



E-Verify[®]

**For
State Workforce Agencies
(SWAs)**



E-VERIFY IS A SERVICE OF DHS AND SSA



What is E-Verify?

No cost Internet based system

Fast and easy to use

Electronically verifies the employment eligibility of

- Newly hired employees
- Existing employees assigned to work on a qualifying federal contract
- All referred workers

Partnership between the **U.S. Department of Homeland Security** and the **Social Security Administration**





What is E-Verify?

E-Verify is not...

...a system that provides immigration status

**...used for prescreening unless you are a
SWA**

...a safe harbor from worksite enforcement



What is E-Verify?

E-Verify Goals

- **Reduce** unauthorized employment
- **Minimize** verification related discrimination
- **Be quick and non burdensome** to users
- **Protect** civil liberties and referred worker/employee privacy

How does E-Verify work

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(s) 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 Name	First Initial	Middle Initial	State (abbr.)
Address (Street Name and Number)	City	State	Zip Code	Country (abbr.)
Age: #	Date of Birth (month/day/year)			

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 in the United States (check one of the following):
 A citizen of the United States
 A lawful permanent resident of the United States (see instructions)
 A lawful temporary resident (Alien #) _____
 An alien authorized to work (Alien # or Admission #) _____ and expiration date (if applicable - month/day/year) _____

Employee's Signature _____ Date (month/day/year) _____

Preparer and/or Employer Certification (To be completed and signed by preparer or employer at the time of completion of this form, and to the best of your 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	OR	List B	AND	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 expiration date only if applicable.)

Signature of Employer or Authorized Representative _____ Title _____
 Address or Organization Name and 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.)

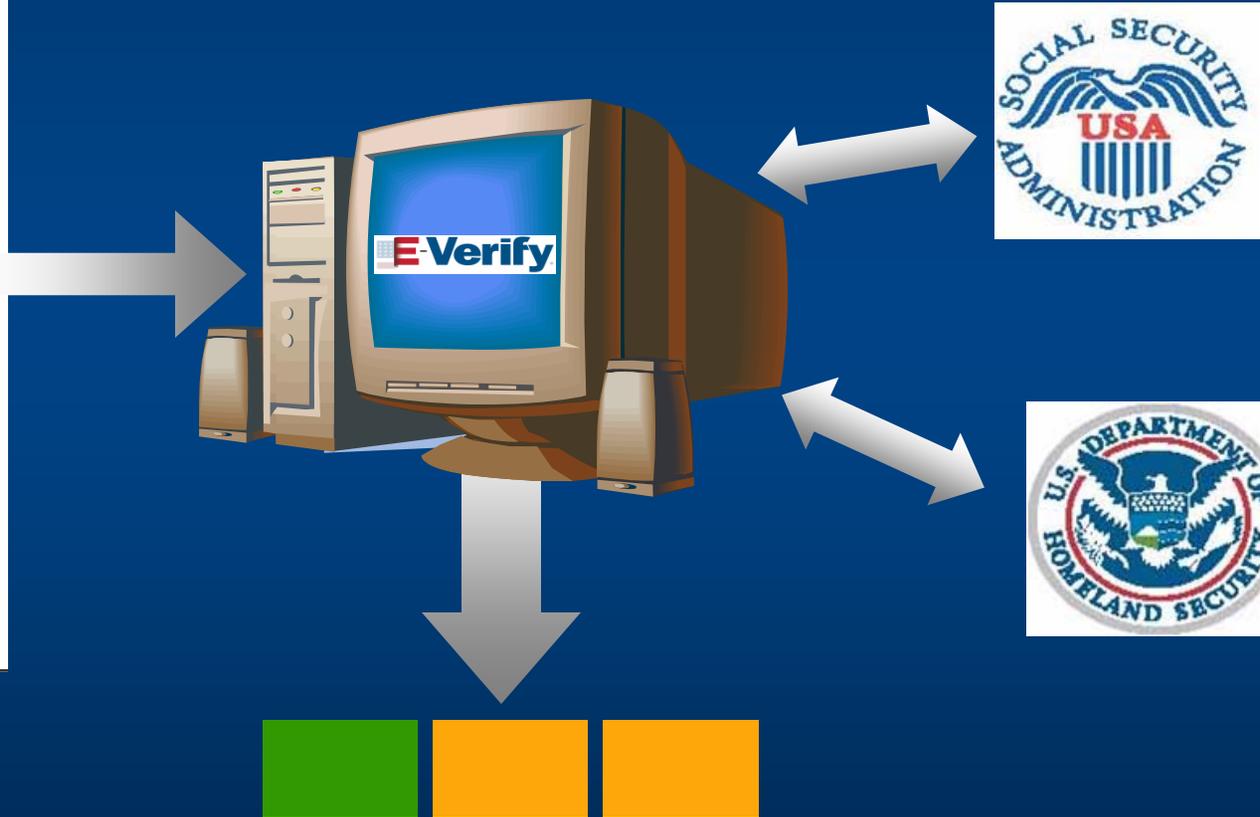
A. New Hire (if applicable) _____ B. Date of Expiration (month/day/year) (if applicable) _____

C. If employer's previous grant of work authorization 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 granted and to relate to the individual.		
Signature of Employer or Authorized Representative		Date (month/day/year)

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Form I-9



How does E-Verify work

Initial verification results will be:

**Employment
Authorized**

The referred
worker/employee is
authorized to work.

**SSA Tentative
Nonconfirmation**

There is an
information
mismatch.

**DHS Verification
in Process**

DHS will usually
respond within 24 hours
with either:

**Employment
Authorized**

or

**DHS Tentative
Nonconfirmation.**

Handling a TNC

- **Inform** the referred worker/employee of the TNC
- **Print** the TNC Notice and **review** it with the referred worker/employee

CONTEST

Refer referred worker/employee to appropriate agency

**NOT
CONTEST**

You may terminate the employee/worker's referral and close the case in E-Verify

Handling a TNC

- The referred worker/employee has **eight federal government workdays** from the referral date to visit or call the appropriate agency to begin resolution process
- The **referred worker/employee continues to work** during the TNC resolution process
- During the TNC process, **DO NOT** take any adverse action against the referred worker/employee



SWA Enrollment

- Obtain and review a copy of the SWA MOU at www.dhs.gov/E-Verify in the Customer Support tab
- Sign the MOU and complete the information page and fax to DHS: (202) 443-0215 or email to E-Verifyprogram@dhs.gov
- DHS will then enroll the SWA. All persons listed on the information page will receive an email with their User ID and logon instructions

SWA Enrollment (continued)

- A second email will be sent to include:
 - The completed MOU. A copy of the MOU may be faxed if a scan is not available
 - A Quick Reference Guide
 - The E-Verify participation poster and an anti-discrimination notice. Both notices should be placed in the referred workers' job packages
- To create cases in E-Verify, users must take the Online Tutorial and pass the Mastery Test



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

Employer Hotline 1-800-255-8155



Employee Hotline 1-800-255-7688

Office of Special Counsel for Immigration Related Unfair Employment Practices

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 Self Check or present any Self Check documentation

Employer Hotline 1-800-255-8155



Employee Hotline 1-800-255-7688

Office of Special Counsel for Immigration Related Unfair Employment Practices



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



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



Stay Up to Date

- Get email updates for
 - I-9 Central - www.uscis.gov/I-9Central
 - E-Verify - www.dhs.gov/E-Verify

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



Contact Information

Employer/SWA Hotline: **(888) 464-4218**

Employee/Referred Worker 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**

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)