



Form I-9 and E-Verify

Session Number 000

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Agenda

- Form I-9 Requirements, Sections 1, 2, and 3
- Storage and Retention
- E-Verify Background
- Enrollment and Use
- TNC Process
- Resources

Background

In 1986, in an effort to control illegal immigration, Congress passed the **Immigration Reform and Control Act (IRCA)**.

IRCA forbids employers from knowingly hiring individuals who do not have work authorization in the United States.

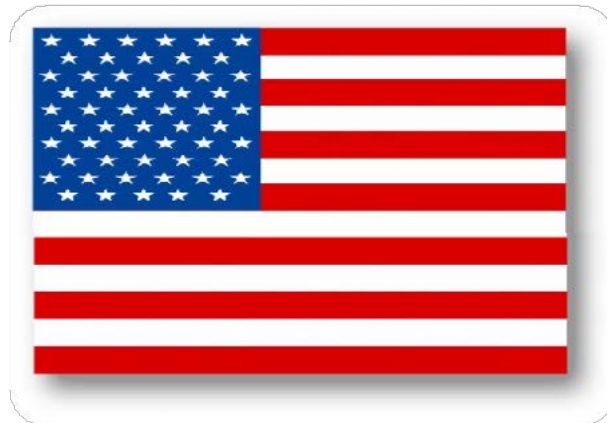
The employment eligibility verification provisions, and sanctions, of **IRCA** are found in **Section 274A of the Immigration and Nationality Act (INA)**.



Working in the U.S

Individuals who may legally work in the United States are:

- Citizens of the United States
- Noncitizen nationals of the United States
- Lawful Permanent Residents
- Aliens authorized to work



Employment Verification

To comply with the employment eligibility verification, an employer must:

- Verify the **identity** and **employment authorization** documents of employees hired after November 6, 1986
- **Complete** and **retain** a **Form I-9** for each employee hired after November 6, 1986
- **Refrain from discriminating against** individuals on the basis of actual or perceived national origin, citizenship or immigration status

Preventing Discrimination

The anti-discrimination provisions of the INA prohibit four types of unlawful conduct:

- Citizenship or immigration status discrimination*
- National origin discrimination*
- Document abuse during Form I-9 process
- Retaliation

* *Actual or perceived*



Immigrant and Employee Rights Section (IER)

The anti-discrimination provisions of the INA are enforced by:

Department of Justice

Civil Rights Division

Immigrant and Employee Rights Section



— U.S. DEPARTMENT OF JUSTICE —
IMMIGRANT & EMPLOYEE RIGHTS SECTION
— CIVIL RIGHTS DIVISION —

- Employees may contact the [Immigrant and Employee Rights Section \(IER\)](#) to obtain additional information regarding employment discrimination and employee rights and responsibilities*

1-800-255-7688 (TDD: 1-800-616-5525)

- Employers may also contact OSC*

1-800-255-8155 (TDD: 1-800-362-2735)

*callers may remain anonymous

See [IER's "Employer Dos and Don'ts."](#)

Completing Form I-9

Instructions Start Over Print

Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 08/31/2019

▶ **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)				Apt. Number	City or Town	State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number	Employee's E-mail Address		Employee's Telephone Number		

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 attest, under penalty of perjury, that I am (check one of the following boxes):

1. A citizen of the United States

2. A noncitizen national of the United States (See instructions)

3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____

4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____
Some aliens may write "N/A" in the expiration date field. (See instructions)

Aliens authorized to work must provide only one of the following document numbers to complete Form I-9:
An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.

1. Alien Registration Number/USCIS Number: _____
OR
2. Form I-94 Admission Number: _____
OR
3. Foreign Passport Number: _____
Country of Issuance: _____

QR Code - Section 1
Do Not Write in This Space

Signature of Employee	Today's Date (mm/dd/yyyy)
-----------------------	---------------------------

Preparer and/or Translator Certification (check one):

I did not use a preparer or translator. A preparer(s) and/or translator(s) assisted the employee in completing Section 1.
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator	Today's Date (mm/dd/yyyy)
Last Name (Family Name) First Name (Given Name)	
Address (Street Number and Name) City or Town State ZIP Code	

Click to Finish

STOP Employer Completes Next Page STOP

Form I-9 11/14/2016 N Page 1 of 4

Instructions Start Over Print

Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 08/31/2019

Section 2. Employer or Authorized Representative Review and Verification
(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1		Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
------------------------------	--	-------------------------	-------------------------	------	--------------------------------

List A Identify and Employment Authorization	OR List B Identity	AND List C Employment Authorization
Document Title	Document Title	Document Title
Issuing Authority	Issuing Authority	Issuing Authority
Document Number	Document Number	Document Number
Expiration Date (if any)(mm/dd/yyyy)	Expiration Date (if any)(mm/dd/yyyy)	Expiration Date (if any)(mm/dd/yyyy)
Document Title	Additional Information	QR Code - Sections 2 & 3 Do Not Write in This Space
Issuing Authority		
Document Number		
Expiration Date (if any)(mm/dd/yyyy)		
Document Title		
Issuing Authority		
Document Number		
Expiration Date (if any)(mm/dd/yyyy)		

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	Today's Date (mm/dd/yyyy)	Title of Employer or Authorized Representative
Last Name of Employer or Authorized Representative		First Name of Employer or Authorized Representative
Employer's Business or Organization Name		
Employer's Business or Organization Address (Street Number and Name)		City or Town State ZIP Code

Click to Finish

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Form I-9 Exceptions

You are **NOT** required to complete **Form I-9** for:

- Casual domestic service employees working in a private household when work is sporadic, irregular or intermittent.
- Independent contractors for whom you do not set work hours, or provide tools to do the job.
- Employees working outside the United States.*

** 50 States, District of Columbia, Guam, Puerto Rico, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands*

Lists of Acceptable Documents

- Use MOST CURRENT Form I-9 VERSION, 11/14/16N
- You must make the Lists of Acceptable Documents available to your EMPLOYEE when he or she is completing the Form I-9

The EMPLOYEE MUST provide:

- One document from **List A**
- OR
- One document from **List B**
- AND one document from **List C**

LISTS OF ACCEPTABLE DOCUMENTS

All documents must be UNEXPIRED

Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport, and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.		5. U.S. Military card or draft record		5. Native American tribal document
		6. Military dependent's ID card		6. U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		8. Employment authorization document issued by the Department of Homeland Security
		9. Driver's license issued by a Canadian government authority		
		For persons under age 18 who are unable to present a document listed above:		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI				

Examples of many of these documents appear in Part 8 of the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.

Section 1: Employee Information

Section 1. Employee Information and Attestation <i>(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)</i>				
Last Name (Family Name) ?	First Name (Given Name) ?	Middle Initial ?	Other Last Names Used (if any) ?	
Address (Street Number and Name) ?	Apt. Number ?	City or Town ?	State ?	ZIP Code ?
Date of Birth (mm/dd/yyyy) ?	U.S. Social Security Number ?	Employee's E-mail Address ?	Employee's Telephone Number ?	

- To be completed by **EMPLOYEE**.
- Employer **MUST** verify Section 1 is **COMPLETE**

Section 1: Employee Attestation

Section 1. Employee Information and Attestation (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

Last Name (Family Name) Washington	First Name (Given Name) George	Middle Initial A	Other Last Names Used (if any) N/A
Address (Street Number and Name) 123 Star Spangled Way		Apt. Number 1	City or Town Westmoreland
		State VA	ZIP Code 20002
Date of Birth (mm/dd/yyyy) 02/02/1982	U.S. Social Security Number 123-45-6789	Employee's E-mail Address gswashington@email.com	Employee's Telephone Number 202-123-4567

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 attest, under penalty of perjury, that I am (check one of the following boxes):

1 A citizen of the United States

2 A noncitizen national of the United States (See instructions)

3 A lawful permanent resident (Alien Registration Number/USCIS Number): _____

4 An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____
Some aliens may write "N/A" in the expiration date field. (See instructions)

Aliens authorized to work must provide only one of the following document numbers to complete Form I-9:
An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.

1. Alien Registration Number/USCIS Number: _____
OR
2. Form I-94 Admission Number: _____
OR
3. Foreign Passport Number: _____
Country of issuance: _____

OR Code - Section 1
Do Not Write In This Space

Signature of Employee *George Washington* Today's Date (mm/dd/yyyy) **01/22/2017**

Preparer and/or Translator Certification (check one):

I did not use a preparer or translator. A preparer(s) and/or translator(s) assisted the employee in completing Section 1.
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator *Abigail Adams* Today's Date (mm/dd/yyyy) **01/22/2017**

Last Name (Family Name) Adams	First Name (Given Name) Abigail
Address (Street Number and Name) 123 American Way	City or Town Weymouth
	State MA
	ZIP Code 20001

- Section 1 of Form I-9.
- All employees must complete Section 1 no later than the first business day of employment for pay.

Section 1: Preparer/Translator (P/T) Certification

This certification is required when Section 1 is prepared by someone other than the employee.

- Employees must **check the first box** if they don't use a preparer or translator.
- If the first box is checked, no entries can be made in the fields as the check box is equivalent to stating N/A.

Preparer and/or Translator Certification (check one): ?			
<input type="checkbox"/> I did not use a preparer or translator.		<input type="checkbox"/> A preparer(s) and/or translator(s) assisted the employee in completing Section 1.	
<i>(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)</i>			
I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.			
Signature of Preparer or Translator ?			Date (mm/dd/yyyy) ?
Last Name (Family Name) ?		First Name (Given Name) ?	
Address (Street Number and Name) ?		City or Town ?	State ? ZIP Code ?

- If the employee uses a P/T, the P/T must check the second box in this section, then choose from the drop-down menu the number of preparers and translators used.
 - If the dropdown indicates more than one P/T, the form automatically generates an extra page to enter up to four more P/Ts
 - P/Ts must sign and date the areas by hand.
 - If the form is being completed on paper, P/Ts may use the supplement on the Form I-9 download page to enter multiple P/Ts

Section 2: Certification (con't): Hire Date

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	
<input type="text"/>		<input type="text"/>	<input type="text"/>	
Last Name (Family Name)	First Name (Given Name)	Employer's Business		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Employer's Address (Street Number and Name)	City or Town	State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Certification date (points to the date field in the signature section)

Hire date (points to the employee's first day of employment field)

Section 2: Examining Documents

Genuineness and Photocopies

- You are not required to be a document expert
- You **MUST** accept a document presented by an employee if it reasonably appears to be:
 - Genuine; AND,
 - Relates to the individual presenting it
- Section 2 **MUST** be filled out in the presence of the employee
- The document **MUST** be original* – photocopies are **NOT** acceptable

*Exception: Certified copy of a birth certificate

Document Tips:

- All documents must be unexpired when presented
- Must be issued by a federal/state/local government agency. (School IDs acceptable for students/minors)
- Social Security cards are not acceptable for employment authorization if it contains these restricted notations:
 - Not Valid for Employment
 - Valid for Work Only with INS
 - Valid for Work Only with DHS Authorization
- For E-Verify participants, a photo ID is required for List B documents



Section 2: Receipt Rule

1. A receipt showing that your employee has applied to replace a document that was **lost, stolen or damaged**.
 - Employee must present a replacement document within 90 days of the hire date.
 2. The arrival portion of Form I-94/I-94A with a temporary I-551 stamp and a photograph of the individual.
 - Receipt is valid until the expiration date on the stamp, or one year after the issuance date if the stamp does not contain an expiration date.
 - Employee must show you their Permanent Resident Card (I-551) upon expiration.
 3. The departure portion of the Form I-94/I-94A with a refugee admission stamp or computer-generated printout of Form I-94 with admission code “RE”.
 - Employee must present an EAD or List B document and unrestricted Social Security Card within 90 days of the hire date.
- The receipt must be issued by the originating agency.
 - Receipts are never acceptable if employment will last less than 3 business days.

Section 2: Copying Documents

You may choose to make copies of employee documents presented to you for Section 2.

- If you choose to photocopy documents, you must do so for **ALL** employees, regardless of actual or perceived national origin, immigration or citizenship status, or you may be in violation of anti-discrimination laws.



Section 3: Reverification

Employee Name from Section 1:		Last Name (Family Name) ?	First Name (Given Name) ?	Middle Initial ?
Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)				
A. New Name (if applicable) ?			B. Date of Rehire (if applicable)	
Last Name (Family Name) ?	First Name (Given Name) ?	Middle Initial ?	Date (mm/dd/yyyy) ?	
C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.				
Document Title ?		Document Number ?	Expiration Date (if any) (mm/dd/yyyy) ?	
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) I have examined appear to be genuine and to relate to the individual.				
Signature of Employer or Authorized Representative ?		Today's Date (mm/dd/yyyy) ?	Name of Employer or Authorized Representative ?	

- You **MUST** reverify an employee using **Section 3** if his or her temporary employment authorization has expired.
- You **MAY** also complete Section 3 if you:
 - **Rehire** the EMPLOYEE within 3 years of the date of initial execution of the Form I-9*
 - Update the **biographic information** of an employee

* USCIS recommends completing a new Form I-9 for rehires

Common Form I-9 Mistakes

Incorrect or missing information for:

- ✓ Name
- ✓ Address
- ✓ Attestation
- ✓ Required List A, B, or C Documents
- ✓ Document Numbers
- ✓ Date of Hire
- ✓ Signatures



Correcting Form I-9

Correcting Mistakes

For **mistakes** on Form I-9, you can:

- Correct the **existing Form I-9**: Line out the incorrect portions, enter the correct information, and initial and date the correction.
 - Section 1, the **employee** must make the corrections, initial and date.
 - Section 2, the **employer** must make the corrections, initial and date.
- Complete a **new Form I-9**: Retain it with the old form. Attach a short memo to the new and old Forms I-9 stating the reason for your action.

Missing Forms

For an employee's **missing** Form I-9:

- Immediately provide the employee with a current Form I-9.
- Allow employee 3 business days to provide acceptable documents.
- DO NOT backdate the Form I-9; use original hire date.

Storage and Retention

Form I-9 **MUST** be on file for all current employees and stored **securely** in a way that meets **your business needs** – on site, off-site, storage facility or electronically.

Store Forms I-9 and document copies together and ensure that only authorized personnel have access to stored Forms I-9.

Forms I-9 must be retained for:

3 years after the date you **hire** an employee **or**

1 year after the date employment **terminates**, whichever is later.

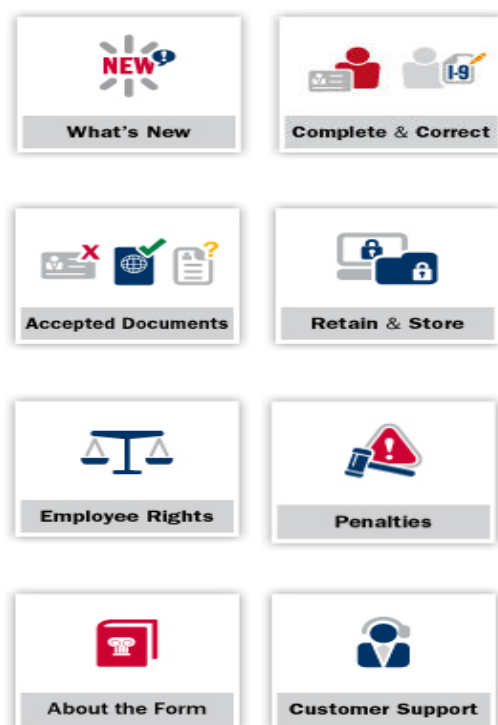
I-9 Central

I-9 Central

Federal law requires that every employer* and agricultural recruiter/referrer-for-a-fee hiring, or recruiting/referring for a fee, an individual for employment in the United States complete a Form I-9, Employment Eligibility Verification. Form I-9 will help you verify your employee's identity and employment authorization. You may click on the links to the left or on one of the icons below to find out more information about Form I-9.

**[NOTE: We will refer to both employers and agricultural recruiters and referrers for a fee collectively as "employers" for ease of reference throughout the I-9 Central.]*

On March 8, 2013, a new version of the Form I-9 was released. Beginning May 7, 2013, employers must only use the new Form I-9.



This page can be found at: <http://www.uscis.gov/I-9Central>

Bienvenido a la Central I-9

Alerta: E-Verify está disponible. Para más información, haga clic [aquí](#).

La ley federal exige que cada empleador* ,reclutador o agente que refiere trabajadores agrícolas a cambio de honorarios y que contrate a un individuo para trabajar en los Estados Unidos, complete un Formulario "I-9, Verificación de Elegibilidad de Empleo". El Formulario I-9 le ayudará a verificar la identidad de su empleado y su autorización de empleo. Para obtener más información sobre el Formulario I-9, haga clic en los íconos que se encuentran a continuación.

**[NOTA: Para facilitar la referencia, en el Central I-9 nos referiremos de manera colectiva tanto a los empleadores como a los reclutadores y agentes que refieren trabajadores agrícolas a cambio de honorarios como "empleadores".]*

El 8 de marzo de 2013 se publicó una nueva versión del Formulario "I-9, Verificación de Elegibilidad de Empleo". Comenzando el 7 de mayo de 2013, los empleadores deberán utilizar sólo este nuevo Formulario I-9.



This page can be found at: <http://www.uscis.gov/I-9Central/Espanol>

Form I-9 and E-Verify

Form I-9 must be completed before a case can be created in E-Verify.



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)**



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

E-Verify Benefits

- ✓ **Reduce** unauthorized employment
- ✓ **Minimize** verification-related discrimination
- ✓ Be **quick and non-burdensome** to employers
- ✓ **Protect** civil liberties and employee privacy



Required Posters – Must Be Visible to Prospective Employees

This Organization Participates in E-Verify

This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

IMPORTANT: If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at www.justice.gov/crt/osc.

NOTICE:
Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.

E-Verify Works for Everyone
For more information on E-Verify, please contact DHS:
888-897-7781
www.dhs.gov/E-Verify

E-VERIFY IS A SERVICE OF DHS AND SSA
The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

IF YOU HAVE THE RIGHT TO WORK

Don't let anyone take it away.

There are laws to protect you from discrimination in the workplace.

You should know that...

- In most cases, employers cannot deny you a job or fire you because of your national origin or citizenship status or refuse to accept your legally acceptable documents.
- Employers cannot reject documents because they have a future expiration date.
- Employers cannot terminate you because of E-Verify without giving you an opportunity to resolve the problem.
- In most cases, employers cannot require you to be a U.S. citizen or a lawful permanent resident.

Contact IER

For assistance in your own language
Phone: 1-800-255-7688
TTY: 1-800-237-2515

Email us
IER@usdoj.gov

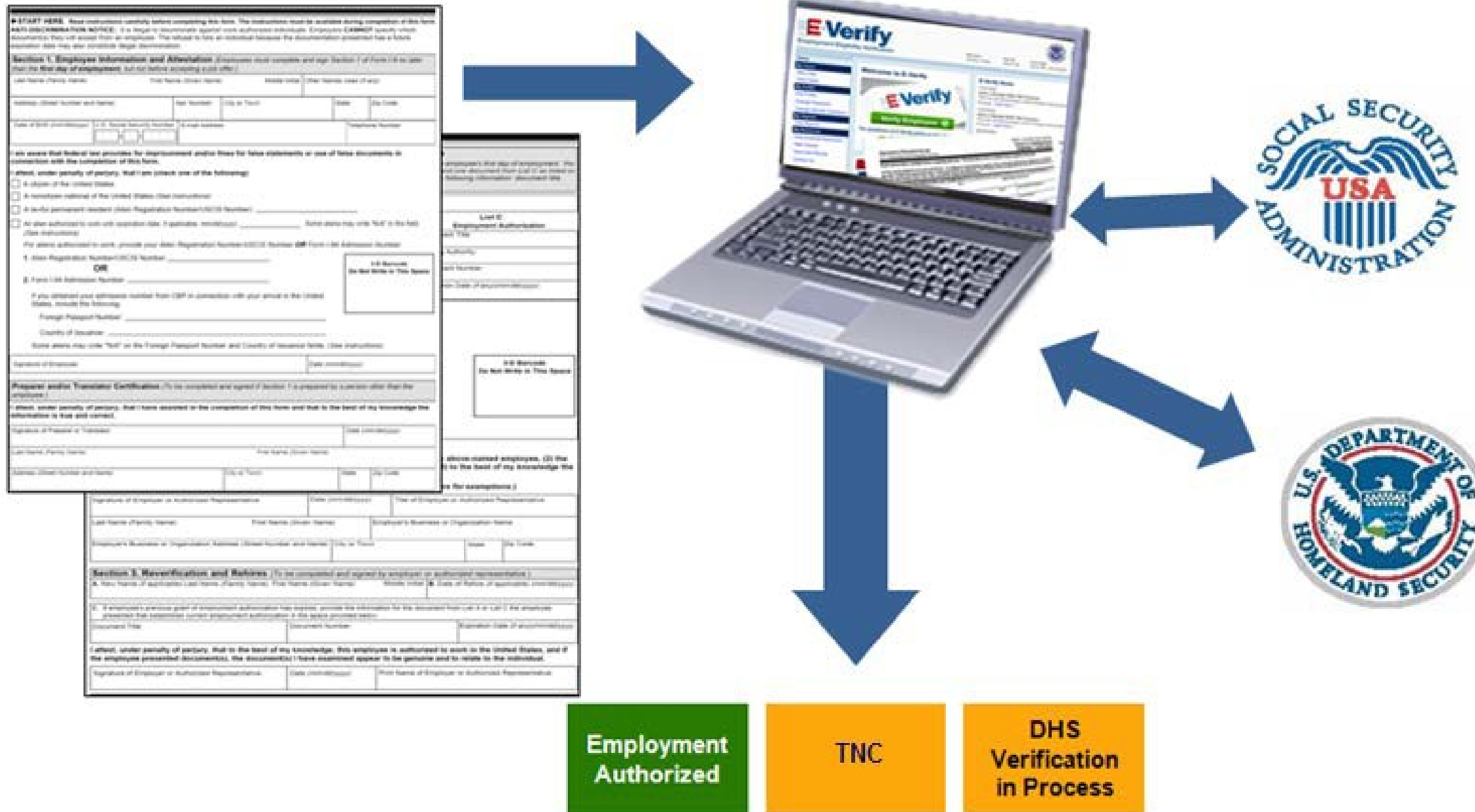
Or write to
U.S. Department of Justice – CRT
Immigrant and Employee Rights – NYA
950 Pennsylvania Ave., NW
Washington, DC 20530

If any of these things happen to you, contact the Immigrant and Employee Rights Section (IER).

DEPARTMENT OF JUSTICE
IMMIGRANT & EMPLOYEE RIGHTS SECTION
CIVIL RIGHTS DIVISION

Immigrant and Employee Rights Section
U.S. Department of Justice, Civil Rights Division www.justice.gov/ier

How does E-Verify work?



Initial Results

Initial verification will return one of three results in seconds.

Employment Authorized	Tentative Nonconfirmation	DHS Verification in Process
<p>The employee is authorized to work.</p>	<p>There is an information mismatch.</p>	<p>DHS will usually respond within 24 hours with either:</p> <p>Employment Authorized</p> <p>or</p> <p>DHS Tentative Nonconfirmation</p>

Creating an E-Verify Case

Click on “New Case” or “Verify Employee”

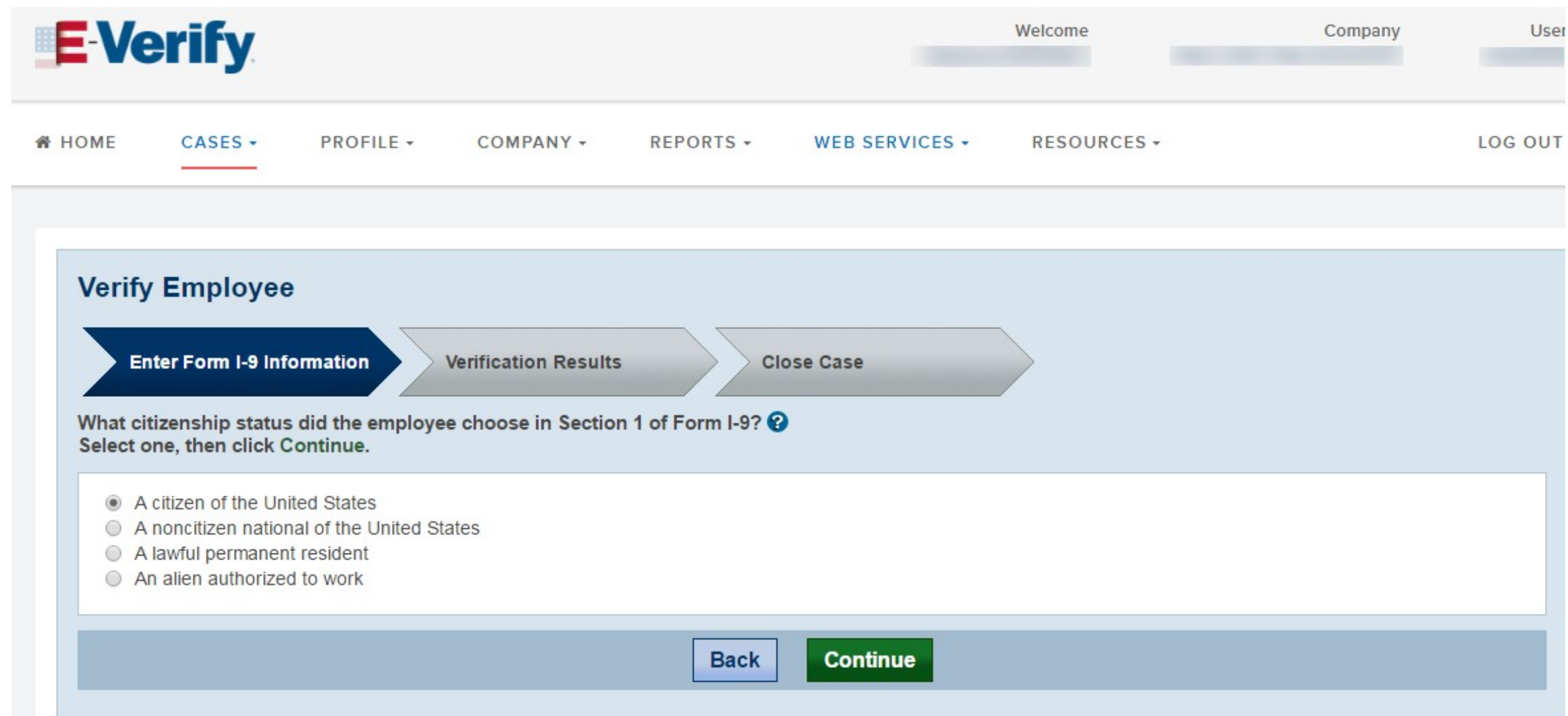
From Section 1 of the employee's Form I-9, provide employee biographic information

The screenshot shows the E-Verify homepage. At the top, there is a navigation bar with 'HOME', 'CASES', 'PROFILE', 'COMPANY', 'REPORTS', 'WEB SERVICES', and 'RESOURCES'. A dropdown menu is open under 'CASES', showing 'New Case', 'View Cases', and 'Search Cases'. A red arrow points to 'New Case'. Below the navigation bar, there is a 'Message Center' section with a 'Message Center' button. To the right, there is a 'QUICK LINKS' section with buttons for 'Verify Employee', 'Search Cases', 'View Resources', and 'Contact Us'. A red arrow points to the 'Verify Employee' button. At the bottom, there are four buttons: 'Open Cases to be Closed', 'Cases with New Updates', 'Work Authorization Docs Expiring', and 'Message Center'. A red banner at the top of the main content area says 'You Have No Case Alerts at this Time'.

The screenshot shows the 'Verify Employee' form. At the top, there is a progress bar with three steps: 'Enter Form I-9 Information', 'Verification Results', and 'Close Case'. Below the progress bar, there is a text prompt: 'Enter the employee's Form I-9 information, then click Continue. * - required. Click any ? for help.' The form contains several input fields: '* Last Name', '* First Name', 'Middle Initial', 'Other Names Used', '* Date of Birth' (with dropdowns for Month, Day, and Year), '* Social Security Number' (with a hyphenated input field), and 'Employee's Email Address'. A green 'Continue' button is located at the bottom right of the form.

Creating a Case (con't)

From Section 1 of the employee's Form I-9 choose the correct citizenship option




E-Verify Welcome Company User

HOME **CASES** PROFILE COMPANY REPORTS WEB SERVICES RESOURCES LOG OUT

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

What citizenship status did the employee choose in Section 1 of Form I-9? 
Select one, then click **Continue**.

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

Back Continue

Creating a Case (con't)

Indicate the documents provided to you for Section 2 of the employee's Form I-9

If you select that the employee provided B and C documents, the following screen will appear

E-Verify
Employment Eligibility Verification

Welcome [User ID] Last Login 10:19 AM - 02/24/2014 Log Out

Click any ? for help

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

What documents did the employee present for Section 2 of Form I-9? ?
Select one, then click **Continue**.

List B and C Documents
 U.S. Passport or Passport Card

[Back](#) [Continue](#)

U.S. Department of Homeland Security - www.dhs.gov U.S. Citizenship and Immigration Services - www.uscis.gov Accessibility Download Viewers

E-Verify
Employment Eligibility Verification

Welcome [User ID] Last Login 10:19 AM - 02/24/2014 Log Out

Click any ? for help

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

What List B and C documents did the employee present for Section 2 of Form I-9? ?
Select one from each column, then click **Continue**.

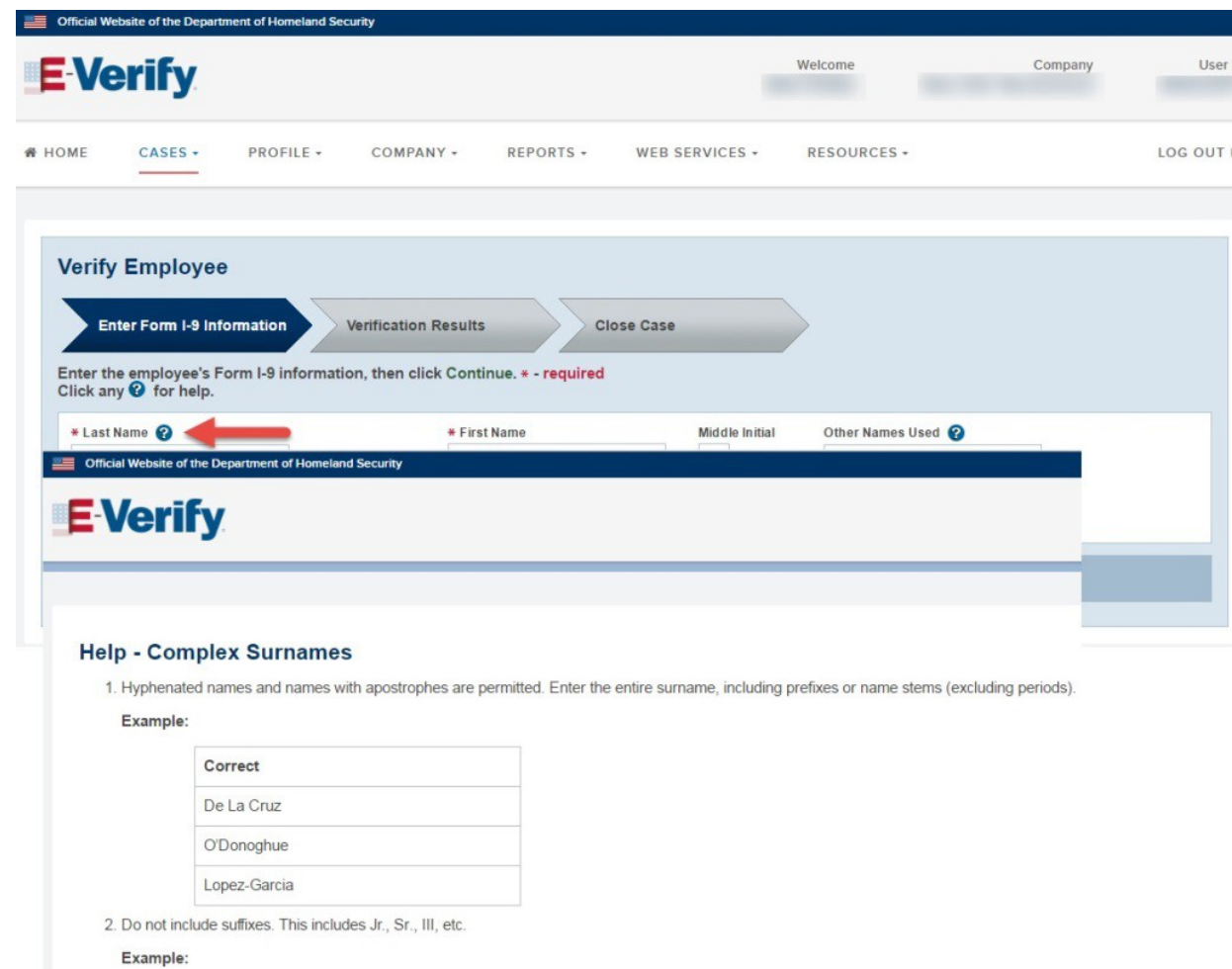
List B Documents	List C Documents
<input checked="" type="radio"/> Driver's license or ID card issued by a U.S. state or outlying possession ?	<input checked="" type="radio"/> Social Security Card ?
<input type="radio"/> ID card issued by a U.S. federal, state or local government agency ?	<input type="radio"/> Certification of Birth Abroad (Form FS-545)
<input type="radio"/> School ID card	<input type="radio"/> Certification of Report of Birth (Form DS-1350)
<input type="radio"/> Voter registration card	<input type="radio"/> U.S. birth certificate (original or certified copy)
<input type="radio"/> U.S. military card or draft record	<input type="radio"/> Native American tribal document ?
<input type="radio"/> Military dependent's ID card	<input type="radio"/> U.S. Citizen ID Card (Form I-197)
<input type="radio"/> U.S. Coast Guard Merchant Mariner Card	<input type="radio"/> ID Card for Use of Resident Citizen in the United States (Form I-179)
<input type="radio"/> Native American tribal document ?	<input type="radio"/> Employment authorization document issued by the U.S. Department of Homeland Security ?
<input type="radio"/> Driver's license issued by a Canadian government authority	
<input type="radio"/> School record or report card (under age 18)	
<input type="radio"/> Clinic, doctor or hospital record (under age 18)	
<input type="radio"/> Day-care or nursery school record (under age 18)	
<input type="radio"/> Minor under age 18 without a List B document	
<input type="radio"/> Special Placement	

[Back](#) [Continue](#)

U.S. Department of Homeland Security - www.dhs.gov U.S. Citizenship and Immigration Services - www.uscis.gov Accessibility Download Viewers

Helper Text

- To avoid an unnecessary TNC due to a name mismatch **click** the icon next to the “Last Name” field to reveal the helper text.



Official Website of the Department of Homeland Security

E-Verify Welcome Company User ID

HOME CASES PROFILE COMPANY REPORTS WEB SERVICES RESOURCES LOG OUT

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

Enter the employee's Form I-9 information, then click Continue. * - required
Click any ? for help.

* Last Name ? * First Name Middle Initial Other Names Used ?

Official Website of the Department of Homeland Security

E-Verify

Help - Complex Surnames

1. Hyphenated names and names with apostrophes are permitted. Enter the entire surname, including prefixes or name stems (excluding periods).

Example:

Correct
De La Cruz
O'Donoghue
Lopez-Garcia

2. Do not include suffixes. This includes Jr., Sr., III, etc.

Example:

Creating an E-Verify Case (con't)

- Enter employee's biographic information
 - Required fields asterisked
- Employee's email address field
 - Optional field on Form I-9
 - Required for E-Verify case if provided
- Visit [Email Notification Page](#)



Case Results/Closing a Case

Employer Action

- Record Case Verification Number on Form I-9 and/or print out the case details and attach to Form I-9
- Confirm case and Form I-9 information match
- Close case (all open cases must be closed)

The screenshot displays the E-Verify web interface. At the top, it says "E-Verify Employment Eligibility Verification" with logos for the U.S. Department of Homeland Security and Social Security Administration. A navigation bar includes "Home", "My Cases", "My Profile", "My Company", "My Reports", "My Web Services", and "My Resources".

The main content area is titled "Verify Employee" and shows the following information:

- Employee Name: Smith, Bill
- Case Verification Number: 2014055122742JH (highlighted with a red box)
- Buttons: "View/Print Case Details" (with a printer icon)
- Progress bar: "Enter Form I-9 Information" (checked), "Verification Results" (checked), "Close Case" (next)

A yellow box highlights the "Employment Eligibility:" section, which states:

Employment Authorized
 Bill Smith is authorized to work in the United States. To complete the verification process, click **Close Case**.

Below this, a table displays the employee's details:

Last Name Smith	First Name Bill	Middle Initial --	Other Names Used --
Date of Birth January 03, 2001	Social Security Number *** ** 0007	Email Address --	
Citizenship Status A citizen of the United States	Document Type Driver's license or ID card issued by a U.S. state or outlying possession	Document Name Driver's license	Document State Nebraska
Document Expiration Date March 31, 2017	Hire Date February 24, 2014	Employer Case ID --	Submitted On February 24, 2014
Submitted By [Redacted]			

A red arrow points to a green "Close Case" button at the bottom right of the interface.

Handling a TNC

- Employers should print the TNC **Further Action Notice** and review it with the employee promptly and privately.
- Employees have the right to contest or not contest a TNC.
- Employees who choose to contest should be provided the **Referral Date Confirmation**

Both the TNC Further Action Notice & Referral Date Confirmation are available in several languages: [Foreign Language Resources](#)

CONTEST	NOT CONTEST
Employer refers employee to appropriate agency.	Employer may terminate the employee and close the case in E-Verify.

What is a Tentative Nonconfirmation (TNC)?

- Information from an employee's Form I-9 did not match government databases
- Employee may still be authorized to work and/or is lawfully present in the United States.
- Common reasons for TNC:
 - SSN did not match
 - ID document could not be verified
 - Citizenship or immigration status changed
 - Typographical errors



The screenshot displays the E-Verify web interface. At the top, it says "E-Verify Employment Eligibility Verification" with the Department of Homeland Security and Social Security Administration logos. A navigation bar includes "Home", "My Cases", "My Profile", "My Company", "My Reports", "My Web Services", and "My Resources".

The main content area is titled "Verify Employee" and shows the employee name "Smith, Bill" and case verification number "2014055122742JH". A progress bar indicates the process: "Enter Form I-9 Information" (completed with a green checkmark), "Verification Results" (current step), and "Close Case".

The "Employment Eligibility:" section contains a yellow warning box with a red border and a yellow triangle icon, stating: "SSA Tentative Nonconfirmation (TNC)". Below this, a text box explains: "The Social Security number entered in E-Verify was not valid according to SSA records. This does NOT necessarily mean that the employee is not authorized to work in the United States; however, additional action is required." A red box highlights the following text: "Employers must allow the employee to contest a TNC and may not take adverse action against the employee because of the TNC while the employee is contesting the TNC and the E-Verify case is pending." Below this, it says "To begin the TNC process click, Continue." and "If you created this case in error or no longer need to continue this verification, click Close Case." At the bottom, there are three buttons: "Close Case", "Save Case and Exit", and "Continue".

Further Action Notice

Referral Date Confirmation

E-Verify
Employment Eligibility Verification

Welcome [Name] User ID [ID] Last Login 12:10 PM - 02/24/2014 Log Out

Click any ? for help

- Home
- My Cases**
 - New Case
 - View Cases
 - Search Cases
- My Profile**
 - Edit Profile
 - Change Password
 - Change Security Questions
- My Company**
 - Edit Company Profile
 - Add New User
 - View Existing Users
 - Close Company Account
- My Reports**
 - View Reports
- My Web Services**
 - Manage Web Services
- My Resources**
 - View Essential Resources
 - Take Tutorial
 - View User Manual
 - Share Ideas
 - Contact Us

Verify Employee Employee Name: Smith, Bill Case Verification Number: 2014055122742JH [View/Print Case Details](#)

Enter Form I-9 Information **Verification Results** Close Case

Referral Date Confirmation Choose which language to print

Employee Referred to SSA English [Print Confirmation](#)

This employee has been referred to SSA on **February 24, 2014**. Select a language and print the Referral Date Confirmation. Provide this to the employee who has contested this SSA TNC. Inform the employee that he or she has until **March 06, 2014** to contact SSA.

Check for Case Status Updates

E-Verify will update the employee's case status by **March 11, 2014**. E-Verify will alert you of an update through the case status alert feature on the E-Verify home page. Be sure to log in to E-Verify periodically — you'll need to close the case once it is updated with a final status.

To reprint the SSA TNC Further Action Notice, click **Reprint Notice**.

SSA TNC Further Action Notice Choose which language to print

English [Reprint Notice](#)

To return to the E-Verify home page, click **E-Verify Home**.

If you created this case in error or no longer need to continue this verification, click **Close Case**.

To begin a new case, click **New Case**.

[E-Verify Home](#) [Close Case](#) [New Case](#)

E-Verify

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

E-Verify Case Verification Number: _____

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 _____ (MMDDYYYY), 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.

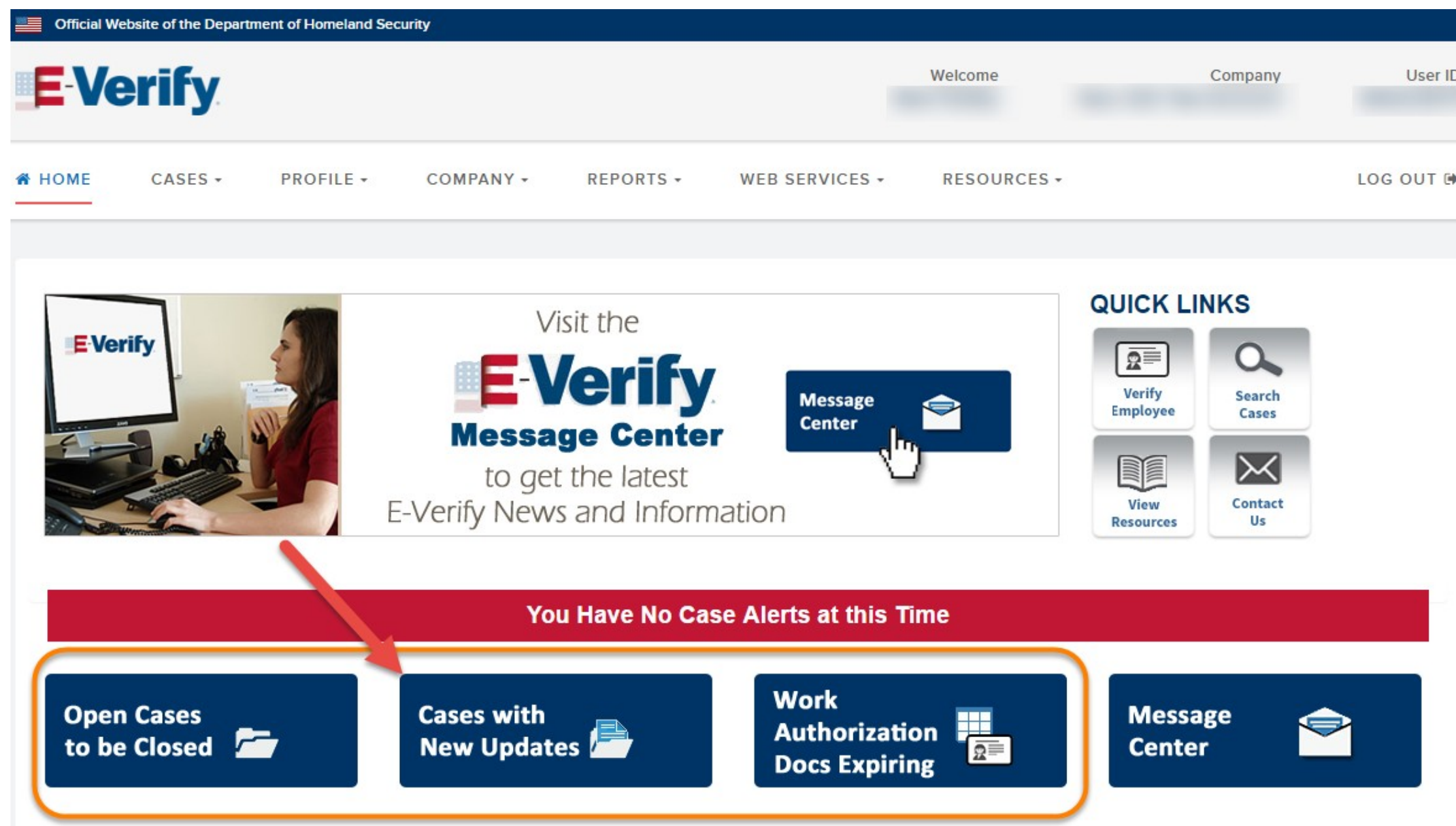
The SSA TNC Further Action Notice includes information about your E-Verify case and which documents you need when you visit SSA. You must have the SSA TNC Further Action Notice when you visit SSA.

If you do not take action **within 8 Federal Government working days**, by _____ (MMDDYYYY), 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.

Check Status of a TNC



Official Website of the Department of Homeland Security

E-Verify Welcome Company User ID

HOME CASES PROFILE COMPANY REPORTS WEB SERVICES RESOURCES LOG OUT

Visit the **E-Verify Message Center** to get the latest E-Verify News and Information

Message Center

QUICK LINKS

- Verify Employee
- Search Cases
- View Resources
- Contact Us

You Have No Case Alerts at this Time

- Open Cases to be Closed
- Cases with New Updates
- Work Authorization Docs Expiring
- Message Center

Results after TNC

- You should check E-Verify periodically for one of the following responses:

Employment Authorized
Review and Update Employee Data
Case in Continuance
DHS Verification in Process
DHS No Show
Final Nonconfirmation

Handling a TNC Employee Rights

- The employee has **eight 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 Non-Confirmation



**DOES YOUR EMPLOYER USE E-VERIFY?
YOU SHOULD KNOW YOUR RIGHTS**

Employers who use E-Verify to confirm your work eligibility must follow the rules

- Employers must not use E-Verify before you accept a job offer
- Employers must use E-Verify for all new hires
- If E-Verify finds an information mismatch in your government records, your employer must let you try to resolve it
- You can keep your job while resolving a mismatch

Learn more at www.dhs.gov/E-Verify

Questions? Email: E-Verify@dhs.gov Call: E-Verify Employee Hotline 888-897-7787

E-Verify



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



- ✓ **Follow all the rules and guidelines outlined in the E-Verify Memorandum of Understanding (MOU)**

Customer Service

E-Verify received the highest rating for customer service of all federal agencies.
(2013 American Customer Satisfaction Survey)

- **Employer Hotline: (888) 464-4218**
- **Employee Hotline: (888) 897-7781**
- **Form I-9 E-Mail: I-9Central@dhs.gov**
- **E-Verify E-Mail: E-Verify@dhs.gov**
- **Form I-9 Website: www.uscis.gov/I-9Central**
- **E-Verify Website: www.dhs.gov/E-Verify**



E-Verify Outreach

- Free Customized Webinars
- Content for your newsletters
- Authorization to use the E-Verify® Logo and Name and I E-Verify Seal
- Add E-Verify to your job announcements
 - Example: “Our company uses E-Verify to confirm the employment eligibility of all newly hired employees. To learn more about E-Verify, including your rights and responsibilities, please visit www.dhs.gov/E-Verify.”



E-Verify Outreach Contact Us

Contact me with any questions.

Email: Delycia.Hofmann@uscis.dhs.gov



Office: 402-858-3797

E-Verify Customer Service: 888-464-4218

Available Monday-Friday 8-5 local time



NATIONAL NOTARY ASSOCIATION