



# E-Verify<sup>®</sup>

For  
Federal Contractors



E-VERIFY IS A SERVICE OF DHS AND SSA



## Agenda

**Section I: E-Verify & FAR - The Big Picture**

**Section II: E-Verify & FAR - Nuts & Bolts**

**Section III: Wrapping it Up**



## Section I: E-Verify & FAR - The Big Picture

- What is E-Verify?
- How does it work?
- E-Verify & the **FAR E-Verify clause**
- Affected Contracts



## What is E-Verify?

No-cost Internet based system

Fast & easy to use

Electronically verifies the employment eligibility of

- Newly hired employees
- Existing employees assigned to work on a qualifying Federal contract

Helps maintain a legal workforce

Protects jobs for authorized workers

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



## How does it 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	Status (None)
Address (Street Name and Number)		City	State	Zip Code
City		State	Zip Code	Social Security #

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.

**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	List B	List C
Document 1:			
Document 2:			
Document 3:			

**Section 3. Updating and Reverification (To be completed and signed by employee.)**

A. New Hire (If applicable)

B. Date of Expiration (month/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: \_\_\_\_\_ Expiration Date (if any): \_\_\_\_\_

I affirm, 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 in relation to the individual.

Signature of Employer or Authorized Representative: \_\_\_\_\_ Date (month/year/year): \_\_\_\_\_

Form I-9 (Rev. 08/19/09) Page 4

Form I-9





## E-Verify & the FAR E-Verify Clause

Federal Acquisition Regulation (FAR) final rule requires that as of **September 8, 2009** federal contractors with contracts containing the **FAR E-Verify clause** must use E-Verify as a condition of their contract

**FAR E-Verify Clause: 48 C.F.R. 52.222-54**

## Affected Contracts

### Prime Contracts

- Awarded or modified on or after September 8, 2009 to include the **FAR E-Verify Clause**
  - Value above **\$100,000**
  - Period of performance of **120 days or more**
  - At least some of the contract work is performed in the United States
  - Does not include contracts for **Commercially available off-the-shelf (COTS)** items and related services



## Affected Contracts Subcontracts

- Prime contract contains the **FAR E-Verify clause**
- The **FAR E-Verify clause** flows down to all tiers of subcontracts
- Prime contractor is responsible for insuring that the **FAR E-Verify clause** is included in qualifying subcontracts

## Affected Contracts Subcontracts

- Value of more than **\$3,000**
- Contract is for commercial or noncommercial services or construction
- Contract is for commercial or noncommercial services or construction
- Does not include contracts for **Commercially available off-the-shelf (COTS)** items and related services

## Affected Contracts

### Indefinite Delivery / Indefinite Quantity

- Existing contract
- Period of performance extends at least six months after September 8, 2009
- Substantial amount of work or number of orders expected during remaining performance period
- Contract may be bi-laterally modified to include the **FAR E-Verify clause**



## Section II: E-Verify & FAR - Nuts & Bolts

- Enrolling/Updating Company Profile
  - When
  - How
- Determining who to verify
- When to verify
- Form I-9 and existing employees
- An E-Verify case
- Handling a TNC
- Closing a case

# Enroll or Update Your Company Profile

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1		3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**Contract award date** (circled in red, pointing to Monday, May 1)

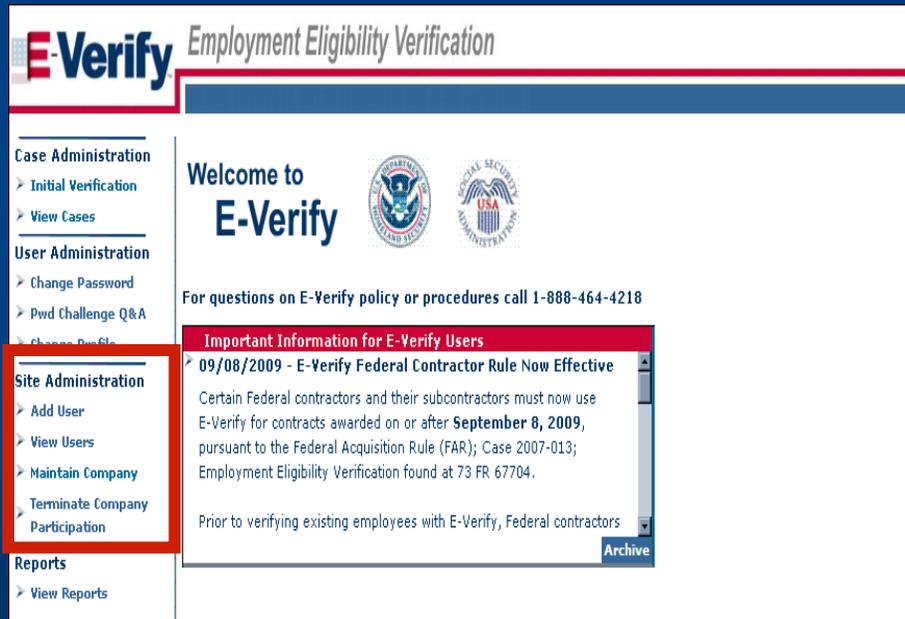
**Deadline to Enroll!** (circled in red, pointing to Wednesday, May 31)

Within  
**30 calendar days**  
of  
**Contract Award Date**  
or  
**Contract Modification Date**

# How to update your company profile

Login to E-Verify

Under **Site Administration** click **Maintain Company**



The screenshot shows the E-Verify website with a navigation menu on the left. The 'Site Administration' section is highlighted with a red box, and 'Maintain Company' is selected. The main content area displays a 'Welcome to E-Verify' message and an 'Important Information for E-Verify Users' section. The 'Important Information' section contains the following text:

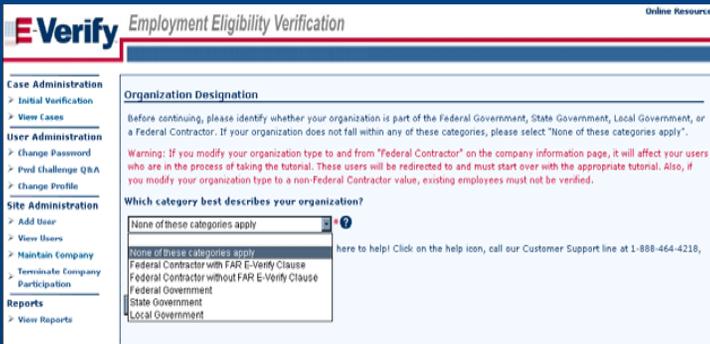
**09/08/2009 - E-Verify Federal Contractor Rule Now Effective**  
 Certain Federal contractors and their subcontractors must now use E-Verify for contracts awarded on or after **September 8, 2009**, pursuant to the Federal Acquisition Rule (FAR); Case 2007-013; Employment Eligibility Verification found at 73 FR 67704.  
 Prior to verifying existing employees with E-Verify, Federal contractors

<ul style="list-style-type: none"> <li>➤ Change Profile</li> <li><b>Site Administration</b></li> <li>➤ Add User</li> <li>➤ View Users</li> <li>➤ <b>Maintain Company</b></li> <li>➤ Terminate Company Participation</li> <li><b>Reports</b></li> <li>➤ View Reports</li> </ul>	<p><b>Important Information</b></p> <ul style="list-style-type: none"> <li>➤ <b>09/08/2009 -</b>                  Certain Federal                  E-Verify for con                  pursuant to the                  Employment Elig</li> <li>Prior to verifying</li> </ul>
--	--

# How to update your company profile

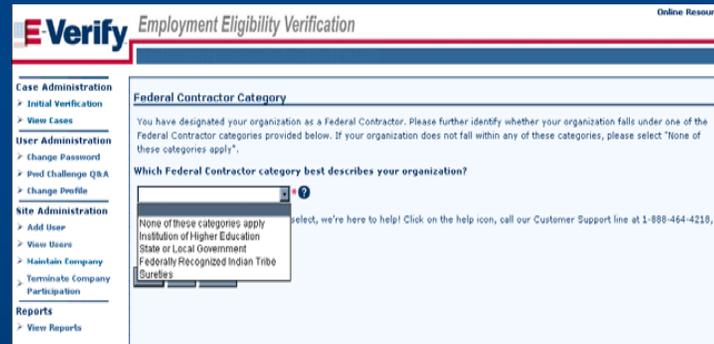
1. Update your organization designation
2. Choose your Federal contractor category
3. Choose which employees you're going to verify

**1.**



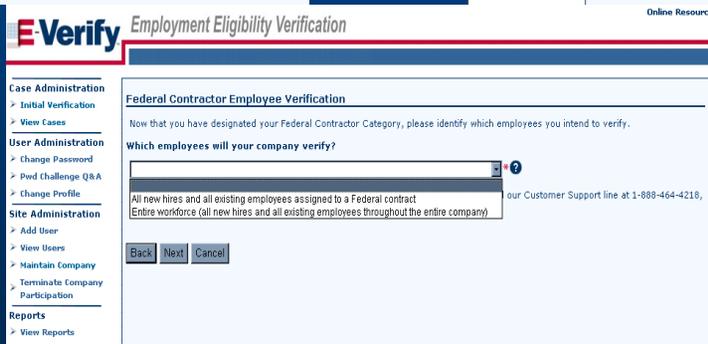
The screenshot shows the 'Organization Designation' page. It includes a sidebar with navigation options like 'Case Administration', 'User Administration', and 'Site Administration'. The main content area has a heading 'Organization Designation' and a warning: 'Warning: If you modify your organization type to and from "Federal Contractor" on the company information page, it will affect your users who are in the process of taking the tutorial. These users will be redirected to and must start over with the appropriate tutorial. Also, if you modify your organization type to a non-Federal Contractor value, existing employees must not be verified.' Below the warning is a dropdown menu titled 'Which category best describes your organization?' with options: 'None of these categories apply', 'Federal Contractor with FAR E-Verify Clause', 'Federal Contractor without FAR E-Verify Clause', 'Federal Government', 'State Government', and 'Local Government'.

**2.**



The screenshot shows the 'Federal Contractor Category' page. It includes a sidebar with navigation options. The main content area has a heading 'Federal Contractor Category' and a warning: 'You have designated your organization as a Federal Contractor. Please further identify whether your organization falls under one of the Federal Contractor categories provided below. If your organization does not fall within any of these categories, please select "None of these categories apply".' Below the warning is a dropdown menu titled 'Which Federal Contractor category best describes your organization?' with options: 'None of these categories apply', 'Institution of Higher Education', 'State or Local Government', 'Federally Recognized Indian Tribe', and 'Sureties'.

**3.**



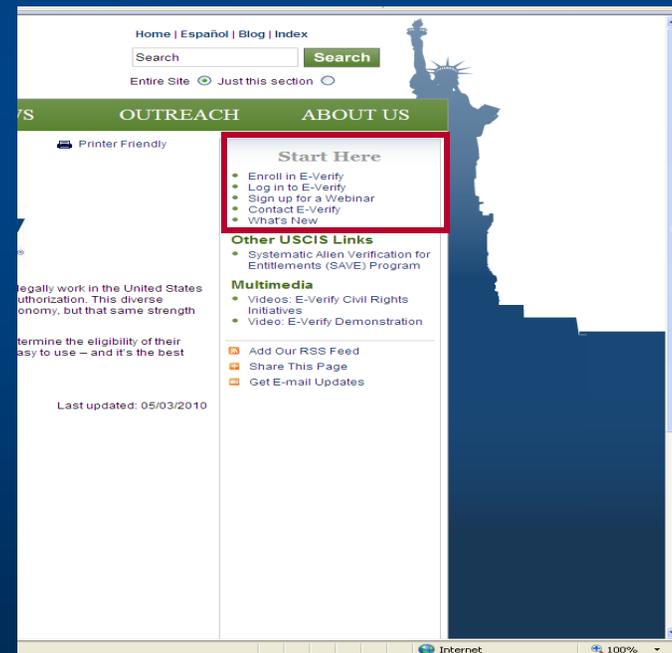
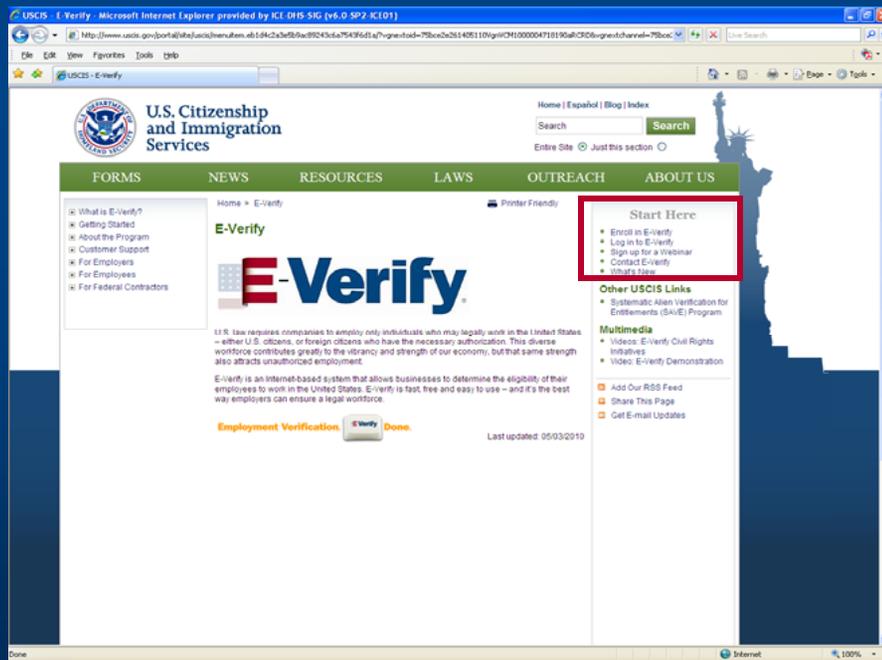
The screenshot shows the 'Federal Contractor Employee Verification' page. It includes a sidebar with navigation options. The main content area has a heading 'Federal Contractor Employee Verification' and a warning: 'Now that you have designated your Federal Contractor Category, please identify which employees you intend to verify.' Below the warning is a dropdown menu titled 'Which employees will your company verify?' with options: 'All new hires and all existing employees assigned to a Federal contract' and 'Entire workforce (all new hires and all existing employees throughout the entire company)'. At the bottom are 'Back', 'Next', and 'Cancel' buttons.



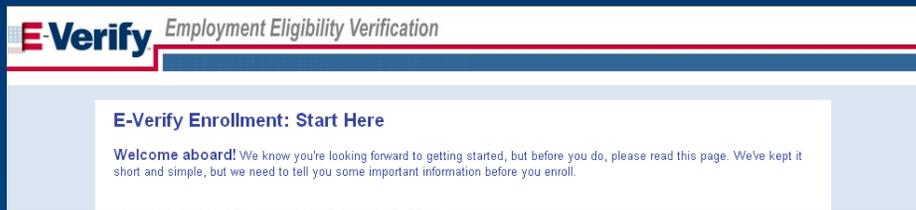
# How to enroll

Go to [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)

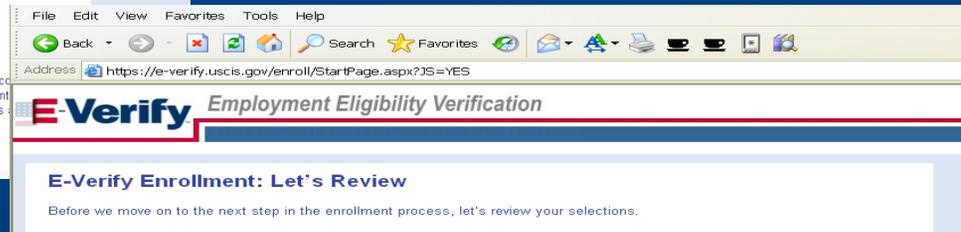
Under **Start Here** click **Enroll in E-Verify**



# How to enroll



**E-Verify will ask questions about how you plan to use the system**



**Based on your answers, E-Verify will recommend an access method**



## How to enroll

### Access methods

#### Employer

##### Most common

Allows E-Verify users in your company to electronically verify the employment eligibility of newly hired employees and existing employees assigned to a federal contract

#### Designated Agent

##### Least common

Select this access method if your company performs verifications for client companies

#### Corporate Administrator

Allows you to create, manage, and administer new & existing E-Verify accounts as well as create and view reports

Does **NOT** allow you to perform verifications

## How to enroll

- Electronically sign a **Memorandum of Understanding (MOU)** with DHS and SSA
- User Name, Password, and E-Verify Web Address will be **e-mailed** to you within 48 hours
- Download and read the *E-Verify User Manual for Federal Contractors* and the *E-Verify Supplemental Guide for Federal Contractors*
- Complete an **online tutorial** before performing verifications

## Determining who to verify

- Verify existing employees
  - Hired after November 6, 1986
  - Working in the United States
  - Performing direct substantial work on a contract containing the **FAR E-Verify clause**
  - Includes short term & temporary employees



## Determining who to verify

### Step 1 – The workforce

- Am I going to verify...

...my entire workforce (all new hires and all existing employees throughout the company)

**OR**

...All new hires organization wide and existing employees assigned to the Federal contract



## Determining who to verify

### Step 2 – Employees you don't run through E-Verify

- Hired on or before November 6, 1986 who are continuing in employment
- Already confirmed as **Employment Authorized** who are continuing in employment

## Determining who to verify

### Step 3 – Employees you may choose not to verify

- New & existing employees with an active confidential, secret, or top secret security clearance OR HSPD-12 compliant credentials
- Existing employees who perform support work (administrative, overhead, indirect)



## Determining who to verify Special Category Employers

Employers in these categories may limit their verifications to only those new & existing employees assigned to the federal contract which contains the **FAR E-Verify clause**

<b>Institutions of Higher Learning</b>	<b>State &amp; Local Governments</b>	<b>Federally Recognized Indian Tribes</b>	<b>Sureties</b> performing under a takeover agreement entered into with a federal agency under a performance bond
--	--	---	--



## When do I verify new hires?

You must begin entering Form I-9 information into E-Verify for new hires within **90 calendar days** of enrolling or updating your organization designation to **Federal Contractor with FAR E-Verify Clause**



## Notes

*Once you begin entering Form I-9 information for new hires, you must enter Form I-9 information for all newly hired employees **no later than the 3rd business day after the employee's start date.***

*If you are already verifying your new hires according to this rule, you should continue to do so. Do not change this practice just because you've gotten a Federal Contract with the FAR E-Verify clause.*



## When do I verify existing employees assigned to the contract?

You must enter Form I-9 information into E-Verify for existing employees assigned to the contract within **90 calendar days** of enrolling or updating your organization designation to **Federal Contractor with FAR E-Verify Clause**



## Note

*If you are assigning an existing employee to a federal contract anytime after day 60 of the initial 90 calendar day period, you have 30 days from the date the person is assigned to the contract to run him or her in E-Verify.*



## When do I verify all my employees if I've chosen *Entire Workforce*?

You must enter Form I-9 information for all employees within **180 calendar days** of enrolling or updating your organization designation to Federal Contractor with **FAR E-Verify clause** and selecting **Entire Workforce**



## Form I-9 & existing employees

Under FAR you have two options to evaluate existing employees' Forms I-9

## Form I-9 & existing employees

### Option I

Complete new Forms I-9 for all employees who will be run in E-Verify

### Option II

Complete new Forms I-9 when required and update existing Forms I-9 when allowed

#### When completing new Forms I-9

- Current rules for Form I-9 apply (e.g. no expired documents)
- Use Form I-9 with (Rev. 02/02/09) or (Rev. 08/07/09) – expiration date for both forms is 08/31/2012

## Form I-9 & existing employees

### Option II: When to complete a new Form I-9

- The employee presented an expired document on a previous Form I-9
- Employment authorization as stated in Section 1 has expired
- The List B document previously submitted did not have a photo or you are unable to determine if it had a photo
- The employee is a Noncitizen National and was unable to separately attest to that status on a previous Form I-9

## Form I-9 & existing employees

### Option II: When to complete a new Form I-9

- The employee presented a document such as a Certificate of Naturalization or Form I-688 that was acceptable at the time of completion of the previous Form I-9, but is no longer acceptable
- The employee's immigration status has changed.
- The employee's name has changed
- The previous Form I-9 did not conform to I-9 requirements at time of completion

## Form I-9 & existing employees

### Option II: Updating a previous Form I-9

If your employee...

...presented an *unexpired* Form I-551 (Permanent Resident Card) or Form I-766 (Employment Authorization Document) and it is still unexpired, photocopy the document & keep it with the employee's Form I-9

...did not provide his or her Social Security Number (SSN) or if the employee claims that the number was changed by SSA, the employee should update Section 1 with the current SSN



## Form I-9 & existing employees

### Option II: Updating a previous Form I-9

If your employee...

...indicates his or her Alien number has been changed by the DHS, update Section 1 with the current Alien number

...presented an unexpired Form I-551 or U.S. Passport & the document has since expired, you may not request the employee to present an unexpired version of either document

## How does it 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	Status (None)
Address (Street Name and Number)		City	State	Zip Code
City		State	Zip Code	Foreign Country #

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.

**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	List B	List C
Document 1:			
Document 2:			
Document 3:			

**Section 3. Updating and Reverification (To be completed and signed by employee.)**

A. New Hire (If applicable) B. Date of Expiration (month/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: \_\_\_\_\_ Expiration Date (if any): \_\_\_\_\_

Signature of Employer or Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Signature of Employer or Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Signature of Employer or Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Form I-9 (Rev. 08/14/09) Page 4

Form I-9



## An E-Verify case

### Initial verification results will be

**Employment  
Authorized**

The 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**



## An E-Verify case

### Initial verification results will be

**Employment  
Authorized**

The employee is  
authorized to work

**SSA Tentative  
Nonconfirmation**

There is an  
information mismatch

**DHS Tentative  
Nonconfirmation**

There is an  
information mismatch



Case Verification Number: 2009302095949AL

Case Administration

- Initial Verification
- View Cases

User Administration

- Change Password
- Pwd Challenge Q&A
- Change Profile

Site Administration

- Add User
- View Users
- Maintain Company
- Terminate Company Participation

Reports

- View Reports

Initial Verification

Last Name:	Jefferson	First Name:	Thomas
Middle Initial:		Maiden Name:	
Social Security Number:	216-47-4400	Date of Birth:	04/20/1962
Hire Date:	10/29/2009	Citizenship Status:	Citizen of the United States
Alien Number:		I-94 Number:	
Passport or Passport Card Number:	C999999999	Visa Number:	
Document Type:	Unexpired U.S. Passport or Passport Card	Doc. Expiration Date:	
Initiated By:	SSLA5672	Initiated On:	10/29/2009

Initial Verification Results

Initial Eligibility: EMPLOYMENT AUTHORIZED

Case Documents for Printing

[Case Details](#)

Resolve Case Close

## Handling a TNC

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

**CONTEST**

**Refer** employee to appropriate agency

**NOT  
CONTEST**

You may terminate the employee and close the case in E-Verify



Case Verification Number: 2009302100356TC

Case Administration

- > Initial Verification
- > View Cases

User Administration

- > Change Password
- > Pwd Challenge Q&A
- > Change Profile

Site Administration

- > Add User
- > View Users
- > Maintain Company
- > Terminate Company Participation

Reports

- > View Reports

Initial Verification

Last Name:	Jefferson	First Name:	Thomas
Middle Initial:		Maiden Name:	
Social Security Number:	316-47-4400	Date of Birth:	04/20/1962
Hire Date:	10/28/2009	Citizenship Status:	Citizen of the United States
Alien Number:		I-94 Number:	
Passport or Passport Card Number:	C999999999	Visa Number:	
Document Type:	Unexpired U.S. Passport or Passport Card	Doc. Expiration Date:	
Initiated By:	SSLA5672	Initiated On:	10/29/2009

Initial Verification Results

**Initial Eligibility:** SSA TENTATIVE NONCONFIRMATION  
SSN is invalid

Case Documents for Printing

[Case Details](#)

[Notification to Employee - Social Security Administration Tentative Nonconfirmation \(English version\)](#)

[Notification to Employee - Social Security Administration Tentative Nonconfirmation \(Spanish version\)](#)

Initiate SSA Referral | Resolve Case | Close

## Handling a TNC

- The employee has **eight Federal Government workdays** from the referral date to visit or call the appropriate agency and resolve the discrepancy
- The **employee continues to work in full status** during the TNC resolution process
- **DO NOT** take any adverse action based on the TNC against the employee during the resolution process

## Social Security Administration (SSA) Notice to Employee of Tentative Nonconfirmation

Jefferson	Thomas
Last Name of Employee	First Name of Employee
316-47-4400	04/1962
Employee's Social Security Number (SSN)	Employee's Month/Year of Birth
10/28/2009	2009301150428RN
Date of SSA Tentative Nonconfirmation	Case Verification Number
Reason for this Notice:	<input type="checkbox"/> <b>SSN does not match.</b> The Social Security Number (SSN) entered in E-Verify is valid, but the name and/or date of birth entered for the employee do not match SSA records.
	<input checked="" type="checkbox"/> <b>SSN is invalid.</b> The SSN entered in E-Verify is not a valid number.
	<input type="checkbox"/> <b>SSA unable to confirm U.S. Citizenship.</b> Cannot confirm that the employee is eligible to work because SSA records do not show that the SSN holder is a U.S. citizen.
	<input type="checkbox"/> <b>SSN record does not verify, Other Reason.</b> SSA found a discrepancy in the employee's record.
	<input type="checkbox"/> <b>SSA unable to process data.</b> SSA found a discrepancy in other data in the employee's record.

### Instructions for the Employer

==== IMPORTANT ====

Employee must acknowledge receipt of this letter, date and sign it, and return it to you.

## Referral to the Social Security Administration (SSA)

SSA Field Office: See POMS RM 00206.305ff

Jefferson	Thomas
Last Name of Employee	First Name of Employee
316-47-4400	04/1962
Employee's Social Security Number (SSN)	Employee's Month/Year of Birth
10/28/2009	2009301150428RN
Date Referred to SSA	Case Verification Number
Reason for this Referral Letter:	<input type="checkbox"/> <b>SSN does not match.</b> The Social Security Number (SSN) entered in E-Verify is valid, but the name and/or date of birth entered for the employee do not match SSA records.
	<input checked="" type="checkbox"/> <b>SSN is invalid.</b> The SSN entered in E-Verify is not a valid number.
	<input type="checkbox"/> <b>SSA unable to confirm U.S. Citizenship.</b> Cannot confirm that the employee is eligible to work because SSA records do not show that the SSN holder is a U.S. citizen.
	<input type="checkbox"/> <b>SSN record does not verify, Other Reason.</b> SSA found a discrepancy in the employee's record.
	<input type="checkbox"/> <b>SSA unable to process data.</b> SSA found a discrepancy in other data in the employee's record.

## Instructions for the Employer

==== IMPORTANT ====

Employee must acknowledge receipt of this letter, date and sign it, and return it to the Employer.

## Handling a TNC

Once the employee resolves the record discrepancy, he/she should inform you

Check E-Verify periodically for one of the following responses

**Employment Authorized**

**Review & Update Employee Data**

**Case in Continuance**

**DHS Verification in Process**

**DHS No Show**

**Final Nonconfirmation**



Case Verification Number: 2009301151624HF

Case Administration

- Initial Verification
- View Cases

User Administration

- Change Password
- Pwd Challenge Q&A
- Change Profile

Site Administration

- Add User
- View Users
- Maintain Company
- Terminate Company Participation

Reports

- View Reports

Initial Verification

Last Name:	Jefferson	First Name:	Thomas
Middle Initial:		Maiden Name:	
Social Security Number:	216-47-4400	Date of Birth:	04/20/1962
Hire Date:	10/28/2009	Citizenship Status:	Citizen of the United States
Alien Number:		I-94 Number:	
Passport or Passport Card Number:	C999999999	Visa Number:	
Document Type:	Unexpired U.S. Passport or Passport Card	Doc. Expiration Date:	
Initiated By:	SSLA5672	Initiated On:	10/28/2009

Initial Verification Results

Initial Eligibility: EMPLOYMENT AUTHORIZED

Enter Case Resolution

- Resolve Options:
- Resolved Authorized \*
  - Resolved Unauthorized / Terminated
  - Self Terminated
  - Invalid Query
  - Employee Not Terminated

Submit Resolve Case | Close



## Section III: Wrapping it up

- Photo Matching
- Employer responsibilities
- Federal Contractor responsibilities
- Posters
- What's new at E-Verify
- Employee Rights
- E-Verify Contact Information
- OSC Dos & Don'ts
- Things to remember

## Wrapping it up

### Photo Matching

- Allows you to match the photo on an employee's Form I-766 (Employment Authorization Document) or Form I-551 (Permanent Resident Card or "green card") to the photo that USCIS has on file for that employee
- Helps detect instances of document fraud
- Was incorporated into E-Verify in September 2007



## Wrapping it up Employer responsibilities

- Unless you are a *Federal Contractor with FAR E-Verify Clause* only use E-Verify to verify new hires
- Once you begin using E-Verify, you must verify new employees **no later than the 3<sup>rd</sup> business day** after the employee begins working for pay
- You must apply E-Verify procedures to **ALL new hires**, regardless of citizenship status



## Wrapping it up

### Federal Contractor responsibilities

- For a contract with the **FAR E-Verify clause** awarded on or after **September 8, 2009**
  - Verify all existing employees working on the contract
  - Verify all new employees hired after the date of enrollment in E-Verify
- **OR**
  - Verify entire workforce

---

### Special Category Employers

- May limit verifications to new & existing employees assigned to contract

# Wrapping it up Posters

**This Employer 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.

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

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

Employers may not use E-Verify to pre-screen job applicants or to re-verify current employees and may not limit or influence the choice of documents presented for use on the Form I-9.

Employment Verification. Done.

For more information on E-Verify, please contact DHS at:  
**1-888-464-4218**

E-VERIFY IS A SERVICE OF DHS AND SSA

**IF YOU HAVE THE RIGHT TO WORK,  
Don't let anyone take it away.**

**If you have a legal right to work in the United States, there are laws to protect you against discrimination in the workplace.**

**You should know that –**  
No employer can deny you a job or fire you because of your national origin or citizenship status.

**If any of these things have happened to you, you may have a valid charge of discrimination that can be filed with the CSC. Contact the CSC for assistance in your own language.**

**In most cases employers cannot require you to be a U.S. citizen or permanent resident or refuse any legally acceptable documents.**

Call 1-800-255-7688, TDD for the hearing impaired is 1-800-237-2515.

In the Washington, D.C., area, please call 202-616-5594, TDD 202-616-5525

U.S. Department of Justice  
Civil Rights Division  
Office of Special Counsel for Immigration-Related Unfair Employment Practices

Or write to:  
U.S. Department of Justice  
Office of Special Counsel - NYA  
950 Pennsylvania Ave, N.W.  
Washington, DC 20530



## Wrapping it up

### What's new at E-Verify

- CRCL Employer and Employee Videos
- Employee Hotline
- E-Verify Public Website Redesigned
- I-9 Central
- E-Verify Video - How to run a case
- E-Verify System Redesigned

## Wrapping it up

### Employer and Employee Videos

- Two Videos designed for employers and employees, available in English and Spanish. The 20-minute videos are the result of collaboration between DHS's Office for Civil Rights and Civil Liberties and USCIS.
  - “Understanding E-Verify: Employer Responsibilities and Worker Rights,” aimed at employers, explains E-Verify rules, procedures, and policies to employers with an emphasis on safeguarding employee privacy.
  - “Know Your Rights: Employee Rights and Responsibilities,” aimed at employees, places special emphasis on the rights of employees, particularly when an employee receives a message from E-Verify indicating that there is a problem with the employment eligibility documents that the employee submitted to the employer. “Know Your Rights” is in English and Spanish.
- The videos portray reenactments of real-world hiring scenarios.

# E-Verify





## Wrapping it up

### Employer and Employee Videos

- View the videos at:
  - [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)
  - [www.youtube.com/ushomelandsecurity](http://www.youtube.com/ushomelandsecurity)
- You may request a copy of the videos by email: [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov). Please include the name of the point of contact, the address to send the videos to, and how many copies you are requesting.



## New Employee Hotline – 888-897-7781 (available in English and Spanish)

- Created to respond to employee inquiries, issues and complaints. The hotline uses an interactive voice response system. Employees choose from four options:
  1. General E-Verify information
  2. Completing Form I-9, Employment Eligibility Verification
  3. Contesting a Tentative Nonconfirmation or fixing a perceived Final Nonconfirmation error
  4. Filing a complaint regarding employer misuse of E-Verify

## Wrapping it up Employee rights

- The employee has the right to contest a tentative nonconfirmation (TNC) from SSA or DHS
- Employees who believe they have been subjected to discrimination should call

Department of Justice  
Civil Rights Division  
Office of Special Counsel for  
Immigration Related Unfair Employment Practices  
**1-800-255-7688 (TDD: 1-800-237-2515)**



## Wrapping it up

### Learn more about E-Verify

- Verification, Outreach Branch provides:
  - **Speakers for your events**
  - **Panel Participants**
  - **Exhibit participation**
  - **Webinars**

E-Verify E-Mail: [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov)



## Wrapping it up

Customer Support: **(888) 464-4218**

E-Verify E-Mail: **[E-Verify@dhs.gov](mailto:E-Verify@dhs.gov)**

E-Verify Website: **[www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)**



## Top E-Verify Dos

- Promptly provide & review with the employee the notice of tentative nonconfirmation (TNC)
- Promptly provide the referral notice from SSA or DHS to the employee who chooses to contest a TNC
- Allow an employee who is contesting a TNC to continue to work during that period
- Contact E-Verify if you believe a final nonconfirmation (FNC) has been issued in error
- Accept any Form I-9 List B document with a photo from an employee who chooses to provide a list B document

**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

- Do not use E-Verify to pre-screen employment applicants unless you are a State Workforce Agency
- Do not influence or coerce an employee's decision whether to contest a TNC
- Do not terminate or take adverse action against an employee who is contesting a TNC
- Do not ask an employee to provide additional documentation of his/her employment eligibility after obtaining a TNC for that employee
- Do not request specific documents in order to activate E-Verify photo matching

**Employer Hotline 1-800-255-8155**



**Employee Hotline 1-800-255-7688**

**Office of Special Counsel for Immigration Related Unfair Employment Practices**



## Things to remember

Ensure your contract has the **FAR E-Verify Clause** before verifying existing employees

Note your contract award and enrollment dates

*Remember -*

- ✓ **30 calendar days** from contract award date to enroll/update
- ✓ **90 calendar days** from enrolling or updating your company profile to enter Form I-9 information for new & existing employees
- ✓ **180 calendar days** from choosing **Entire Workforce** to verify entire workforce



## Things to remember

- Ensure you are using the current **Form I-9**
- Print the E-Verify MOU and review it with your E-Verify users
- If you have a question about your contract and the FAR  
E-Verify clause, contact your contracting officials and/or legal advisors
- Use the OSC employer hotline if you have questions about a potential employment action – you can call anonymously and receive information to help you prevent discrimination



## 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 the rules procedures

For more information on the law and regulations please see our website:  
[www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)



**Thank You**