

E-Verify

Quick Reference Guide

For State Workforce Agencies

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1.0 GETTING STARTED

Welcome to the 'E-Verify Quick Reference Guide for State Workforce Agencies.' It is important that state workforce agencies follow the guidelines set forth in this quick reference guide.

1.1 THE E-VERIFY RULES OF USE

State workforce agencies must adhere to the following guidelines. State workforce agencies:

- Must provide each referred worker the U.S. Department of Homeland Security (DHS)supplied notice concerning the agency's participation in E-Verify and the notice concerning worker protections from employment discrimination. These notices are available at www.dhs.gov/E-Verify
- Must verify the referred worker's employment eligibility through E-Verify while the referred worker is present in the state workforce agency's office.
- Must complete Form I-9, Employment Eligibility Verification (referred to hereafter as Form I-9) with the referred worker, before creating an E-Verify case.
- May not specify which documentation referred workers use for Form I-9 or E-Verify purposes.
- May accept only those 'List B' identity documents that contain a photo.
- Must provide referred workers with an opportunity to challenge SSA or DHS Tentative Nonconfirmation (TNC) results.
- Must promptly provide the 'Notice to Employee of Tentative Nonconfirmation' also called a TNC notice to the referred worker so that the worker may determine whether he or she will contest the TNC.
- Must provide the DHS-supplied 'Notice to Employer of Referred Workers' to each employer to whom the agency refers a worker.
- May not take adverse action against a referred worker while the case is being resolved.

It is important that you comply with all of the requirements you agreed to when you enrolled in E-Verify. If you fail to do so or you wrongly terminate, suspend or unlawfully discriminate against a worker, you may be subject to civil legal action against you or your agency. Your participation in E-Verify may also be terminated.

For additional information on E-Verify policies and procedures, refer to the 'E-Verify User Manual for Employers' available at www.dhs.gov/E-Verify





2.0 INITIAL VERIFICATION

The E-Verify verification process begins with a completed Form I-9. E-Verify makes employment eligibility determinations by comparing the worker's Form I-9 information entered into E-Verify with the information contained in Social Security Administration (SSA) and U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) records.

2.1 CREATE A CASE

- 1. After you log in to E-Verify, select 'New Case' from the left navigation menu.
- 2. From Section 1 of the worker's Form I-9, choose the correct option button and click 'Continue.'
 - A citizen of the United States
 - A noncitizen national of the United States
 - A lawful permanent resident
 - An alien authorized to work.
- 3. You are then prompted to indicate the documents provided to you for Section 2 of the worker's Form I-9. Make the appropriate selection and click 'Continue.'

If you select List B and C documents, E-Verify prompts you to select the documents presented by the worker from Section 2 of Form I-9 for both List B and List C. Make the appropriate selections and click 'Continue.'

If you select driver's license or ID card, E-Verify will prompt you to select the document name and state. Make the appropriate selections and click 'Continue.'

4. In E-Verify, a red asterisk (*) indicates a required field. From Section 1 and 2 of Form I-9, enter all required information into each text field, then click 'Continue.' 'Employer Case ID' is an optional field for users who wish to assign an internal tracking code to a case.

IMPORTANT: If you select an alien authorized to work, you may also be required to indicate that you are entering either the Alien Number or I-94 Number from the worker's Form I-9.

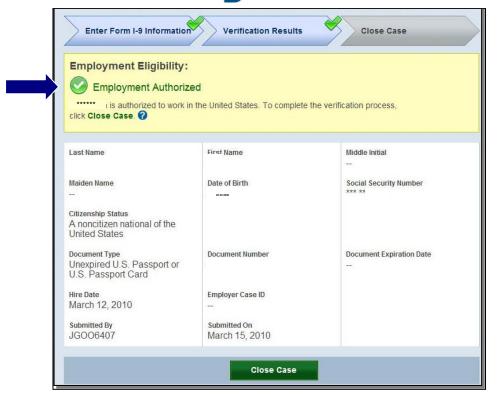


NOTE: You are required to create a case in E-Verify within three days of hire. However, this policy does NOT pertain to state workforce agencies. Instead, enter the date the case is being created in the hire date field.

The information entered into E-Verify is checked against SSA, DHS, and DOS records. Once a case is created, a result is displayed. The location of the case result is shown in the figure below.





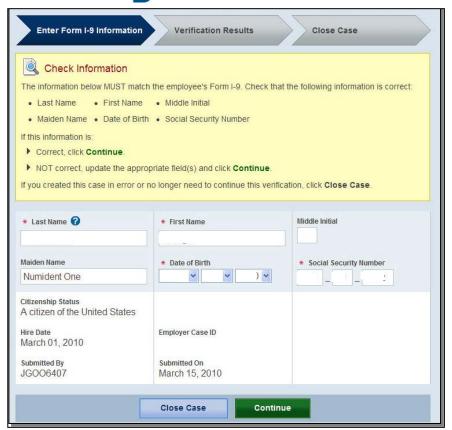


CHECK INFORMATION

If the information entered does not immediately match SSA, DHS, or DOS records, the 'Check Information' screen appears to confirm if the information entered is correct. If the user confirms that the information presented is correct, he or she clicks 'Continue.' If an error was made, you may either change the information in certain fields or close the case if a mistake was made in a field that cannot be updated by clicking 'Close Case' and following the steps outlined in Section 4.0. The 'Check Information' screen appears in the figure below.







REQUEST NAME REVIEW

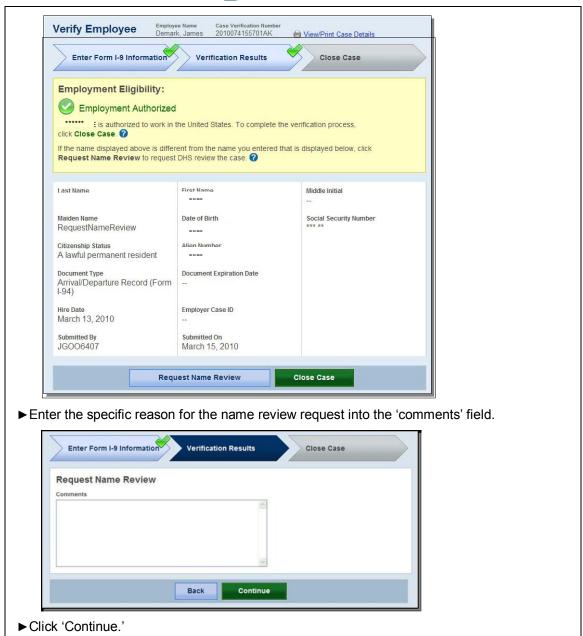
In some cases E-Verify generates a case result of 'Employment Authorized,' but the name returned in E-Verify does not match exactly with the name on Form I-9. This happens when the information matches but there are name variations in the DHS records. You must review the worker's name to ensure that the correct case result was determined. This will ensure that the case result belongs to the intended worker. E-Verify allows for a name review by following the steps outlined in the 'Request Name Review - Process Overview.'

REQUEST NAME REVIEW - PROCESS OVERVIEW

- ► Compare the name displayed in the yellow box with the name you entered that is shown in the white box.
- ▶ If the names match, click 'Close Case.'
- ► If the names do not match, request DHS review of the case by clicking 'Request Name Review.'







A case sent to DHS for name review will be updated with one of the following results:

- ◆ EMPLOYMENT AUTHORIZED, Section 2.2
- ♦ DHS TENTATIVE NONCONFIRMATION (TNC), Section 3.3

ERROR: UNEXPIRED DOCUMENT REQUIRED

If an expired U.S. Passport, Passport Card or driver's license was entered, E-Verify will display 'Error: Unexpired Document Required.' This means that E-Verify has NOT created a case for this worker; you must obtain an unexpired document for Form I-9 and re-enter the case.

As of April 3, 2009, all documents presented with Form I-9 must be unexpired (see exception below). If the document entered for a worker was expired when the worker is





referred, you will need to obtain an unexpired document with Form I-9 and re-enter the worker's case in E-Verify when you have the new document.

Just because the worker presented an expired document does not mean he or she is not authorized to work. E-Verify will verify the employment eligibility of this worker once you obtain an unexpired document and re-enter the case.

Exception: In very limited situations, you may accept an expired document with Form I-9 only if the Department of Homeland Security (DHS) has automatically extended the expiration date of the document via publication in the Federal Register. In all other instances, the document presented with Form I-9 must be unexpired at the time the worker is referred. For information on this exception, visit www.uscis.gov/tps

ERROR: UNEXPIRED DOCUMENT REQUIRED PROCESS OVERVIEW ▶ E-Verify prompts an 'Error: Unexpired Document Required.' X Error: Unexpired Document Required ? The information you entered indicates that the employee's U.S. Passport or Passport Card was expired when the employee was hired You must obtain an unexpired document for Form I-9 and re-enter the case in E-Verify To return to the E-Verify home page, click E-Verify Home To begin a new case, click New Case Last Name First Name Middle Initial Maiden Name Date of Birth Social Security Number Citizenship Status A citizen of the United States Document Type Document Number **Document Expiration Date** Unexpired U.S. Passport or January 20, 2009 U.S. Passport Card Hire Date **Employer Case ID** June 30, 2010 Submitted By Submitted On July 01, 2010 E-Verify Home **New Case**

- ▶ Obtain an unexpired document from the worker for Form I-9.
- ▶ Click 'New Case' and enter the worker's unexpired Form I-9 document information.

IMPORTANT: An expired document presented for Form I-9 does NOT mean that the worker is not authorized to work in the United States. First, obtain an unexpired document and then re-enter the case in E-Verify, then E-Verify will verify the employment eligibility of this worker.

E-VERIFY PHOTO MATCHING

Photo matching is an automatic part of creating a case in E-Verify that prompts you to compare a worker's photo document with a photo displayed in E-Verify. This helps ensure that the document provided is valid.

The photo matching step happens automatically. This may occur when you create a case for a worker that has presented a U.S. Passport or Passport Card, Permanent Resident Card





(Form I-551) or an Employment Authorization Document (Form I-766) for his or her Form I-9 documentation. When the worker presents one of these documents and the Form I-9 information entered by the state workforce agency matches DHS or DOS records, the worker's photo automatically displays in E-Verify. You must make a copy of the worker's Form I-9 photo document and retain it with Form I-9 in order to match the photos.

Matching photos is easy—simply compare the photo displayed by E-Verify to the photo on the worker's actual document or the copy of the worker's document and determine if the photos are reasonably identical. This means that the photos should be identical, but you should take into account minor variances in shading and detail between the two photos based upon the age and wear of the worker's document and the quality of your computer monitor.

A watermark has been added to the photo displayed in E-Verify to prevent unauthorized use; the photo on the document presented by the worker will not have a watermark. Absence of a watermark on the document photo does not mean that it is not authentic.

Do not compare the photo displayed by E-Verify to the actual employee. The direct comparison between the document and the individual happens during Form I-9 completion, prior to using E-Verify. The 'Photo Matching-Process Overview' provides a summary.

PHOTO MATCHING PROCESS OVERVIEW

- ► E-Verify prompts you to compare a photo displayed in E-Verify with the worker's Form I-9 photo document. You must obtain a copy of the worker's document and retain it with Form I-9.
- ► Account for minor variances in shading and detail between the two photos and select Yes or No.



- ► Yes- the photo on the worker's actual document or a copy matches the photo displayed by E-Verify. Clothing, hair style, facing direction and appearance on the card should be identical to the photo displayed by E-Verify.
- ►No the photo on the worker's actual document or a copy does not match the photo displayed in E-Verify.

NOTE: If 'No Photo on this Document' appears, select Yes.





► Click 'Continue.'

NOTE: If you do not make a selection and click 'Continue,' the case will receive a status of 'Photo Matching Required.' To search for a case, see Section 4.3.

IMPORTANT: Compare the photo displayed in E-Verify with the worker's Form I-9 photo document, not to the actual worker.

After a selection is made, one of the following case results will appear:

- ♦ EMPLOYMENT AUTHORIZED, Section 2.2
- ♦ DHS TENTATIVE NONCONFIRMATION (TNC), Section 3.3

Each case result requires different actions or steps to continue or close the case. These actions are outlined in each case result section throughout this guide.

REMINDER

- Workers always have a choice of which acceptable documents to present for Form I-9; you may NOT require workers to present documents that activate photo matching
- * Copies must be made of all U.S. Passports or Passport Cards, Permanent Resident Cards (Form I-551) and Employment Authorization Documents (I-766) presented by the workers and must be retained with Form I-9
- * The photo will display automatically in E-Verify during the verification process
- Only compare the worker's photo document to the photo displayed in E-Verify

2.2 INITIAL CASE RESULTS

The information entered into E-Verify is checked against SSA, DHS, and DOS records. Once a case is created, a result is displayed. Initial case results are displayed in the 'Initial Case Results – Overview.'





INITIAL CASE RESULTS - OVERVIE	IAL CASE RESULTS – OVERVIEW		
Employment Authorized	The worker's information matched with the records in SSA and/or DHS. It's that easy!		
SSA or DHS Tentative	Information does not initially match with SSA or DHS records. Additional action required.		
onconfirmation (TNC)	See Section 3.0 Interim Case Results for more information.		
DHS Verification In Process	This case is referred to DHS for further verification.		

EMPLOYMENT AUTHORIZED

A case result of 'Employment Authorized' means that the information entered into E-Verify matched SSA, DHS, and/or DOS records and that E-Verify verified the employment eligibility for the worker. However, a case that is 'Employment Authorized' is incomplete until it is closed. To close a case, See Section 4.0.





3.0 INTERIM CASE STATUS

An interim case result requires additional action before E-Verify can provide a final case result and complete the verification process. Interim case results are displayed in the 'Interim Case Results – Overview.'

INTERIM CASE RESULTS – OVERVIEW		
SSA or DHS Tentative Nonconfirmation (TNC)	Information did not match with SSA, DHS, or DOS records. Additional action is required.	
Review and Update Employee Data	A prompt to review, update and resubmit the worker's Form I-9 information.	
DHS Verification In Process	This case is referred to DHS for further verification.	
SSA or DHS Case in Continuance	The worker has visited an SSA field office or contacted DHS, but more time is needed to determine a final case result.	

3.1 SSA TENTATIVE NONCONFIRMATION (TNC)

An 'SSA Tentative Nonconfirmation (TNC)' results when the information submitted in E-Verify does not initially match the SSA records. An SSA TNC does not mean that the worker is not authorized to work in the United States.

An SSA TNC case result may occur because the worker's:

- · Citizenship or immigration status was not updated with SSA
- Name change was not reported to SSA
- Name, Social Security number (SSN) or date of birth is incorrect in SSA records
- SSA record contains another type of mismatch
- Information was not entered correctly into E-Verify

NOTIFY REFERRED WORKER OF SSA TNC

When notified of the SSA TNC, the worker chooses to contest or not contest the SSA TNC case result and indicates his or her decision on the 'Notice to Employee of Tentative Nonconfirmation,' also called a TNC notice. When a worker chooses to contest a SSA TNC, the worker is responsible for visiting an SSA field office within eight federal government workdays.

If the worker chooses not to contest the SSA TNC, the case automatically becomes a final nonconfirmation (FNC). You may close the case in E-Verify and terminate his or her employment.

The worker has ten business days after you have notified them of an SSA TNC to decide whether they wish to contest or not. If, after you have followed the steps below to notify your worker, he or she does not notify you of his or her decision, in ten business days, You may close the case in E-Verify, and you may terminate employment based on this result.





The worker must be notified of this result as soon as possible by following the steps in the 'Notify Referred Worker of SSA TNC – Process Overview'.





NOTIFY REFERRED WORKER OF SSA TNC – PROCESS OVERVIEW

- ▶ Receive 'SSA Tentative Nonconfirmation TNC' case result.
- ► Click 'Continue.'



- ► Complete the following steps:
 - Select to print the 'Notice to Employee of Tentative Nonconfirmation' also called a TNC notice in either English or Spanish. Confirm that the name and Social Security number listed on the top of the TNC notice are correct. Print the TNC notice.

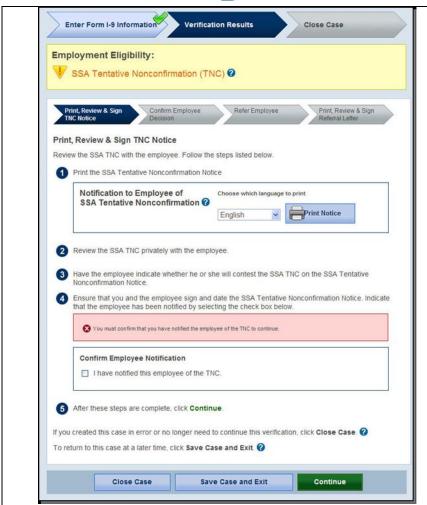
If the worker cannot read, you must read the TNC notice to the worker. If the worker does not fully understand English, you must provide the employee with a translated version of the TNC notice, if it is available. Translated versions of the TNC notice are available in several foreign languages in the 'View Essential Resources section of E-Verify.

IMPORTANT: You may provide the TNC notice to the worker in person, by fax, email, or overnight or next day delivery service, as long as you take the proper precautions to ensure the worker's information is protected. The TNC notice is time sensitive; therefore, if you use a mail delivery service it must be one that can provide a confirmed delivery date.

- 2. Review the TNC notice privately with the worker; instructions are found on page one of the TNC notice.
- 3. Instruct the worker to indicate whether he or she will contest the SSA TNC on the TNC notice.
- 4. Ensure that you and the worker sign and date the TNC notice after the worker has indicated his or her choice. Indicate that the worker has been notified by selecting the check box 'Confirm Employee Notification.'







- ► Keep original signed TNC notice on file with Form I-9.
- ▶ Provide copy of signed TNC notice in English to the worker.
- ► Once complete, click 'Continue.'
- ▶ Next, confirm the worker's decision to contest or not contest the case result.

NOTE: If your worker does not notify you of their decision within ten business days, you may consider this case a final nonconfirmation (FNC) and close the case. To close the case, click 'Close Case,' and follow the steps in Section 4.2.

- ▶ If the worker chose to contest the SSA TNC, click 'Continue.'
- ▶ If the worker chose not to contest, click 'Close Case' and follow steps in Section 4.0.

REFER WORKER TO SSA

After being notified of the SSA Tentative Nonconfirmation (TNC), the worker chooses to contest or not contest the case result and acknowledges his or her decision on the 'Notice to Employee of Tentative Nonconfirmation' also called a TNC notice. A worker who chooses to contest an SSA TNC is referred to the Social Security Administration.

E-Verify generates a 'Referral to the Social Security Administration' also called an SSA referral letter that you must provide to the worker. You must verify the information on the





SSA referral letter, then print, sign and provide the SSA referral letter to the worker. The worker is required to provide the SSA referral letter to an SSA field office if they choose to contest. The SSA referral letter provides instructions to you and the worker regarding the next steps.

Workers who choose to contest the SSA TNC have eight federal government workdays to visit an SSA field office, and must have the SSA referral letter in hand when visiting an SSA field office. Federal government workdays are Monday through Friday except for federal holidays. The eight federal government workdays begin when the case is referred to SSA in E-Verify. The date by which the worker must visit SSA is printed on the SSA referral letter. Because the eight federal government workdays begin on the date the case is referred, it is important to provide the SSA referral letter to the worker promptly.

You may not terminate, suspend, delay training, withhold pay, lower pay, or take any other adverse action against a worker based on the worker's decision to contest an SSA TNC or because the case is still pending with SSA.

To refer a worker to an SSA field office, follow the steps outlined in the 'Refer Worker to SSA – Process Overview.'





REFER WORKER TO SSA - PROCESS OVERVIEW

► Click 'Refer Case.'



- ► Complete the steps listed below:
 - 1. Choose to print the 'Referral to the Social Security Administration' also called an SSA referral letter in either English or Spanish and confirm that the name and Social Security number listed on the top of the letter are correct. Print the SSA referral letter.

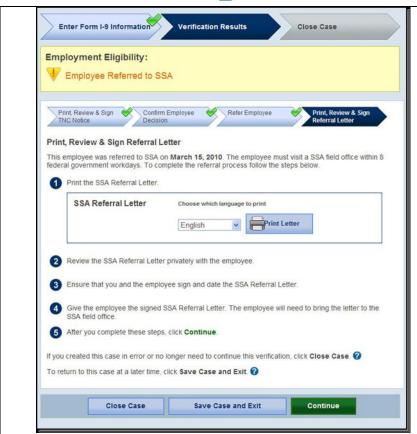
If the worker cannot read, you must read the SSA referral letter to the worker. If the worker does not fully understand English, you must provide the employee with a translated version of the SSA referral letter, if it is available. Translated versions of the SSA referral letter are available in several foreign languages in the 'View Essential Resources' section of E-Verify.

IMPORTANT: Once the SSA referral letter is signed, you may provide it to the worker in person, by fax, e-mail, or overnight or next day delivery service, as long as you take proper precautions to ensure the worker's information is protected. The SSA referral letter is time sensitive; therefore, if you use a mail delivery service, it must be one that can provide a confirmed delivery date.

- 2. Review and explain the next steps to the worker instructions to the employer are on page one of the SSA referral letter and the worker's instructions are on page two.
- 3. Ensure that you and the worker sign and date the SSA referral letter.
- 4. Provide a copy of the signed SSA referral letter in English to the worker; the worker is required to provide this letter to an SSA field office if they choose to contest. File the original SSA referral letter with Form I-9.
- 5. After these steps are complete, click 'Continue.'







▶ The worker has been referred to SSA, and the case status is 'Employee Referred to SSA.'

The worker has eight federal government workdays to visit an SSA field office. The worker is required to provide the SSA referral letter to an SSA field office if they choose to contest.





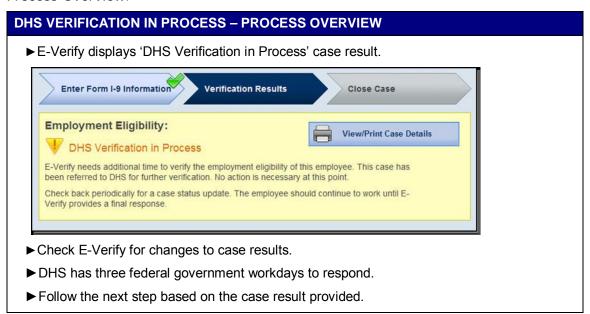


▶ Check E-Verify for case updates and follow steps based on next case result.

IMPORTANT: You should ONLY close the case when E-Verify provides a final case result or if you no longer need to continue to verify the employment eligibility of this worker.

3.2 DHS VERIFICATION IN PROCESS

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



After the three federal government workdays, E-Verify will provide one the following case results:

- ◆ EMPLOYMENT AUTHORIZED, Section 2.2
- ◆ DHS TENTATIVE NONCONFIRMATION (TNC), Section 3.3
- ◆ DHS CASE IN CONTINUANCE, Section 3.4

Each case result requires different actions or steps to continue or close the case. These actions are outlined in each case result section throughout this guide.

3.3 DHS TENTATIVE NONCONFIRMATION (TNC)

A DHS Tentative Nonconfirmation (TNC) results when the information submitted to E-Verify does not initially match with DHS, or DOS records. A DHS TNC does not mean that the worker is not authorized to work in the United States.

A DHS TNC case result occurs because the worker's:

- Name, Alien Number, and/or Arrival-Departure Record (Form I-94) are incorrect according to DHS records
- U.S. Passport, Passport Card, driver's license or state ID card information could not be verified





- Information was not updated in the worker's DHS records
- Citizenship or immigration status changed
- Record contains another type of error
- Information was incorrectly submit in E-Verify

NOTIFY REFERRED WORKER OF DHS TNC

When notified of the DHS TNC, the worker chooses to contest or not contest the DHS TNC case result and indicates his or her decision on the 'Notice to Employee of Tentative Nonconfirmation,' also called a TNC notice. When a worker chooses to contest a DHS TNC, the worker is responsible for contacting DHS within eight federal government workdays.

If the worker chooses not to contest the DHS TNC, the case automatically becomes a final nonconfirmation (FNC). You may close the case in E-Verify and terminate his or her employment

The worker has ten business days after you have notified them of an DHS TNC to decide whether they wish to contest or not. If, after you have followed the steps below to notify your worker, he or she does not notify you of his or her decision, in ten business days, You may close the case in E-Verify, and you may terminate employment based on this result.

You must notify the worker of this result by following the steps in the 'Notify a Referred Worker of DHS TNC – Process Overview.'

NOTIFY A REFERRED WORKER OF DHS TNC – PROCESS OVERVIEW Receive DHS TNC case result Click 'Continue' Enter Form I-9 Information Verification Results Close Case Employment Eligibility: DHS Tentative Nonconfirmation (TNC) The employee's information did not match U.S. Department of Homeland Security (DHS) records. This does NOT mean that the employee is not authorized to work in the United States; however, additional action is required. To begin TNC process, click Continue If you created this case in error or no longer need to continue this verification, click Close Case. To return to this case at a later time, click Save Case and Exit. Continue Close Case Save Case and Exit. Continue

- ► Complete the steps listed below:
 - 1. Select to print the 'Notice to Employee of Tentative Nonconfirmation' also called a TNC notice in either English or Spanish. Confirm that the name and Social Security number listed on the top of the TNC notice are correct. Print the TNC notice.

If the worker cannot read, you must read the TNC notice to the worker. If the worker does not fully understand English, you must provide the worker with a translated version of the TNC notice, if it is available. Translated versions of the TNC notice are available in several foreign languages in the 'View Essential Resources' section of E-Verify.

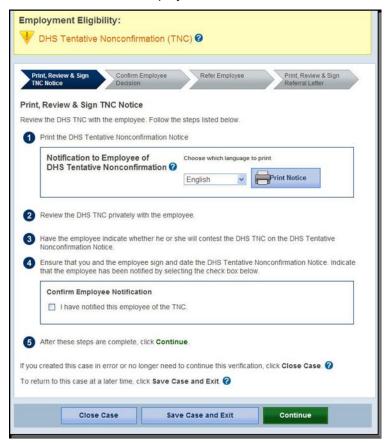
IMPORTANT: You may provide the TNC notice to the worker in person, by fax, e-mail,





or overnight or next day delivery service, as long as you take the proper precautions to ensure the worker's information is protected. The TNC notice is time sensitive; therefore, if you use a mail delivery service, they must be one that can provide a confirmed delivery date.

- Review the TNC notice privately with the worker; instructions are found on page one of the TNC notice.
- Instruct the worker to indicate whether he or she will contest the DHS TNC on the TNC notice.
- 4. Ensure that you and the worker sign and date the TNC notice after the worker has indicated his or her choice. Indicate that the worker has been notified by selecting the check box 'Confirm Employee Notification.'



- ► Keep original signed TNC notice on file with Form I-9.
- ▶ Provide copy of signed TNC notice in English to worker.
- ▶Once you complete the steps above, click 'Continue.'
- ▶ Next, confirm worker's decision to contest or not contest the case result.

NOTE: If your worker does not notify you of their decision within ten business days, you may consider this case a final nonconfirmation (FNC) and close the case. To close the case, click 'Close Case' and follow the steps in Section 4.2.







- ▶ If the worker chose to contest the DHS TNC, click 'Continue.'
- ▶ If the worker chose not to contest, click 'Close Case' and follow steps in Section 4.2.

REFER WORKER TO DHS

After being notified of the 'DHS Tentative Nonconfirmation (TNC),' the worker chooses to contest or not contest the case result and acknowledges his or her decision on the 'Notice to Employee of Tentative Nonconfirmation' also called a TNC notice. A worker who chooses to contest a DHS TNC must be referred to the U.S. Department of Homeland Security (DHS).

E-Verify generates a 'Referral to the U.S. Department of Homeland Security' also called a DHS referral letter, that you must provide to the worker. First, confirm that the information on the DHS referral letter is correct, then print, sign and date the DHS referral letter and provide it to the worker. The DHS referral letter provides instructions to you and the worker regarding the next steps. These steps are outlined in the 'Refer Worker to DHS – Process Overview.'

Workers choosing to contest the DHS TNC have eight federal government workdays to contact DHS. Federal government workdays are Monday through Friday except for federal holidays. The eight federal government workdays begin when the case is referred to DHS in E-Verify. The date by which the worker must contact DHS is printed on the DHS referral letter. Because the eight federal government workdays begin on the date the case is referred, it is important to provide the DHS referral letter to the worker promptly.

A photo mismatch TNC requires an additional step but follows the same guidelines of any TNC. If the worker chooses to contest the photo mismatch TNC, the worker must be referred to DHS and you must send a copy of the photo ID document to E-Verify.

You may not terminate, suspend, delay training, withhold pay, lower pay or take any other adverse action against a worker based on the worker's decision to contest a DHS TNC or because the case is still pending with DHS.

To refer a worker to DHS, follow the steps outlined in the 'Refer Worker to DHS – Process Overview.'





REFER WORKER TO DHS - PROCESS OVERVIEW

► Click 'Refer Case.'



In some cases, E-Verify prompts you to submit a copy of the worker's photo document to DHS. Follow the steps below to complete this step when prompted.

- ► First, obtain a copy of the worker's Form I-9 photo document.
- ► Then determine how you will submit a copy of this document to DHS. You may submit an electronic copy or send a paper copy by selecting one of the following:
 - Attach and submit copy of worker's document

OR

Mail paper copy or worker's photo document

If you chose to mail a paper copy, send it through express mail to the address below:

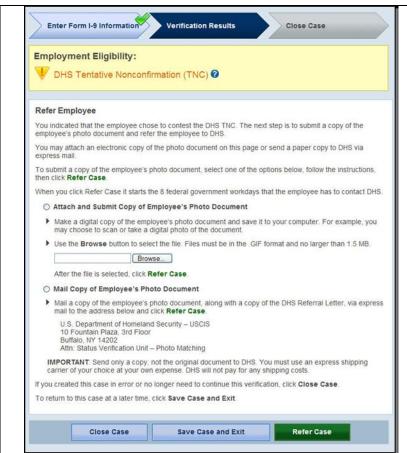
U.S. Department of Homeland Security (USCIS) 10 Fountain Plaza, 3rd Floor Buffalo, NY 14202

Attn: Status Verification Unit - Photo Matching

Inform all participating state workforce agency sites of the DHS shipping address. DHS will not pay for any shipping costs. Participants are free to choose an express shipping carrier at their own expense.



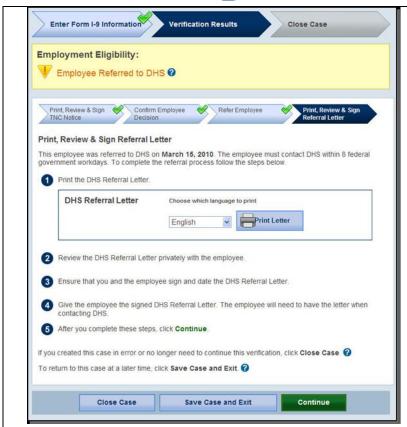




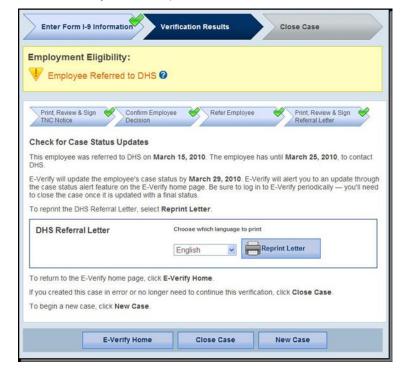
- ▶ After you complete the above, click 'Refer Case.'
- ▶ After you have referred the case, complete the following steps:
 - Choose to print the DHS referral letter in either English or Spanish and confirm that the name and Social Security number listed on the top of the DHS referral letter are correct. Print the DHS referral letter
 - 2. Review the DHS referral letter and explain the next steps to the worker. Instructions to the worker are on page one of the DHS referral letter and the state workforce agency instructions are on page two.
 - 3. Ensure you and the worker sign and date the letter.
 - 4. Provide a copy of the signed DHS referral letter to the worker and file the original letter with Form I-9.
 - 5. After these steps are complete, click 'Continue.'







- ► The worker has been referred to DHS, and the case status is 'Employee Referred to DHS.' The worker has eight federal government workdays to contact DHS.
- ► Check E-Verify for case updates.







IMPORTANT: You should ONLY close the case when E-Verify provides a final case result or if you no longer need to continue to verify the employment eligibility of this worker.

After 10 federal government workdays, E-Verify will provide one of the following case results:

- ♦ EMPLOYMENT AUTHORIZED, Section 2.2
- ♦ DHS FINAL NONCONFIRMATION, Section 4.0
- ♦ DHS CASE IN CONTINUANCE, Section 3.4
- ♦DHS NO SHOW, Section 4.1

Each case result requires different actions or steps to continue or close the case. These actions are outlined in each case result section throughout this guide.

3.4 SSA CASE IN CONTINUANCE AND DHS CASE IN CONTINUANCE

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

NOTE: If a case has a 'SSA or DHS Case in Continuance' result for more than 60 federal government workdays, contact E-Verify Customer Support at 888-464-4218 or E-Verify@dhs.gov





4.0 FINAL CASE RESOLUTION

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

4.1 Final Case Results

Final case results are displayed in the 'Final Case Results - Overview.'

FINAL CASE RESULTS - OVERVIEW				
Employment Authorized	The worker's information matched with the records in the SSA, DHS, and/or DOS records.			
SSA or DHS Final Nonconfirmation	E-Verify cannot verify a worker's employment eligibility after he or she has visited SSA or contacted DHS.			
DHS No Show	The worker did not contact DHS within eight federal government workdays.			
Error: Close Case and Resubmit	This case cannot continue because the expiration date entered for the worker's U.S. Passport, Passport Card or driver's license is incorrect. This case must be resubmitted in E-Verify.			

SSA Final Nonconfirmation and DHS Final Nonconfirmation

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

You may revoke any certification that has been previously provided to the employer as noted in Article II, Section C – Responsibilities of the State Employment Agency (#20) in the MOU.







DHS NO SHOW

A 'DHS No Show' case result indicates that the worker did not contact the DHS within the eight federal government workdays. A 'DHS No Show' case result is considered a final nonconfirmation. A final nonconfirmation means that the case must be closed in E-Verify.

You may revoke any certification that has been previously provided to the employer as noted in Article II, Section C – Responsibilities of the State Employment Agency (#20) in the MOU.



ERROR: CLOSE CASE AND RESUBMIT

If E-Verify prompts an 'Error: Close Case and Resubmit' case result you cannot continue the case because the expiration date you entered for the worker's U.S. Passport, Passport Card or driver's license is incorrect.

When you close the case in E-Verify, select the case closure statement: 'The case is invalid because the data entered is incorrect.'

You must submit a new case for this worker because you cannot change document information for a case that has already been submitted. Therefore, you must close this case and create a new case for this worker using the correct document expiration date.

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



4.2 CLOSE CASE

State workforce agencies must close EVERY case created in E-Verify. To close a case, follow the steps outlined in the 'Close Case – Process Overview.'





CLOSE CASE – PROCESS OVERVIEW

► Click 'Close Case.'



▶ Next, determine if the worker is still employed with the company; select yes or no and click 'Continue.' Your response to the question "Is (worker's name) currently employed with this company?" will determine which case closure statement options will appear on the next screen.



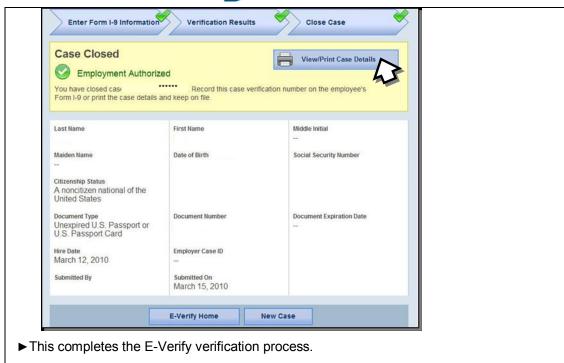
▶ Next, select the most appropriate statement and click, 'Continue.'



▶ Record the case verification number on the worker's Form I-9, or print the case details and file it with the worker's Form I-9.







Every case created in E-Verify MUST be closed. To close a case, select one of the case

closure statements. E-Verify will present only those statements that are relevant to each case. In some scenarios, not all of the case closure statements are available.

NOTE - CLOSE CASE

When answering the question "Is the employee currently employed with this company?" it is important to consider the following:

- ▶ If you have a worker who didn't contest a tentative nonconfirmation (TNC), or who received a final nonconfirmation or 'DHS No Show,' decide whether you will allow the employee to continue working. If you decide to:
 - Continue the worker's employment, then select 'Yes.'
 - Terminate the worker's employment, do so, then select 'No.'
- ▶ If you have a worker who has accepted a job offer, but hasn't yet started work, decide whether you will allow the employee to start working. If you decide to:
 - Allow the worker to start work as planned, then select 'Yes.'
 - Terminate the worker's employment offer, do so, then select 'No.'

CASE CLOSURE STATEMENTS

The following case closure statements are the options available to a user in E-Verify. The equivalent statements for state workforce agencies are available in Appendix A.

► The employee continues to work for the employer after receiving an Employment Authorized result.





E-Verify has verified that the worker is eligible to work in the United States and the worker continues to work for the employer.

► The employee continues to work for the employer after receiving a Final Nonconfirmation result.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker contested the tentative nonconfirmation (TNC), but was unable to resolve it. The employer chooses to exercise its legal right to allow the worker to continue to work.

► The employee continues to work for the employer after receiving a No Show result.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker contested the TNC, but did not take action to resolve it. The employer chooses to exercise its legal right to allow the worker to continue to work.

► The employee continues to work for the employer after choosing not to contest a Tentative Nonconfirmation.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker chose not to contest the TNC. The employer chooses to exercise its legal right to allow the worker to continue to work.

► The employee was terminated by the employer for receiving a Final Nonconfirmation result.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker contested the TNC, but was unable to resolve it. The employer terminated the worker because of the final nonconfirmation result.

▶The employee was terminated by the employer for receiving a No Show result.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker contested the TNC, but did not take action to resolve it. The employer terminated the worker because of the 'No Show' result.

► The employee was terminated by the employer for choosing not to contest a Tentative Nonconfirmation.

E-Verify cannot verify that this worker is authorized to work in the United States. The worker chose not to contest the TNC. The employer terminated the worker because the worker chose not to contest the TNC.

▶The employee voluntarily quit working for the employer.

The worker chose to stop working for the employer.

▶The employee was terminated by the employer for reasons other than E-Verify.

The employer terminated the worker for reasons unrelated to E-Verify.

▶The case is invalid because another case with the same data already exists.

An E-Verify case with the same data was already created for this worker. This is a duplicate case.

▶The case is invalid because the data entered is incorrect.

The data entered for this worker was not correct.





4.3 CASE ALERTS

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

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

The E-Verify home page indicates the number of cases that require your attention by a number in a red circle on the alert. Each Case Alert can be accessed by a simple click. Cases can also be accessed through 'View Cases' or 'Search Cases' on the left navigation menu.

OPEN CASES TO BE CLOSED

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

- ♦ Sort cases by: status, last name, first name, case number or hire date
- ♦ A quick link to each case by clicking on the case number

CASES WITH NEW UPDATES

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

WORK AUTHORIZATION DOCUMENTS EXPIRING

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

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

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

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





5.0 ACCOUNT ADMINISTRATION

Due to the sensitive and confidential nature of the information in E-Verify, you must protect your password. Failure to protect your password could result in termination of your agency's participation in E-Verify.

5.1 PASSWORD SECURITY

If a user attempts to log in with an incorrect password three consecutive times, E-Verify locks him or her out. Password help contact information is listed in the information box.

If you are locked out of your user account, first try to change your password using the link "Forgot your password?"



If you are unsuccessful at changing your password with the automatic system, contact your program administrator. If your program administrator is not available contact E-Verify Customer Support at 888-464-4218.

5.2 HOW TO CHANGE YOUR PASSWORD

Passwords expire every 90 days. E-Verify automatically asks you to create a new password when the old one expires. However, if you think your password was compromised, change it immediately. To change or reset a password, follow the steps in the 'Reset or Change Password – Process Overview.'

RESET OR CHANGE PASSWORD – PROCESS OVERVIEW

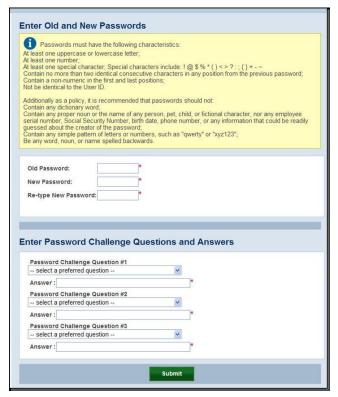
► From 'My Profile,' select 'Change Password.'







- ▶ 'Change Password' page will display.
- ▶ Type current password in the 'Old Password' field.
- ▶ Type new password in the 'New Password' field.
- ▶ Re-type new password in the 'Re-Type New Password' field. The new password cannot be the same as any of the previous six passwords.
- ► Enter password challenge questions and answers.



► Click 'Submit.'

5.3 UPDATE USER PROFILE INFORMATION

Every E-Verify user has a profile which includes his or her name, telephone number, fax number and e-mail address. Users should update this information whenever necessary using the 'Edit Profile' link. To update this information follow the steps outlined in 'Update User Profile – Process Overview.'

UPDATE USER PROFILE - PROCESS OVERVIEW

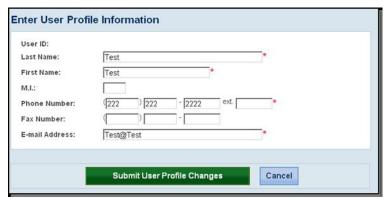
► From 'My Profile,' select 'Edit Profile.'







- ► Add information or edit fields as necessary. A field with an asterisk (*) is a required field.
- ► Click 'Submit User Profile Changes.' A confirmation message and your profile information will display.



▶ Review the confirmation message to see whether the request for profile updates was successful. If the system was unable to process the user profile updates, attempt to update your profile at a later time. If the second profile update attempt fails, contact E-Verify Customer Support at 800-464-4218.





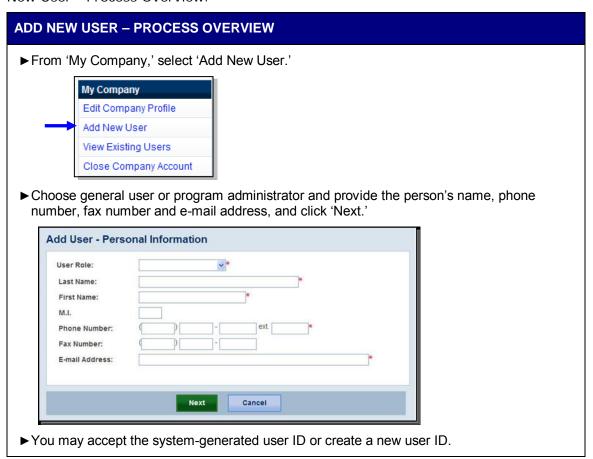
6.0 SITE ADMINISTRATION – PROGRAM ADMINISTRATORS

6.1 ADD NEW USER

Only program administrators can add E-Verify users. To add an additional user, the program administrator must provide the user's name, phone number, fax number (optional) and e-mail address.

If a user leaves the agency or no longer needs access to E-Verify, a program administrator must delete the user's account.

If you are a program administrator and you need to add a new E-Verify user, follow the 'Add New User - Process Overview.'









- ▶ Review the information submitted and then click 'Submit New User.'
- ▶ The new user will receive his or her user ID and password by e-mail.

NOTE: You can only add new users that are located at your agency.

6.2 DELETE USER ACCOUNTS

If a user leaves the agency or will no longer access E-Verify, a program administrator must delete the user's account. Follow the steps in the 'Delete Users – Process Overview.'

DELETE USERS - PROCESS OVERVIEW

- ► Select 'View Existing Users' from 'My Company.'
- ► Identify the user that you would like to delete.
- ► Click 'Delete' in the row of the user's account you wish to delete on the 'User Summary List' page.

OR

► Click 'Delete User' on the 'View/Modify User Information' page.



In both instances, the 'User Deletion Information' page will open, which displays the information for the user whom you want to delete. Click 'Delete User' to delete the user's account.

After you click 'Delete User,' changes will be permanent.





6.3 EDIT AGENCY PROFILE

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

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

EDIT AGENCY INFORMATION – PROCESS OVERVIEW

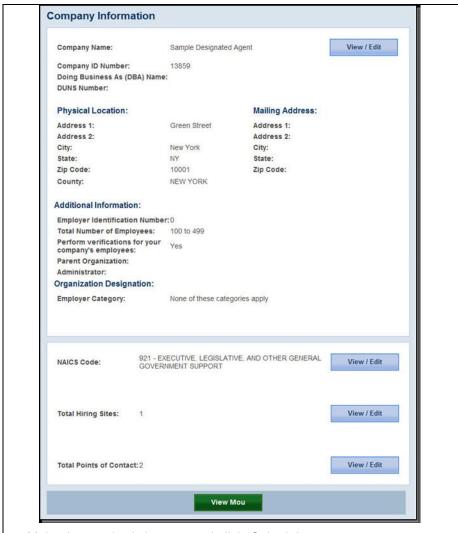
► From 'My Company,' select 'Edit Company Profile.'



► To modify any section of the 'Company Information' page, click 'View/Edit' in the section you want to modify (i.e., company name and physical location, points of contact, North American Industry Classification System (NAICS) Code, total hiring sites and total points of contact).





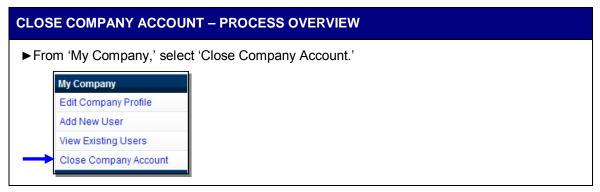


► Make the required changes and click 'Submit.'

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

6.4 CLOSE AGENCY ACCOUNT

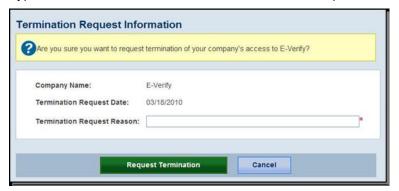
To request termination of agency participation in E-Verify, perform the steps outlined in 'Close Company Account – Process Overview.'







▶ Type the reason for termination in the 'Termination Request Reason' field.



- ► Click 'Request Termination.'
- ► A message will appear informing you that the E-Verify office will be notified of your site's request to terminate its participation in the program.





7.0 REPORTS

There are four types of case reports available in E-Verify for state workforce agencies. These include: 'Corporate Overview of Pilot Usage,' 'Quick Audit Report,' 'User Audit Report,' and 'User Report.'

All reports are accessed from 'My Reports' and selecting 'View Reports.'







8.0 RESOURCES AND CONTACT INFORMATION

E-VERIFY RESOURCES

E-Verify Public Website

www.dhs.gov/E-Verify

- General information about E-Verify
- Program information and statistics
- Frequently asked questions
- E-Verify user manuals
- E-Verify quick reference guides
- Information about employee rights and employer obligations

E-Verify Access for Employers and Corporate Administrators

https://e-verify.uscis.gov/emp

User access to E-Verify

E-VERIFY CONTACT INFORMATION

E-Verify Customer Support

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

For Employers: 888-464-4218

877-875-6028 (TTY) E-Verify@dhs.gov

For Employees: 888-897-7781

877-875-6028 (TTY) E-Verify@dhs.gov

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

Office of Special Counsel for Immigration, Related Unfair Employment Practices (OSC)

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





Employer Hotline: 800-255-8155

800-362-2735 (TTY)

Employee Hotline: 800-255-7688

800-237-2515 (TTY)

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





APPENDIX A: STATE WORKFORCE AGENCY CASE CLOSURE STATEMENTS

Is <employee name=""> currently employed with this company?</employee>	Has <worker name=""> been referred by this state workforce agency?</worker>
Displayed in E-Verify	State Workforce Agency Equivalent
The employee continues to work for the employer after receiving an Employment Authorized result.	The worker has been referred by the State Workforce Agency after receiving an Employment Authorized result.
The employee continues to work for the employer after receiving a Final Nonconfirmation result.	The worker has been referred by the State Workforce Agency after receiving a Final Nonconfirmation result.
The employee continues to work for the employer after receiving a No Show result.	The worker has been referred by the State Workforce Agency after receiving a No Show result.
The employee continues to work for the employer after choosing not to contest a Tentative Nonconfirmation.	The worker has been referred by the State Workforce Agency after choosing not to contest a Tentative Nonconfirmation.
The case is invalid because another case with the same data already exists.	The case is invalid because another case with the same data already exists.
The case is invalid because the data entered is incorrect.	The case is invalid because the data entered is incorrect.
The employee was terminated by the employer for receiving a Final Nonconfirmation result.	The worker has not been referred by the State Workforce Agency for receiving a Final Nonconfirmation result.
The employee was terminated by the employer for receiving a No Show result.	The worker has not been referred by the State Workforce Agency for receiving a No Show result.
The employee was terminated by the employer for choosing not to contest a Tentative Nonconfirmation.	The worker has not been referred by the State Workforce Agency for choosing not to contest a Tentative Nonconfirmation.
The employee voluntarily quit working for the employer.	The worker voluntarily decided he or she no longer wanted to be referred by the State Workforce Agency.
The employee was terminated by the employer for reasons other than E-Verify.	The worker has not been referred by the State Workforce Agency for reasons other than E-Verify.