

Information for Employers Who Hire Referred Workers from a State Workforce Agency (SWA) Participating in E-Verify

Initial Responsibilities When Hiring Referred Workers

You are not required to complete Form I-9 or initiate an E-Verify case for workers initially referred to you by a SWA participating in E-Verify. A referred worker must give you his or her SWA-issued job order or other appropriate referral form, which serves as temporary evidence that you complied with Form I-9 and E-Verify requirements. Within 21 business days from the date you hire a referred worker, you must receive a certification from the SWA showing that your referred worker is authorized to work. Once you receive the certification, review it to ensure that it relates to the person you hired and have your new employee sign it in front of you. You must retain the signed certification as you would Form I-9 and make it available for inspection, if requested.

The job order, or other referral, including telephonic authorizations, must contain the following information:

- The name of the referred individual;
- The date of the referral;
- The job order number or other identifying number the SWA assigns to the referral;
- The name and title of the referring SWA official; and
- The telephone number and address of the SWA.

In case of a telephonic referral, write down this information, which will serve as evidence of the job order. Contact the SWA if you do not receive a certification within 21 days or you have questions about a job referral.

E-Verify and Referred Workers

Because your SWA participates in E-Verify, you are not required to complete a Form I-9 or initiate an E-Verify case. The SWA has provided you a certification that verifies that they have done so as required under [8 CFR 274a.6 \(d\)](#).

Reverifying a SWA-Referred Employee

Once you have hired a referred worker, that individual becomes your employee. Employers must reverify employees when the expiration date of their employment authorization noted on the certification expires. You may choose to either:

- Update the certification by the expiration date of the employee's work authorization noted on the certification. The employee must present an unexpired document

demonstrating employment authorization from the Lists of Acceptable Documents on the last page of Form I-9. Review the document that the employee presents; write the document number and expiration date, if any, on the certification; then sign and date the information; or

- No longer employ the referred worker when the employee's work authorization expires as noted on the certification.

Rehiring Referred Employees

If you rehire an employee who was previously referred and certified by a SWA within 3 years of the date the initial certification was issued, you must inspect the previously issued certification. You should:

- Determine that the certification relates to the employee.
- Determine that the employee is still authorized to work.
 - If the certification indicates that the employee is still authorized to work, update the certification to reflect the date of rehire, then sign and date the information.
 - If the certification indicates that the employee's work authorization has expired, he or she must present a document demonstrating employment authorization from the Lists of Acceptable Documents on the last page of Form I-9. Review the document the employee presents; write the document number and expiration date, if any, on the certification; then sign and date the information.

You should not complete Form I-9 or initiate an E-Verify case when you rehire any employee referred to and certified by a SWA within 3 years of the date the SWA first issued the certification.

Retaining SWA Certifications

You must keep certification for 3 years after the date of hire or 1 year after employment is terminated, whichever is later. You should store them just as you would Forms I-9. For more information on retaining and storing Forms I-9, please see Part 3 of the *Handbook for Employers: Instructions for Completing Form I-9*, which can be found on the USCIS Web site at www.uscis.gov.