Quick Reference Guide

For Designated Agents

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INTRODUCTION

E-Verify enable Designated Agents to verify employment eligibility for their client's newly hired employees, regardless of citizenship. E-Verify provides an automated link to Department of Homeland Security (DHS) and Social Security Administration (SSA) databases to help Designated Agents determine employment eligibility of their new hires and the validity of their Social Security numbers.

Understanding Designated Agent and their Client(s) Responsibilities

It is important that you and your client comply with all of the requirements you agreed to when you were given access to E-Verify. If you fail to do so, you and your client may wrongly terminate, suspend, or otherwise unlawfully discriminate against the client company's employee, which could result in civil legal action against you or your company and your client. Your participation in the program could also be terminated.

These responsibilities include:

- You must ensure that notice is given to your client company's employees regarding their use of E-Verify, and employee rights under the program.
- You may use E-Verify only after your client has hired a new employee and completed the Form I-9. You may not use E-Verify to screen job applicants, to re-verify employment eligibility, or to verify your client company's current employees.
- You may not use E-Verify selectively. You must verify all of your client company's new employees regardless of national origin, citizenship, or immigration status.
- Your client company may not take any adverse action against an employee, including suspension or termination, while he or she contests a Tentative Nonconfirmation, even if the matter is not resolved within 10 Federal Government work days.
- Employees who contest a Tentative Nonconfirmation must be provided with the printed referral letter from E-Verify.
- You must permit employees to present any document or combination of documents acceptable by law.
- You and your client company must take steps to secure the privacy of employees' personal information and you must secure the password you use to access E-Verify. You should discuss any work eligibility issues only with people directly concerned with the information and limit these conversations to the relevant case details.

GETTING STARTED

Client companies participating in E-verify are required to post the English and Spanish participation notices provided by DHS and the anti-discrimination notice issued by the Office of Special Counsel for Immigration Related Unfair Employment Practices. Both of these notices must be displayed in plain view at your client company's hiring site(s) to inform prospective employees that the company is participating in the E-verify Employment Verification Program.

Important: If posting notices is impossible due to the setup of your client company's business, you may print these notices and ensure that all prospective employees receive them with their application materials.

Preventing Discrimination: The E-verify Rules of Use

1. Employees must be newly hired with a completed Employment Eligibility Verification DHS Form I-9 before you can use E-verify to initiate queries about the newly hired employees for your client company.
2. Form I-9 requirements remain the same except that all "List B" identity documents must bear a photograph.
3. You must make verification inquiries for all your client company newly hired employees no later than the 3rd business day after they begin working for pay or other remuneration.
4. You may not verify you client company's newly hired employees selectively, and must follow E-verify procedures for all new hires as long as the company participates in the program.
5. You may not request that the employee use certain documentation for the form I-9 or E-verify purposes.
6. You may not use E-verify to discriminate against any job application or new hire on the basis of his or her national origin, citizenship, or immigration status.
7. You may not use the system to pre-screen applicants for employment.
8. You may not go back to check employment eligibility for employees hired before your client company's company signed the Memorandum of Understanding (MOU) with U.S. citizenship and Immigration Services (USCIS) and the Social Security Administration (SSA).
9. You may not use the system to re-verify employment authorization.
10. You must provide your client company's employees with an opportunity to contest a Tentative Nonconfirmation.
11. Your client company's cannot take any adverse action against an employee based upon E-verify unless the program issues a final nonconfirmation.

CASE ADMINISTRATION

Initiating Queries

Submitting an initial verification

1. Select **Initial Verification** from the **Case Administration** menu.
2. Enter the required information, and include other information if available.
3. After you enter the employees' Form I-9 information, a confirmation screen may appear which gives you a chance to review for errors. If any information has been entered incorrectly, make necessary corrections and select **Continue Verification**.
   If all information has been entered correctly, click the **Continue Verification** button.

Viewing initial verification results

1. View the response in the Initial Verification Results section.
2. Based on the response type, take appropriate action:
   a. If you receive "Employment Authorized" this response indicates that employment eligibility is verified and the case can be resolved.
   b. If you receive "DHS Verification in Process" this response indicates that a DHS Immigration Status Verifier (ISV) is checking additional DHS data sources to confirm the employment

eligibility of a non-citizen. DHS responds to most of these cases within 24-hours, but has up to three federal government workdays to respond. You should check the system daily for a response.

c. If you receive "SSA Tentative Nonconfirmation" follow the steps below. If the employee contests the Tentative Nonconfirmation Proceed.

Notifying an Employee of a Tentative Nonconfirmation response

1. Select the link to the *Notice to Employee of Tentative Nonconfirmation* on the **Case Details** page. This notice is available in English and Spanish.
2. Print the notice, and then return to the Case Details page.
   a. Give the client company the *Notice to Employee of Tentative Nonconfirmation* .The client will give the employee the *Notice to Employee of Tentative Nonconfirmation* and review it with him or her. They should explain that he or she must contest the Tentative Nonconfirmation or risk the declining and/or withdrawal of the certification or referral. The referred employee must indicate on the notice whether he or she contests.

   b. After both you and the client company's employee sign the *Notice*, file it with the employee's Form I-9 and give a copy to the employee. Follow the instructions for initiating a referral below.

Referring a Client Company Employee to SSA or DHS for case resolution

1. Select **Initiate SSA or DHS Referral** on the **Case Details** page.
2. Select **Notified** if you advised the client company's employee of the Tentative Nonconfirmation and he or she has signed the *Notice to Employee of Tentative Nonconfirmation*.
3. Print and provide a copy of the Referral Letter to the employee.
4. Exit the screen by selecting the 'Close' button.

Note: Selecting the **Close** button temporarily closes the case. You can go back and view the case anytime, by clicking **View Cases** in the **Case Administration** section.

Viewing Responses

Once the client company's employee has visited SSA or contacted DHS, the status of their case in E-Verify will automatically change. You can see the updated status by clicking on **View Cases.** You will see one of the following responses next to the employee's case:

- **Employment Authorized:** employment eligibility is verified. Resolve the case.
- **SSA Final Nonconfirmation:** SSA could not verify the information. Resolve the case.
- **SSA Case in Continuance: (rarely seen)** SSA needs more time to work the case. Check daily to see if the case status has been updated.
- **Review and Update Employee Data then Resubmit:** correct any typos and continue the case.

- **DHS Verification in Process** the case has been referred to DHS for verification. Wait 24 hours for a response.

Resolving Cases

All cases must be resolved when final responses are received, regardless of the employment authorization status.

To resolve a case and record the Case Verification Number:

1. Select **Resolve Case** on the **Case Details** page.
2. Select the appropriate option in the **Enter Case Resolution** section.

There are five options for resolving a case:

- **Resolved Authorized:** Select this option when employment is authorized.
- **Resolved Unauthorized/Terminated:** Select this option when employment is not authorized (SSA Final Nonconfirmation, DHS Employment Unauthorized, or DHS No Show), or when a Tentative Nonconfirmation response is uncontested AND employment is terminated.
- **Self Terminated:** Select this option if an employee quits or is terminated for reasons unrelated to employment eligibility status while the verification query is in process.
- **Invalid Query**: Select this option if a duplicate query was discovered after the query was sent or if a query was sent with incorrect data.
- **Employee Not Terminated**: Select this option to notify DHS that you are not terminating an employee who received an SSA Final Nonconfirmation, DHS Employment Unauthorized, or DHS No Show response or who is not contesting a Tentative Nonconfirmation response.

3. Select **Submit Resolve Case.**
4. Print the case details page and attach it to the employee's Form I-9. If your computer is not connected to a printer, you must record the case verification number on the employee's Form I-9 as proof of verification.

Viewing and Searching for Cases

1. Select **View Cases** from the **Case Administration** menu.
2. Enter the desired search criteria, such as **Case Verification Number, Alien Number**, **I-94 Number**, or **Social Security Number**.
3. Select **Display Case Summary List** to display a list of cases.
4. The search results can be organized by different criteria, such as last name, by clicking on the column heading.
5. To view a specific case, select the link to the **Case Verification Number** in the far left column. This displays the Case Details Page for that case.

USER ADMINISTRATION

Password security

1. Due to the sensitive and confidential nature of the information in E-Verify, you must protect your password.
2. Failure to protect your password could result in termination of your participation in E-Verify.

Changing your password

1. Select **Change Password** from the **User Administration** menu.
2. Enter your current password in the Old Password field.
3. Enter your new password in the New Password and Re-type New Password fields.
    a. Passwords are case sensitive.
4. Select Submit Password Change.

Note: Passwords must comply with security requirements. Passwords cannot be the same as any of your last six passwords. Passwords must have 3 of the following 4 characteristics: 1) At least one uppercase letter; 2) At least one lowercase letter; 3) At least one number; 4) At least one special character. Additionally passwords must: 1) Contain no more than two identical consecutive characters in any position from the previous password; 2) Contain a non-numeric in the first and last positions; 3) Not be appended with a single digit or with a two-digit "year" string, such as “Welcome98”; and 4) Not be identical to the User ID.

Note: As a policy, passwords shall not: 1) Contain any dictionary word; 2) Contain any proper noun or the name of any person, pet, child, or fictional character, nor any employee serial number, Social Security Number, birth date, phone number, or any information that could be readily guessed about the creator of the password; 3) Contain any simple pattern of letters or numbers, such as "qwerty" or "xyz123"; and, 4) Be any word, noun, or name spelled backwards.

Note: Passwords expire every 90 days.

Changing your password challenge questions

1. The password challenge option enables you to reset your password without having to contact a Program Administrator if you forget your password, or if your account is locked after three consecutive, unsuccessful login attempts.
2. Select **Pwd Challenge Q&A** from the **User Administration** menu.
3. Select a question from each drop-down field.
4. Enter the answer in each Answer field.

Note: If you decide to change any of the questions in the future, you must reset the other questions and answers. You may reuse any questions and answers.

Updating your profile

1. Select **Change Profile** from the **User Administration** menu.
2. Add or edit information as necessary. Your profile must include your first name, last name, telephone number and email address.
3. Select **Submit User Profile Changes**.

REPORTS

Generating Reports

1. Select **View Reports** from the Reports menu.
2. Select a report from the list. Select **Next**.
3. Enter report parameters.
4. Select **Run Report**.
5. Print or save the report using the Adobe Reader® toolbar buttons.

SITE ADMINISTRATION

(Program Administrators only)

Adding Users

1. Select **Add User** from the **Site Administration** menu.
2. Select the User's role from the **User Role** list. There are two roles to select from:
   - **General Users** – Have the ability to provide verification queries for newly hired employees, view and access outstanding verification queries for your company, review reports, and update their personal user profiles.
   - **Program Administrators** – Have the ability to create and delete General User and Program Administrator user accounts, view and edit company information in E-Verify, request that the company's account be terminated, view reports, perform verification queries, update their profile information, reset user passwords, and unlock user accounts.
3. Enter the required information, then select **Next**.
4. Edit the user ID in the User ID field if desired, and enter a temporary password.
5. Select **Submit New User**.
6. Give the new user his or her User ID, temporary password, and the E-Verify website address.

Viewing User Profiles

1. Select **View Users** from the **Site Administration** menu.
2. Enter search criteria and select **Display User Summary List**.
3. View an individual user by selecting the User ID link in the far left column.

Deleting User Accounts

1. Repeat "Viewing User Profiles" steps.
2. Select the **Delete** button in the same row as the User.
3. Select **Delete User** on the Delete User page.
4. Select **Return to User List**.

Changing User Accounts

1. Repeat "Viewing User Profiles" steps.
2. Select the User ID.
3. Modify the User and/or password information.
4. Select **Submit User Modifications**.

Changing User Password

1. Repeat "Viewing User Profiles" steps.
2. Select the User ID.
3. Select Force Change Password.
4. Enter in a new password for the User.
5. Select **Submit User Modifications.**
6. Give the User their new password. They will be forced to change it when they log in again.

Changing Company Information

1. Select **Maintain Company** from the **Site Administration** menu.
2. Select **View/Edit** for the section that you want to modify.
3. Modify the information.
4. Select the appropriate submission button(s).

Requesting Termination from the E-Verify Program

1. Select **Terminate DA Participation** from the **Site Administration** menu.
2. Enter a reason for the request.
3. Select **Request Termination**.

CLIENT ADMINISTRATION

Registering a New Client

1. To register a new client, select **Add Client Company** from the **Client Company Administration** menu. This takes you to the **Add Client Company** page.
2. Enter the client company's name and address
   - Use the **Physical Location** section for the client company's physical address. If the client company's regular mail is delivered to an address other than the **Physical Location**, you should also complete the **Mailing Address** section.

To view an existing client's information:

1. From the **Client Company Administration** menu, select **View Client Companies**.
2. Enter search criteria.
3. Select **Display Client Company Summary List** page.

To update an existing client's information:

1. From the **Client Company List** page, select **Edit**.
2. Select **View/Edit** in the section(s) to update.
3. Enter update(s), and follow instructions to save the changes**.**

To terminate an existing client

1. From the **Client Company List** page, select **Terminate.**
2. Enter a termination reason, and then select **Request Client Termination**