E-Verify

Quick Reference Guide
For Employers

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U.S. Citizenship
and Immigration
Services

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1.0 INTRODUCTION

Welcome to the 'E-Verify Quick Reference Guide for Employers.' This guide provides a high level overview of the E-Verify process that employers follow when using E-Verify. All users must follow the guidelines set forth in the 'E-Verify Memorandum of Understanding for Employers (MOU).' This guide should be used as a supplement to the 'E-Verify User Manual for Employers.'

For the purpose of this manual, the term 'employer' means any person, company, or other entity that is required to complete Form I-9, Employment Eligibility Verification (Form I-9) including any individual with an E-Verify user account.

E-Verify is an Internet-based system operated by the U.S. Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA). E-Verify works by electronically comparing the information on an employee's Form I-9, with records available to SSA and/or DHS to verify the identity and employment eligibility of each newly hired employee and/or employee assigned to a covered federal contract.

1.1   USER ROLES AND EMPLOYER RESPONSIBILITIES OVERVIEW

Enrolled employers can provide their users access to E-Verify by assigning them a user role. Permissions and functions in E-Verify granted to the user depend upon the user role. There are two types of users: general users and program administrators. Review the permissions of each user role in the 'User Role Overview.'

General users and program administrators must successfully complete the online E-Verify tutorial before they can create or manage cases. All E-Verify users are bound by the guidelines in the MOU and the rules and responsibilities outlined in the 'E-Verify User Manual for Employers' accessible from the left navigation menu in E-Verify.

IMPORTANT: All users must read and understand the MOU and the 'E-Verify User Manual for Employers' before accessing E-Verify. Failure to abide by the terms of use may lead to employer liability for the violation of employee rights.

USER ROLE OVERVIEW

USER ROLE	PERMISSIONS
Program Administrator (at least one required)	A company must have at least one program administrator. The program administrator role includes functions of a general user. Permissions include: • Registering new users. • Creating user accounts for other program administrators and general users. • Creating and managing cases. • Viewing reports. • Updating profile information for other program administrators and general users. • Unlocking user accounts Closing company and user accounts
General User (optional)	A company can have as many general users as it desires but is not required to have general users. The general user is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures. Permissions include: • Creating and managing cases • Viewing reports • Updating his or her user profile

E-Verify users must follow the guidelines specified in the 'Rules and Responsibilities Overview.'

RULES AND RESPONSIBLITIES OVERVIEW

Employers participating in E-Verify **MUST**:

✓ Follow E-Verify procedures for each newly hired employee while enrolled and participating in E-Verify.

✓ Notify each job applicant of E-Verify participation.

✓ Clearly display the 'Notice of E-Verify Participation' and the 'Right to Work' posters in English and Spanish and may also display the posters in other languages provided by DHS.

✓ Complete Form I-9 for each newly hired employee before creating a case in E-Verify.

✓ Obtain a Social Security number (SSN) from each newly hired employee on Form I-9.

✓ Ensure that Form I-9 'List B' identity documents have a photo.

✓ Create a case for each newly hired employee no later than the third business day after he or she starts work for pay.

✓ Provide each employee the opportunity to contest a Tentative Nonconfirmation (TNC).

✓ Ensure that all personally identifiable information is safeguarded.

Employers participating in E-Verify **MUST NOT:**

✖ Use E-Verify to prescreen an applicant for employment.

✖ Create an E-Verify case for an employee who was hired before the employer signed the E-Verify MOU.

✖ Take any adverse action against an employee based on a case result unless E-Verify issues a Final Nonconfirmation.

✖ Terminate an employee during the E-Verify verification process, because he or she receives a TNC.

✖ Specify or request which Form I-9 documentation a newly hired employee must use.

✖ Use E-Verify to discriminate against ANY job applicant or new hire on the basis of his or her national origin, citizenship or immigration status.

✖ Selectively verify the employment eligibility of a newly hired employee.

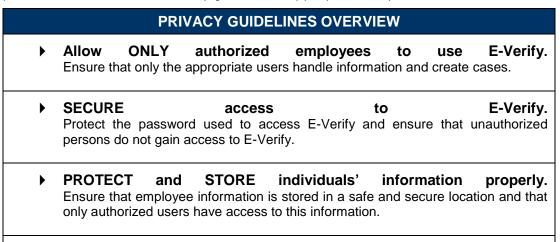✖ Share any user ID and/or password.

ⓘ For information on E-Verify rules and responsibilities for federal contractors with the FAR E-Verify clause, refer to the 'E-Verify Supplemental Guide for Federal Contractors.'

1.2 PRIVACY AND SECURITY STATEMENT

Employers must protect the privacy of employees who submit information to be processed through E-Verify. It is your responsibility to ensure that all personal information collected is safeguarded and used only for the purposes outlined in the MOU between E-Verify and the employer/user.

Failure to properly protect employee information can result in identity theft or fraud and can cause considerable inconvenience, harm or embarrassment to the employees or employer affected.

At a minimum, follow the steps in the 'Privacy Guidelines Overview' to protect personal information and comply with the appropriate requirements.

PRIVACY GUIDELINES OVERVIEW
▶ **Allow ONLY authorized employees to use E-Verify.** Ensure that only the appropriate users handle information and create cases.
▶ **SECURE access to E-Verify.** Protect the password used to access E-Verify and ensure that unauthorized persons do not gain access to E-Verify.
▶ **PROTECT and STORE individuals' information properly.** Ensure that employee information is stored in a safe and secure location and that only authorized users have access to this information.
▶ **Discuss E-Verify results in PRIVATE.** Ensure that all case results including Tentative Nonconfirmation (TNC) and Final Nonconfirmation results are discussed in private with the employee.

2.0 COMPANY – PROGRAM ADMINISTRATORS

Program administrators also manage the site administration of their E-Verify employer agent account. A program administrator uses the 'Company' menu to:

- Add general users
- Add other program administrators
- Change or update company profile information
- ♦Terminate participation in E-Verify

2.1 ADD NEW USER

Only program administrators can add E-Verify users. If you are a program administrator, and you need to add a new E-Verify user, follow the steps outlined in 'Add New User – Process Overview.'

ADD NEW USER – PROCESS OVERVIEW
▶ From 'Company,' select 'Add New User.' ▶ Choose general user or program administrator and provide the person's name, phone number, fax number (optional) and email address and click 'Next.' ▶ Accept the system-generated user ID or create a new user ID. ▶ Review the information submitted and click 'Submit New User.' ▶ The new user will receive his or her user ID and password by email.

2.2 VIEW EXISTING USERS

Only program administrators can view user information and reset passwords. Selecting 'View Existing Users' allows you to view, search and maintain the general users and program administrators assigned to your company. The process is outlined in the 'View Existing Users – Process Overview.'

VIEW EXISTING USERS – PROCESS OVERVIEW
▶ From, 'Company,' select 'View Existing Users.' ▶ Search for a user using the criteria displayed in each field. You can enter a partial name and a percent sign (%) as a wildcard character. ▶ Click, 'Display User Summary List.' ▶ A list of user accounts displays. You can view or modify a user account by selecting the user ID.

2.3 EDIT COMPANY PROFILE

To update employer information in E-Verify, complete the steps in the 'Edit Company Profile – Process Overview.'

Once a program administrator has updated the company's profile, he or she will be subject to the rules and requirements associated with the profile and have access to all online resources specific to the profile.

EDIT COMPANY PROFILE – PROCESS OVERVIEW

▶ From 'Company,' select 'Edit Company Profile.'
▶ To modify any section of the 'Company Information' page, click 'View/Edit' in the section you want to modify (e.g., company name and physical location, points of contact, North American Industry Classification System (NAICS) code, total hiring sites and total points of contact).
▶ Make the required changes and click 'Submit.'

IMPORTANT: After clicking 'Submit,' the program administrator cannot undo any changes that have been entered without manually re-entering the original information.

ⓘ   The E-Verify company ID number is located at top of the 'Company Information' page.

3.0 INITIAL VERIFICATION

The E-Verify verification process begins with a completed Form I-9. E-Verify confirms employment eligibility by comparing the employee's Form I-9 information entered in E-Verify by the employer, with the information in records available to SSA and/or DHS.

When E-Verify checks the employee's information with records available to SSA and/or DHS, a case result is provided. Case results can be initial, interim or final. Proper use of E-Verify requires users to close all cases when they receive final case results.

3.1   FORM I-9 AND E-VERIFY

All employers are required to complete Form I-9 no later than the third business day after the employee starts work for pay and keep a record of the form on file.

Newly hired employees must complete Section 1 of Form I-9 in its entirety on the first day of work for pay. They may complete Section 1 before this date, but only after the employee accepts an offer of employment. Under general Form I-9 practice, an employee can voluntarily provide his or her Social Security number (SSN) on Form I-9.

EMPLOYERS MUST COMPLETE SECTION 2 OF FORM I-9 IN ITS ENTIRETY WITHIN THREE DAYS OF THE EMPLOYEE'S DATE OF HIRE (THE HIRE DATE MEANS THE FIRST DAY OF WORK FOR PAY). TO COMPLETE SECTION 2, EXAMINE DOCUMENTS PRESENTED BY THE EMPLOYEE THAT ESTABLISH HIS OR HER IDENTITY AND EMPLOYMENT AUTHORIZATION. DO NOT SPECIFY WHICH DOCUMENTS FROM THE "LIST OF ACCEPTABLE DOCUMENTS" ON FORM I-9 AN EMPLOYEE MAY CHOOSE TO PRESENT. EMPLOYERS MAY REJECT A DOCUMENT IF IT DOES NOT REASONABLY APPEAR TO BE GENUINE OR TO RELATE TO THE PERSON PRESENTING IT.

RECEIPTS

If the employee presents an acceptable receipt for Form I-9 showing that he or she applied to replace a document that was lost, stolen or damaged, the employer must wait to create a case in E-Verify. When the employee provides the actual document for which the receipt was presented, the employer must update the employee's Form I-9 and then create a case in E-Verify for the employee.

Employers must create a case in E-Verify by the third business day after the employee starts work for pay if the employee presents the following receipts:

- The arrival portion of Form I-94/ with a temporary I-551 stamp and a photograph of the individual.
- The departure portion of Form I-94/ with a refugee admission stamp or computer-generated printout of I-94 with admission code "RE."

For more information on acceptable receipts, see the 'Handbook for Employers: Guidance for Completing Form I-9 (M-274)' or visit www.uscis.gov/i-9central.

REHIRES

While you must use E-Verify for all employees you rehire, E-Verify should never be used to reverify the employment authorization of an existing employee. E-Verify has special rules if you rehire an employee who previously provided a U.S. Passport, U.S. Passport Card, Permanent Resident Card, Alien Registration Receipt Card (Form I-

551), Driver's License or State ID card for Form I-9 and the document is now expired. In these situations, there are two options:

- If you never created a case in E-Verify for the employee, you must have the employee complete a new Form I-9 and create a case in E-Verify.

- If you previously created a case in E-Verify for the rehired employee and received an employment authorized result, complete Section 3 of the employee's previous Form I-9 and do not create a new case for the employee in E-Verify. Alternatively, you may choose to complete a new Form I-9 and create a case for the employee in E-Verify. If you previously created an E-Verify case, but did not receive an employment authorized result, you must have the employee complete a new Form I-9 and create a case in E-Verify.

3.2   CREATE A CASE

A case must be created no later than the third business day after the employee starts work for pay. Employers who learn that they inadvertently failed to create a case by the third business day after the employee starts work for pay should bring themselves into compliance immediately by creating a case for the employee.

Do not create a case for an employee hired before the effective date of your MOU.

To create a case, you will take the information from the employee's completed Form I-9 and enter it into E-Verify. To enter this information into E-Verify, you must first log in with your assigned user ID and password and then follow the steps outlined in 'How to Create a Case – Process Overview.'

HOW TO CREATE A CASE – PROCESS OVERVIEW

- ▸ From 'Cases,' click 'New Case.'
- ▸ Select the correct option button corresponding to Section 1 of the employee's Form I-9. Click 'Continue.'
- ▸ Indicate the documents provided from Section 2 of the employee's Form I-9. Click 'Continue.'
- ▸ Enter all required information from Section 1 and 2 of Form I-9 into each text field.
- ▸ When the employee provides an email address on Form I-9, you must enter it into E-Verify. E-Verify may send the employee email notifications with information about his or her E-Verify case.
- ▸ If a case is not created within three days of hire, E-Verify will prompt the user to indicate the reason for the delay.

NOTE: 'Employer Case ID' is an optional field for users who wish to assign an internal tracking code to a case.

HIRE DATE

The hire date is the first day of employment in exchange for wages or other remuneration, previously referred to as the date on which the employee began employment. For the hire date in E-Verify, enter the 'employee's first day of employment' date from the 'Certification' in Section 2 of the employee's Form I-9, circled below.

Certification

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment *(mm/dd/yyyy)*: _____ (*See instructions for exemptions.*)

Signature of Employer or Authorized Representative	Date *(mm/dd/yyyy)*	Title of Employer or Authorized Representative

Last Name *(Family Name)*	First Name *(Given Name)*	Employer's Business or Organization Name

Employer's Business or Organization Address *(Street Number and Name)*	City or Town	State	Zip Code

 If the Form I-9 is completed after the employee accepts the offer of employment, but before the actual start of work for pay, it is possible that the employee's hire date recorded on Form I-9 will change after the employer created the case in E-Verify. If this happens, no additional action is required in E-Verify as the hire date cannot be changed once the case has been created. However, employers should a correct Section 2 'Certification' date on the employee's Form I-9 if the employee's hire date changes. Consult the 'Handbook for Employers: Guidance for Completing Form I-9 (M-274)' for more information.

Employees hired on or before November 6, 1986 are not subject to Form I-9. Therefore, employers may not create E-Verify cases for these employees based on this employment.

CHECK INFORMATION

If the information entered does not immediately match SSA and/or DHS records, the 'Check Information' screen appears so the user can confirm that the information was entered correctly. The user may either confirm that the information matches Form I-9 or change the information in certain fields if the information was entered incorrectly.

ERROR: UNEXPIRED DOCUMENT REQUIRED

Any document presented by an employee for Form I-9 must be unexpired on its face (see exception below). If the document entered into E-Verify was expired when the employee was hired, E-Verify will reject the document information and not create a case. The employee will need to present acceptable unexpired document(s) and you will need to update Form I-9 before you can create a case in E-Verify.

Just because the employee presented an expired document does not mean that the employee is not authorized to work. E-Verify will confirm the employment eligibility of this employee once you obtain an unexpired document and create the case.

EXCEPTIONS: In limited situations, you may accept for Form I-9 a document that appears expired on its face. When a Temporary Protected Status (TPS) designation for a particular country is extended, DHS sometimes automatically extends the expiration date of Employment Authorization Documents (EAD, Form I-766) issued to affected TPS beneficiaries via notice published in the *Federal Register*. In this situation, the published notice will state the date to which the EAD has been extended. When such a document is presented for Form I-9, the expiration date is the extended date that appears in the Federal Register Notice. DHS also sometimes extends two-year Permanent Resident Cards (Form I-551) via Notice of Action Form (Form I-797). The Permanent Resident Card with Form I-797 noting the extension can be presented as a List C document for Form I-9. In all other instances, the

document presented with Form I-9 must be unexpired at the time the employee is hired.

DUPLICATE CASE ALERT

A duplicate case alert appears for a case that contains the same Social Security number of a previous case entered by you or another user of the same employer account. A duplicate case alert can occur for several reasons. Receiving a duplicate case alert does not necessarily mean that you should close the new case. There may be instances when you need to create a new case for the same employee, such as in the case of a rehire or if the previous case contains incorrect information. You should review the situation and decide whether to continue with the case. Follow the steps in the 'Duplicate Case Alert – Process Overview.'

3.3   INITIAL CASE RESULTS

The information entered into E-Verify is checked against Social Security Administration (SSA) and U.S. Department of Homeland Security (DHS) records. Once a case is created, a result is displayed. There are three possible initial case results:

♦ Employment Authorized

♦ SSA or DHS Tentative Nonconfirmation (TNC)

♦ DHS Verification in Process

Additional information about each case result is available in the 'E-Verify User Manual for Employers,' accessible from the left navigation menu.

3.4   E-VERIFY PHOTO MATCHING

Photo matching occurs while a case is being created in E-Verify. It prompts users to compare an employee's List A photo document presented for Form I-9 with a photo displayed on the E-Verify screen. This helps ensure that the document provided matches records available to DHS.

The photo matching step happens automatically when you create a case for an employee who has presented a U.S. Passport, Passport Card, Permanent Resident Card (Form I-551) or an Employment Authorization Document (Form I-766) for Form I-9 completion. When the employee presents one of these documents, employers must copy the document and retain it with Form I-9. If the employee's Form I-9 information matches records available to DHS, E-Verify displays the employee's photo from the document presented.

To match photos, compare the photo displayed by E-Verify to the photo on the employee's actual document or a copy of the employee's document and determine if the photos are reasonably identical. The photos should be identical with only minor variations in shading and detail between the two photos based upon the age and wear of the employee's document and the quality of your computer monitor.

Note that a watermark has been added to the photo displayed in E-Verify to prevent unauthorized use. The photo on the document presented by the employee will not have a watermark. Absence of a watermark on the photo from the employee's document does not mean that the document is not genuine.

Do not compare the photo displayed by E-Verify to the actual employee. Direct comparison between the document and the individual should have occurred during

Form I-9 completion, prior to using E-Verify. The 'Photo Matching - Process Overview' provides a summary.

PHOTO MATCHING OVERVIEW
►E-Verify prompts you to compare a photo displayed in E-Verify with the employee's Form I-9 photo document. You must obtain a copy of the employee's document and retain it with Form I-9.
►Account for minor variations in shading and detail between the two photos and select Yes or No.
►Yes – the photo on the employee's actual document or a copy matches the photo displayed by E-Verify. Clothing, hair style, facing direction and appearance on the card should be identical to the photo displayed by E-Verify.
►No – the photo on the employee's actual document or a copy does not match the photo displayed in E-Verify.
NOTE: If 'No Photo on this Document' appears, select Yes.
►Click 'Continue.'

REMINDER

* Employees always have a choice of which acceptable documents to present for Form I-9; you may NOT require workers to present documents that activate photo matching

* Copies must be made of all U.S. Passports, Passport Cards, Permanent Resident Cards (Form I-551) and Employment Authorization Documents (Form I-766) presented by employees and must be retained with Form I-9

* Enter the employee's email address if provided on Form I-9

* The photo will display automatically in E-Verify during the verification process

* Only compare the employee's Form I-9 photo document to the photo displayed in E-Verify

3.5   EMPLOYMENT AUTHORIZED

An initial case result of 'Employment Authorized' is the most common and simple case result in E-Verify. 'Employment Authorized' means that the information entered into E-Verify matched records available to SSA and/or DHS and that E-Verify confirmed the employment eligibility of the employee whose information was entered. However, a case that is 'Employment Authorized' is still considered incomplete until it is closed.

EMPLOYMENT AUTHORIZED SUMMARY

EMPLOYER ACTION

- Enter Form I-9 information into E-Verify
- Receive 'Employment Authorized' case result
- Ensure that the information found in E-Verify matches the employee's Form I-9
- Close case

EMPLOYEE ACTION

- NONE

3.6 REQUEST NAME REVIEW

In some cases E-Verify issues a case result of 'Employment Authorized,' but the name returned in E-Verify does not match exactly the name on Form I-9. This happens when the information matches, but there are name variations in DHS records. In this case, request a review of the employee's name so E-Verify can issue a final case result. To request a name review follow the steps outlined in the 'Request Name Review - Process Overview.'

IMPORTANT: Do not use this functionality in a discriminatory manner (e.g., based on an individual's race, national origin or ethnicity).

REQUEST NAME REVIEW SUMMARY

EMPLOYER ACTION

- Determine if a name review is required (if not, close the case)
- Click 'Continue'
- Input the reason for the name review request in the 'Comments' field
- Click 'Continue'
- Follow the steps outlined in 'DHS Verification in Process'

EMPLOYEE ACTION

- NONE

4.0 INTERIM CASE RESULTS

An interim case result requires additional action before E-Verify can provide a final case result and you can complete the verification process. Interim case results include:

♦ SSA or DHS Tentative Nonconfirmation (TNC)

♦ Review and Update Employee Data

♦ DHS Verification in Process

♦ SSA or DHS Case in Continuance

4.1 TENTATIVE NONCONFIRMATION (TNC)

A Tentative Nonconfirmation (TNC) results when the information submitted in E-Verify does not initially match information available to SSA and/or DHS. A TNC does not mean that the employee is not authorized to work in the United States. If you receive a TNC, you must notify the employee of the case result as soon as possible.

NOTIFY EMPLOYEE OF TNC

You must promptly notify the employee of the SSA or DHS TNC case result. All case results should be discussed with the employee in a private setting.

When notified of the SSA or DHS TNC, the employee chooses to contest or not contest the case result. In either case, the employee acknowledges his or her decision on the SSA or DHS TNC Further Action Notice. When an employee chooses to contest an SSA or DHS TNC, the employee is required to visit an SSA field office or contact DHS within 8 Federal Government working days to resolve the TNC.

IMPORTANT: An employer may not terminate, suspend, delay training, withhold or lower pay, or take any other adverse action against an employee because the employee received a TNC until the TNC becomes a Final Nonconfirmation.

If the employee chooses not to contest the SSA or DHS TNC, the employer may terminate employment with no civil or criminal liability as noted in Article II, Section C, paragraph 6 – Responsibilities of the Employer in the MOU.

If the employee chooses not to contest the SSA or DHS TNC, the case can be treated as a Final Nonconfirmation. The employer may close the case in E-Verify and the employer can terminate employment without penalty. For more information, see Section 4.2 'Close Case.'

To notify an employee of the SSA or DHS TNC case result, follow the steps outlined in the 'Notify Employee of SSA TNC - Process Overview.'

NOTIFY EMPLOYEE OF TNC SUMMARY

EMPLOYER ACTION

- Privately notify employee of the SSA or DHS TNC
- Print, review, sign and date the SSA or DHS TNC Further Action Notice

EMPLOYEE ACTION

- Confirm that the information on the SSA or DHS TNC Further Action Notice is correct

CONFIRM EMPLOYEE DECISION

After being notified of the 'SSA Tentative Nonconfirmation (TNC),' the employee chooses to contest or not contest the case result and acknowledges his or her decision on the SSA TNC Further Action Notice. An employee who chooses to contest an SSA TNC is referred to the SSA.

CONFIRM EMPLOYEE DECISION SUMMARY

EMPLOYER ACTION

- Instruct employee to indicate his or her decision to contest or not contest, and sign and date the SSA TNC Further Action Notice, then sign and date as the employer
- Provide to employee a copy of the signed SSA TNC Further Action Notice in English (and a translated version, if appropriate)
- Keep original signed SSA TNC Further Action Notice on file with Form I-9
- Take the next action based on employee decision to contest or not contest the SSA TNC

EMPLOYEE ACTION

- Decide to contest or not contest and indicate choice on the SSA TNC Further Action Notice
- Acknowledge the SSA TNC case result by signing and dating SSA TNC Further Action Notice
- Take next action based on decision to contest or not to contest

REFER EMPLOYEE TO SSA OR DHS

An employee who chooses to contest the SSA or DHS TNC must visit an SSA field office or contact within 8 Federal Government working days to begin resolving the TNC. Provide the Referral Date Confirmation from E-Verify to the employee. The Referral Date Confirmation provides the date by which the employee must visit SSA or contact DHS. Federal Government working days are Monday through Friday except for federal holidays.

You may not terminate, suspend, delay training, withhold pay, lower pay or take any other adverse action against an employee because of the employee's decision to contest an SSA or DHS TNC until the TNC becomes a Final Nonconfirmation.

REFER EMPLOYEE TO SSA or DHS SUMMARY

EMPLOYER ACTION

- Print the Referral Date Confirmation, provide it to the employee and attach a copy to the employee's Form I-9
- Check E-Verify for case result updates and follow steps based on case result provided

EMPLOYEE ACTION

- Visit an SSA field office or contact DHS within eight (8) Federal Government working days
- SSA or DHS instructs employee of next steps

4.2 REVIEW AND UPDATE EMPLOYEE DATA

In some instances, a case result of 'Review and Update Employee Data' occurs, and you will receive a prompt to review and update the employee's information. This means that SSA found a discrepancy in the information it received in the E-Verify referral.

A 'Review and Update Employee Data' case result occurs for reasons including typographical errors and/or incorrect information provided on Form I-9. This case result does not mean that the employee is not authorized to work.

This requires you to review Form I-9 with the employee, correct the information and update the case.

REVIEW AND UPDATE EMPLOYEE DATA SUMMARY

EMPLOYER ACTION

- Review the information on Form I-9 and E-Verify with the employee for accuracy
- Access the employee's case
- If necessary, modify the employee's information in the fields provided
- Click 'Continue'
- Follow steps based on case result provided

EMPLOYEE ACTION

- Ensure that the information found on Form I-9 is accurate

4.3 DHS VERIFICATION IN PROCESS

A case result of 'DHS Verification in Process' means that the information did not match records available to DHS. The case is automatically referred to DHS for further verification. No action is required by you at this time. DHS will respond to most of these cases within 24 hours, although some responses may take up to 3 Federal Government working days. Check E-Verify daily for a response. Follow the steps outlined in the 'DHS Verification in Process – Process Overview.'

IMPORTANT: Federal law prohibits employers from taking any adverse action against an employee because his or her case receives a 'DHS Verification in Process' case result

DHS VERIFICATION IN PROCESS SUMMARY

EMPLOYER ACTION

- Check E-Verify for case result updates
- Follow next steps based on case result provided

EMPLOYEE ACTION

- NONE

4.4 SSA CASE IN CONTINUANCE AND DHS CASE IN CONTINUANCE

An 'SSA or DHS Case in Continuance' indicates that the employee has visited an SSA field office and/or contacted DHS, but more time is needed to determine a final case result. The reason SSA or DHS needs more time varies with each situation. You should check E-Verify periodically for an update in case result. The employer may not terminate or take adverse action against an employee while SSA or DHS is reviewing the employee's case.

SSA/DHS CASE IN CONTINUANCE SUMMARY

EMPLOYER ACTION

- Check E-Verify for case result updates and follow steps based on case result provided

EMPLOYEE ACTION

- NONE

5.0 FINAL CASE RESOLUTION

To complete the E-Verify process, every case must receive a final case result and then be closed. Closing a case is easy; E-Verify guides you through the process after you receive a final case result. Final case results include:

♦ Employment Authorized

♦ SSA or DHS Final Nonconfirmation

♦ DHS No Show

♦ Error: Close Case and Resubmit

5.1 SSA FINAL NONCONFIRMATION AND DHS FINAL NONCONFIRMATION

An 'SSA or DHS Final Nonconfirmation' case result is received when E-Verify cannot verify an employee's employment eligibility after an employee has visited an SSA field office or contacted DHS during the TNC referral process. Once an 'SSA or DHS Final Nonconfirmation' has been provided, you must close the case.

The employer may terminate employment based on a case result of 'SSA or DHS Final Nonconfirmation' with no civil or criminal liability as noted in Article II, Section C, paragraph 6 – Responsibilities of the Employer in MOU.

SSA/DHS FINAL NONCONFIRMATION SUMMARY

EMPLOYER

- Receive 'SSA or DHS Final Nonconfirmation' case result
- Close case

EMPLOYEE ACTION

- NONE

5.2 DHS NO SHOW

A 'DHS No Show' indicates that the employee did not contact DHS within 8 Federal Government working days. A 'DHS No Show' case result is considered a Final Nonconfirmation. A Final Nonconfirmation means that the case must be closed in E-Verify.

Employer may terminate employment based on a case result of 'DHS No Show' with no civil or criminal liability as noted in Article II, Section C, paragraph 6 – Responsibilities of the Employer in the MOU.

DHS NO SHOW SUMMARY

EMPLOYER ACTION

- Receive 'DHS No Show' case result
- Close case

EMPLOYEE ACTION

- NONE

5.3   ERROR: CLOSE CASE AND RESUBMIT

If the expiration date you entered for the employee's U.S. Passport, Passport Card or driver's license is incorrect, E-Verify prompts an 'Error: Close Case and Resubmit' case result and you will not be able to continue the case.

Because document information for a case that has already been submitted cannot be changed, you must close this case and create a new one with correct information. Select the closure statement option: 'The case is invalid because the data entered is incorrect' and close this case. Now you can create a new case for this employee using the correct document expiration date.

IMPORTANT: This does not mean that the employee is not authorized to work. E-Verify can confirm the employment eligibility of this employee once you create a new case and enter the correct document expiration date.

ERROR: CLOSE CASE AND RESUBMIT SUMMARY

EMPLOYER ACTION

- Receive 'Error: Close Case and Resubmit' case result
- Close case using closure statement option: 'The case is invalid because the data entered is incorrect'
- Resubmit case using the correct document expiration date for the U.S. Passport, Passport Card or driver's license

EMPLOYEE ACTION

- If necessary, provide employer with unexpired U.S. Passport, Passport Card or driver's license

5.4   CLOSE CASE

To properly complete the E-Verify process, employers must close EVERY case created in E-Verify. There are 11 case closure statements. To assist you in making the correct choice and to reduce the number of options, E-Verify requires you to state whether the employee is still employed.

5.5   CASE ALERTS

E-Verify case alerts are found at the bottom of the user home page. The purpose of this feature is to bring your attention to cases that need your action. When you log into E-Verify, case alerts inform you of one of the following:

- ♦ Open Cases to be Closed
- ♦ Cases with New Updates
- ♦ Work Authorization Documents Expiring

The E-Verify home page indicates the number of cases that require your attention by a number in a red circle on the alert. Each case alert can be accessed by clicking on the alert.

OPEN CASES TO BE CLOSED

Any case created in E-Verify and assigned a case verification number must be closed. The 'Open Cases to be Closed' case alert provides quick access to all cases that need to be closed.

CASES WITH NEW UPDATES

The 'Cases with New Updates' case alert is a quick link to all cases that have had a change in case result. All interim case results must receive a final case result and be closed. This case alert is an easy way to manage these cases.

WORK AUTHORIZATION DOCUMENTS EXPIRING

The 'Work Authorization Docs Expiring' case alert is just a notification that an employee's Employment Authorization Document (Form I-766) or an Arrival-Departure Record (Form I-94) document is expiring. This alert is intended to remind you to reverify the employee by updating Section 3 of Form I-9. The employee cannot be reverified in E-Verify.

This is simply a reminder; no action is required or permitted in E-Verify. You may dismiss each alert by selecting 'Dismiss Alert.'

This alert will only appear if the document the employee presented for the original E-Verify case was either an Employment Authorization Document (Form I-766) or an Arrival-Departure Record (Form I-94). Also, the alert only appears the first time the document expires—subsequent expirations will not activate this case alert.

IMPORTANT: The employee may not be reverified in E-Verify.

6.0 CASE REPORTS

There are five types of case reports available in E-Verify for companies enrolled as employers. These include 'Corporate Overview of Pilot Usage,' 'Duplicate Case Report,' 'Quick Audit Report,' 'User Audit Report,' and 'User Report.' To view a report, select 'View Reports' from the left navigation menu.

NOTE: All reports display only the last four digits of an employee's Social Security number for added security and to protect employees' privacy.

REPORTS – OVERVIEW

REPORT	DESCRIPTION
Corporate Overview of Pilot Usage	This report displays the number of cases created by the employer within a federal government fiscal year, which begins October 1 and ends September 30 of the following calendar year. If the employer has not created any cases during the fiscal year, a report will still appear with a total of zero. The report is available to corporate administrators and program administrators, but not general users
Duplicate Case Report	This report displays cases that were determined to be a duplicate of cases created in E-Verify with the same Social Security number. If your company has not created any duplicate cases, a report will still appear with no rows. This report is available to Corporate Administrators and Program Administrators.
Quick Audit Report	This report provides case data about each case that matches the user-entered search criteria in Excel format. The case data includes basic company and case identifiers and case resolution information. The case data does not include sensitive employee information such as SSNs, or document numbers. This report was designed to satisfy the requirement of employers to report their E-Verify activity to Federal, State, or local government entities. Users should note that this report may contain up to 5000 rows and is populated with the city and state that is associated with their account.
User Audit Report	This report provides summary case information about each case that matches the user criteria entered. The case information includes the case verification number, the date the case was submitted, the last four digits of the employee's SSN, alien number, I-94 number, last name, first name, case result, referral information and case closure statement. The report is available to program administrators and general users.
User Report	This report displays a detailed list of the employer's users. It includes each user's name, user role, contact telephone number and the last date he or she logged in to E-Verify. The report is available to corporate administrators, program administrators and general users, but a general user cannot view user information for other users.

7.O RESOURCE AND CONTACT INFORMATION

The E-Verify public website is the primary resource for all E-Verify information, but do not hesitate to contact us via phone or email. For easy access to online resources, we suggest that you bookmark or save the websites as favorites so you'll have easy access to them in the future.

E-VERIFY RESOURCES	
E-Verify Public Website • General information about E-Verify • Program information and statistics • Frequently asked questions • E-Verify user manuals • E-Verify quick reference guides • Information about employee rights and employer obligations	www.dhs.gov/E-Verify
E-Verify Enrollment Application • Website for initial company enrollment	https://e-verify.uscis.gov/enroll
E-Verify Access for Employers and Corporate Administrators • User access to E-Verify	https://e-verify.uscis.gov/emp
E-Verify Access for E-Verify Employer Agents • User access to E-Verify	https://e-verify.uscis.gov/esp

E-VERIFY CONTACT INFORMATION

E-Verify Customer Support

E-Verify Customer Support is available to assist you with using E-Verify, password resets, assistance with cases and technical support. We can also answer your questions about E-Verify policies and procedures, Form I-9 and employment eligibility. We are available Monday through Friday, from 8 a.m. Eastern Time to 5 p.m. Pacific Time, except on federal holidays.

For Employers: 888-464-4218

877-875-6028 (TTY)

E-Verify@dhs.gov

For Employees: 888-897-7781

877-875-6028 (TTY)

E-Verify@dhs.gov

Our normal response time for email inquiries is 2 federal government workdays. If we need more time to respond to your inquiry, we'll contact you within 2 federal government workdays to explain why we need additional time and provide you with an estimated response time.

Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC)

OSC is available to answer your questions about immigration-related employment discrimination, including discrimination based on citizenship status, immigration status or national origin in the Form I-9 and E-Verify processes.

Employer Hotline: 800-255-8155

800-362-2735 (TTY)

Employee Hotline: 800-255-7688

800-237-2515 (TTY)

Website: www.justice.gov/crt/about/osc