tunes	Middle Initial
Ö	Case Results	Family name or surname Other Last Names Used	Given name.	
		Smith O Platt O Heart	r' to submit and 'Backspace' to remove	
		Date of Birth		
		01/31/1958		
		U.S. Social Security Number 556-88-7741		



### E-Verify Case Processing E-mail Address

Date of Birth 01/31/1958	
01/31/1956	
U.S. Social Security Number	
123-45-6789	
Employee's E-mail Address	
looneytunes@gmail.com	
If the employee provided an e-mail address, you MUST enter that address here.	No email address provided.
Continue	



### E-Verify Case Processing Attestation and Documents

#### **Citizenship Status**

A citizen of the United	A noncitizen national of	A lawful permanent	An alien authorized to	
States	the United States	resident	work	

#### Employer or Authorized Representative Review and Verification

What document types are on Tunes Looney's Form I-9?

List A Document

List B & C Document

List A Document

Permanent Resident Card or Alien Registration Receipt Card (Form I-55 🔹



### **E-Verify Case Processing**

#### **First Day of Employment**

#### Additional Case Details

#### Select the Employee's First Day of Employment



#### Employee's First Day of Employment 🕜

02/11/2019

Employees must be verified within three business days of their first day of employment.

2 Days Ago

#### Employee ID (Optional)

An optional, 40-character field that you may create to easily identify and locate your employee's E-Verify case.

Continue



### **Photo Match**

Verif	y Employee	Review Case
ØØO	Enter Form I-9 Information Review Case Case Results	<ul> <li>Does the photo displayed match the photo displayed on Test Test's U.S. Passport or Passport Card?</li> <li>Yes, this photo matches</li> <li>No, this photo does not match</li> <li>No photo displayed</li> </ul>
		Continue to Case Results Save & Exit

Allows you to match the photo on a document to the photo that DHS has on file for that employee, and is activated automatically if an employee has presented:

- I-551, (Permanent Resident Card)
- Form I-766, (Employment Authorization Document), or
- U.S. passport or passport card



### **E-Verify Case Processing** Submit Case

Citizenship Status Lawful Permanent Resident
Allen Number A458744555
Employee or Authorized Representative Review and Verification
List A Document Permanent Resident Card or Allen Registration Receipt Card (Form I-551)
Document Number LIN455555555
Additional Case Details
Employee's First Day of Employment 02/27/2018
Edit Case Details
By clicking 'Submit Case' I confirm that the case information accurately reflects the information on the employee's Form I-9.
Submit Case 🔓 Save & Exit

Verify	Employee	Case Results Print Case Details
	Enter Form I-9 Information Review Case	Employment authorized - Case 2018123162 Closed is authorized to work in the United States and the case has been automatically closed. View/Print Case Details
:	Case Results	View All Cases



### Tentative Nonconfirmation (TNC)

#### SSA TNC

The SSA could not confirm the employee's information. The employer must notify the employee of the TNC and refer him or her to SSA.

#### **DHS TNC**

- DHS was unable to verify employment eligibility (employer should instruct the employee to call DHS to find out how to resolve the discrepancy), or
- The employer indicated that the photo displayed by E -Verify did not match the photo on the employee's document. If the employee contests this type of TNC, the employer must scan and upload an image of the document to E-Verify.



### **Tentative Nonconfirmation**

**Common Reasons for a TNC** 

- A TNC does not necessarily mean employees are not authorized
- to work; employees may receive a TNC when:
- Social Security number (SSN) does not match
- Citizenship or immigration status change is not reported
- Name change is not reported
- Information is not entered correctly



### Tentative Nonconfirmation Action Required

- Employer prints the TNC Further Action Notice and reviews it with the employee promptly and privately.
- Employee decides whether or not to take action on the TNC.
- If employee chooses to take action, employer provides the Referral Date Confirmation.
- Employee visits SSA or calls DHS.
- Employer receives updated results in E-Verify and closes the case.

Chooses to Takes Action	Chooses Not to Take Action			
Employer refers employee to	Employer may terminate employee			
appropriate agency.	and close the E-Verify case.			



### Tentative Nonconfirmation Further Action Notice

<b>E-Verify</b>	8					
Further Action Notice Tentative Nonconfirmation (TNC) (U.S. Department of Homeland Security (DHS))						
Employee's Last Name, First Name	Employee's Social Security Number					
Employee's A-Number	Employee's Document Number					
Date of DHS Tentative Nonconfirmation	Case Verification Number					
Reason for this	·					

Your employer, [EMPLOYER NAME], participates in E-Verify. E-Verify compares the information that you provided on your Form I-9 (Employment Eligibility Verification) with Social Security Administration (SSA) and Department of Homeland Security (DHS) records to confirm that you are authorized to work in the United States.

#### Why you received this notice:

Notice:

You received this Further Action Notice from [EMPLOYER NAME] because it appears that some of the information that your employer entered into E-Verify does not match the records that DHS currently has for you. This does not necessarily mean you gave incorrect information to your employer, or that you are not authorized to work in the United States. There are several reasons why your information may not

have matched – you can read more about those reasons online (<u>https://www.uscis.gov/e-verify/employees/tentative-nonconfirmation-overview</u>).

Next, you will need to take a few steps before E-Verify can let your employer know that you are authorized to work in the United States.

#### What you need to do:

- Review your information at the top of this page. Let [EMPLOYER NAME] know if there are any
  errors. Your employer will be able to close this case and input your information in E-Verify again with
  the correct information, hopefully resolving this case. If your information is correct, move to step 2.
- Decide if you want to take action to resolve this case. If your information above is correct, then
  you can choose to take action to correct your record so that DHS records reflect that you are
  authorized to work in the United States.

If you decide not to take action to resolve this case, E-Verify will be unable to confirm that you are authorized to work in the United States and your employer can terminate your employment.

For information on employee rights and responsibilities visit www.uscis.gov/everify/employees/employee-rights-and-responsibilities.





#### Taking action to resolve a case:

You have 8 Federal Government working days to contact DHS from the date your employer sends your case in E-Verify. Your employer must give you a Referral Date Confirmation, which will tell you the date by which you must contact DHS.

#### Contact DHS:

To take action to resolve this case, call DHS at 888-897-7781 (TTY: 800-877-8339). A representative will help you work through the details of your case.

Have this Further Action Notice open when you call DHS, so that you can refer to it. The DHS representative may ask you for additional information or documents to resolve your case. If you need help in another language, be sure to ask for an interpreter.

#### To check on the status of your case, visit myE-Verify at https://selfcheck.uscis.gov/SelfCheckUI/CaseTracker

#### Please indicate below whether or not you intend to dispute this case.





### Tentative Nonconfirmation Dual Referral Date Confirmation

#### **E** Verify



Referral Date Confirmation Social Security Administration Tentative Nonconfirmation (SSA TNC)

E-Verify Case Verification Number: 2016278124852RC

Employee Name:

Your employer referred your E-Verify case to SSA after you decided to contest (take action to resolve) an SSA Tentative Nonconfirmation (SSA TNC). This document confirms that your case was referred to SSA.

#### What you should do

Visit an SSA field office within 8 Federal Government working days, by 10/17/2016 (MM/DD/YYYY), to begin to resolve the SSA TNC. If you have not received the SSA TNC Further Action Notice from your employer, contact your employer immediately to obtain this notice.

The SSA TNC Further Action Notice includes information about your E-Verify case and which documents you need when you visit SSA. You must have the SSA TNC Further Action Notice when you visit SSA.

If you do not take action within 8 Federal Government working days, by 10/17/2016 (MM/DD/YYYY), a Final Nonconfirmation will be issued and your employer may terminate your employment. Employers must allow you to contest an SSA TNC and may not take adverse action against you because of the SSA TNC while you are contesting the SSA TNC and your E-Verify case is pending.

#### For More Information

If you have questions about what to do, contact E-Verify at 888-897-7781 (TTY: 877-875-6028) or email E-Verify@dhs.gov. If you need assistance in a language other than English, you may ask the E-Verify customer representative for an interpreter. For more information on E-Verify, including our privacy practices and program rules, visit the E-Verify website at www.dhs.gov/E-Verify.

EVe	erif <u>y</u>		ð 🔞
		Confirmation	
(Social Security		J.S. Department of Homeland	Security (DI
E-Verify Case Ver	rification Number: 201806419	4603WZ	
Employee Name:	Doe, John		
		nd DHS after you decided to take a	
Tentative Nonconfi	irmation. This document confirms	that your case was referred to SSA	and DHS.
What you should			
		ral Government working days, by have not received the E-Verify Furt	
from your employe	er, contact your employer immediat	tely to obtain this notice.	
	u visit SSA and contact DHS. Have	ion about your E-Verify case and w e the E-Verify Further Action Notice	
unable to confirm Instead, call DHS a	n U.S. citizenship;" you do not ne at 888-897-7781 within 8 Federal our case (TTY: 800-877-8339) to c	and the reason for this notice on F ed to visit an SSA field office to res Government working days from t onfirm your status as a U.S. citizen	olve the SSA he date your
• The case v	verification number from this Re	ferral Date Confirmation; AND	
Certificate		Alien Number. If you do not have sit an SSA field office with your proc	
citizenship			

If you have questions about what to do, contact E-Verify at 888-897-7781 (TTY: 877-875-6028) or email <u>E-Verify@dhs.gov</u>. If you need assistance in a language other than English, you may ask the E-Verify customer representative for an interpreter. For more information on E-Verify, including our privacy practices and program rules, visit the E-Verify website at <u>www.e-verify.gov</u>.



### **Best Practices** Case Status Updates

• Check E-Verify periodically for one of the following

Employment Authorized	The employee's information matched records available to SSA and/or DHS.
Verification In Process	This case was referred to DHS for further verification.
<u>Case in Continuance</u>	The employee has visited an SSA field office or contacted DHS, but more time is needed to determine a final case result.
Final Nonconfirmation	E-Verify cannot confirm the employee's employment eligibility after the employee visited SSA or contacted DHS.
Close Case and Resubmit	SSA or DHS requires that you close the case and create a new case for this employee. This result may be issued when the employee's U.S. passport, passport card, or driver's license information is incorrect.



#### Best Practices Case Alerts

	ebsite of the Department	nent of Homeland Sec	urity			Welcome	Company	User ID
🖀 НОМЕ	CASES -	PROFILE •	COMPANY -	REPORTS +	WEB SERVICES -	RESOURCES -		LOG OUT 🕒
EVer	rify	E	E-V Messag	it the <b>erify</b> <b>e Center</b> the latest and Inform	Center	<b>*</b>	QUICK LINKS Verify Employee View View Resources	
You Have No Case Alerts at this Time								
	Cases Closed	-	Cases with New Update	s 🖻	Work Authorizati Docs Expiri		Message Center	



### **Employee Rights**

- The employee has 8 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.
- Federal law prohibits employers from terminating employment of an employee because of an interim case result until the TNC becomes a Final Nonconfirmation.
- Know Your Rights Quiz





### **Employer Responsibilities**

Employers must not:

- Use E-Verify to pre-screen employment applicants
- Use E-Verify selectively; E-Verify must be used for all new hires
- Influence or coerce an employee's decision whether to contest a TNC
- Terminate or take adverse action against an employee who is contesting a TNC
- Ask for additional documentation after obtaining a TNC for an employee



### **Federal Contractors**



#### Federal Contractor?

#### Here's some important information for you!

As of September 8, 2009, federal contractors and subcontractors are required to use E-Verify for all new hires and existing employees working on federal contracts if their contract includes the Federal Acquisition Regulation (FAR) E-Verify clause. E-Verify is a fast, free and easy to use Internet-based system that allows employers to verify the eligibility of their employees to work in the United States.

#### What Contracts are Affected by the FAR E-Verify Clause?\*

#### **Prime Contracts**

#### Subcontracts

- Value above \$150,000
- Value of more than \$3,000
- Period of performance of 120 days or more, and
- At least some of the contract work is performed in the United States
- Contract is for commercial or noncommercial services or construction, and
- At least some of the contract work is performed in the United States

#### Indefinite Delivery/Quantity Contracts

- Existing contract
- Period of performance extends at least six months after 9/8/2009
- Substantial amount of work or number of orders expected during remaining performance period, and
- Contract may be bilaterally modified to include the FAR E-Verify clause

\* Commercially available off the shelf (COTS) items or services are not subject to the FAR E-Verify clause.

The Federal Acquisition Regulations (FAR) final rule requires federal contractors (and subcontractors) to use E-Verify to verify their employees' eligibility to work legally in the United States.



### What is myE-Verify?

myE-Verify is a free web-based service for employees to participate in the E-Verify process.

- Access Self Check to confirm your work eligibility
- Create a myE-Verify account
- Protect your identity
- Learn about your individual rights
- myE-Verify Case Tracker



### **Additional Resources**

#### Engage with us online and via Social Media

- Visit <u>www.E-Verify.gov</u>
  - Check out our Videos, E-Verify User Manual, Job Aids, Fact

Sheets, Reports and more on the Employer Resources page

- Check out our additional websites <u>I-9Central</u>, <u>myE-Verify</u>
- Subscribe to our <u>E-Verify Connection</u> newsletter
- Follow #EVerify on <u>www.Twitter.com/EVerify</u>
- Watch us on <u>www.youtube.com/uscis</u>



### **Additional Resources**

**Outreach Services** 

#### Take advantage of our FREE Outreach services

- Take additional <u>public webinars</u>
- Request event speakers, customized webinars, or content for your publications
- Seek approval for E-Verify<sup>®</sup> Logo Authorization

**Contact our award winning customer service** 

E-Verify e-mail: <u>E-VerifyOutreachSupport@uscis.dhs.gov</u>



#### Additional Resources Feedback

#### Share your feedback

E-mail webinar comments (with date, time and topic) to

E-VerifyOutreachSupport@uscis.dhs.gov

Submit Form I-9, E-Verify and myE-Verify ideas and feedback

on **E-Verify Listens** 





