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I-9 Employment Eligibility Verification and E-Verify Compliance Procedures



Document Abuse & overdocumentation

- Documentation must only be requested <u>after</u> job offer is made.
- Employer cannot request specific documentation, applicant must decide.
- If new hire provides more documentation than required, <u>new hire</u> should select only the necessary documents. You should inform the employee that he/she can only present documents that meet the requirements either List A or List B and C.



Completing Form I-9

Department of Homeland Security				Form I-9, Employment
U.S. Citizenship and Immigration Servic	es			Eligibility Verification
lease read instructions carefully befo	re completing this for	m The instructions must be	e available du	ring completion of this form
	• -			
ANTI-DISCRIMINATION NOTI pecify which document(s) they wi uture expiration date may also co	Il accept from an ei	mployee. The refusal to h	eligible indi ire an indivi	viduals. Employers CANNOT dual because the documents have a
Section 1. Employee Information a	and Verification. To			
Print Name: Last	First	Mid	dle Initial	Maiden Name
Address (Street Name and Number)		Apt.	#	Date of Birth (month/day/year)
îty	State	Zip	Code	Social Security #
am aware that federal law provid	les for	I attest, under penalty of perjury,		
mprisonment and/or fines for fals		A citizen or national of t A lawful permanent resi		
se of false documents in connection		An alien authorized to w		
ompletion of this form.		(Alien # or Admission #		
mployee's Signature		(Anna # 01 Additission #		Date (month/day/year)
				Entre (Hornine and Flycing)
Preparer and/or Translator Certif enalty of perjury, that I have assisted in the o				
Preparer's/Translator's Signature		Print Name	-	
Address (Street Name and Number,	City. State. Zip Code)		D	ate (month/dav/war)
Address (Street Name and Number, Section 2. Employer Review and V	erification. To be o	ompleted and signed by em	ployer. Exan	ate (month/day/year)
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LISTS OF ACCEPTABLE DOCUMENTS

	LIST A	LIST B		LIST C
	Documents that Establish Both Identity and Employment	Documents that Establish Identity		Documents that Establish Employment Eligibility
	Eligibility O	R A	ND	
1.	U.S. Passport (unexpired or expired)	 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.	U.S. Social Security card issued by the Social Security Administration (other than a card stating it is not valid for employment)
2.	Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	 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 or Form DS-1350)
3.	An unexpired foreign passport with a temporary I-551 stamp	3. School ID card with a photograph	3.	Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
4.	An unexpired Employment Authorization Document that contains	4. Voter's registration card	4.	Native American tribal document
	a photograph (Form I-766, I-688, I-688A, I-688B)	5. U.S. Military card or draft record	5.	U.S. Citizen ID Card (Form 1-197)
5.	An unexpired foreign passport with an unexpired Arrival-Departure	6. Military dependent's ID card	6.	ID Card for use of Resident Citizen in the United States (Form
	Record, Form I-94, bearing the same name as the passport and containing	 U.S. Coast Guard Merchant Mariner Card 		1-179)
	an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the	8. Native American tribal document	7.	Unexpired employment authorization document issued by
	employer	 Driver's license issued by a Canadian government authority 		DHS (other than those listed under List A)
		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		
	Illustrations of many of these do	cuments appear in Part 8 of the Ha	ndbo	ook for Employers (M-274)

Form I-9 (Rev. 06/05/07) N Page 2

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Section 1: Employee Information and Verification.

Department of Homeland Security S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification

ead 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 eligible 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.

Print Name: Last	First	Middle Initial	Maiden Name
introduct. Last	112		
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #
I am aware that federal law j imprisonment and/or fines fo use of false documents in con completion of this form.	provides for pr false statements or precision with the	_	tates
Employee's Signature			Date (month/day/year)
	in the completion of this form and that to		rson other than the employee.) I attest, under tion is true and correct.



Section 1: Employee Information and Verification.

- Must be completed by the New Hire.
- PI/PD/Administrator should verify that all information is provided and correct.
- Should be completed on the first date of employment.
- Preparer/Translator field in Section 1.

Section 2: Employer Review and Verification.

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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).

List A	OR	List B	AND	List C
Document title:				
Issuing authority:				
Document #:				
Expiration Date (If any):				
Document #:				
Expiration Date <i>(if any)</i>				

CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and	Number, City, State, Zip Code)	Date (month/day/year)



Section 2: Employer Review and Verification.

- New Hire provides verification documents from List A, or list B and C.
- All List B documents presented must contain a photograph.
- Employer reviews documents and completes Section 2.
- Must be completed **within 3 business days** of actual start date of employment.
- Make copies of documentation and attach to I-9 Form

Section 3: Updating and Reverification.

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\checkmark			
ection 3. Updating and Reverification. T	o be completed and signed by employer		
A. New Name (If applicable)		B. Date of Rehire (m	onth/day/year) (if applicable)
C. If employee's previous grant of work authorization l	has expired, provide the information below for the	document that establis	hes current employment eligibility.
Document Title:	Document#:	Expirat	tion Date (if any):
l attest, under penalty of perjury, that to the best of			, and if the employee presented
document(s), the document(s) I have examined appe	ar to be genuine and to relate to the individual		
Signature of Employer or Authorized Representative		Date	(month/day/year)
			Form I-9 (Rev. 06/05/07) N

Section 3: Updating and Reverification.

- Used to reverify documents from List C and some from List A.
- List B documents are never reverified.

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• Be sure to reverify employees on the new 2007 version of the Form I-9.



E-Verify: How it Works

- Users submit information provided on the Form I-9
- System queries databases of:
 - SSA
 - DHS

bection 1. Employee information	i and verification. 1 First	o be completed and signed by em Middle Init		nent begins.
	115	WINDLE III	iai Maldeli Malle	
Address (Street Name and Number)		Apt. #	Date of Birth (month/da	ŋı/jıear)
lity	State	Zip Code	Social Security #	
am aware that federal law pro mprisonment and/or fines for fa ise of false documents in connec completion of this form.	lse statements or	<u> </u>	ited States Llien #) A til	
mployee's Signature	I	(Date (month/day/year)	
Preparer and/or Translator Cer venalty of perjury, that I have assisted in th Preparer's/Translator's Signature	he completion of this form (nted and signed if Section 1 is prepared by and that to the best of my knowledge the in Print Name	v a person other than the employee formation is true and correct.	e.) I attest, under
Address (Street Name and Numb	er, City, State, Zip Code)		Date (month/day/year)	

Department of Homeland Security

U.S. Citizenship and Immigration Services

Form I-9, Employment

Eligibility Verification



E-Verify Initial Screen

	Employment Eligibility Verification
Case Administration Initial Verification View Cases User Administration Change Password Pwd Challenge Q&A Change Profile Site Administration Add User View Users Maintain Company Request Termination Reports	Enter Employee Information from Form I-9: The employee attests to be (select one of the following): A citizen or national of the United States A Lawful Permanent Resident An alien authorized to work Next



Input employee documents provided

E Verify	Employment Eligibility Verification	On-line Resources	Tutorial Home	Contact Us	Exit
Case Administration > Initial Verification > View Cases	Enter Employee Information from Form I-9: What document(s) did the employee present (select one): O List B, C Documents (List B, C Documents)				
User Administration > Change Password > Pwd Challenge Q&A > Change Profile	Our expired or Expired U.S. Passport Back Next				
ite Administration Add User View Users Maintain Company					
 Request Termination Reports View Reports 					



Section 1: Info from I-9 Form

ase Administration Initial Verification	Enter Employee Informa Last Name:	Ition from Form I-9: Jefferson	* 3	
View Cases er Administration Change Password Pwd Challenge Q&A Change Profile	First Name: Middle Initial: Maiden Name: Social Security Number:	Thomas *		
te Administration Add User View Users Maintain Company Request Termination	Date of Birth: (mm/dd/yyyy) Hire Date: (mm/dd/yyyy) Employer Case ID:	04/20/1962 * 03/26/2008 * ?	0	
eports View Reports	Back Next			

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E-Verify: How it Works cont.

- Initial verification will return one of three results within seconds:
 - Employment Authorized
 - The employee is authorized to work
 - SSA Tentative Non-confirmation
 - There is an information mismatch with SSA
 - DHS Verification in Process
 - DHS will usually respond within 24 hours with either an Employment Authorized or DHS Tentative Nonconfirmation



Initial Verification Approved

Case Administration	Initial Verification	Verification Number: 2008		e Case Verification # that must be the I-9 form.
 Initial Verification View Cases Jser Administration Change Pass pro 	Last Name: Middle Initial: Social Security Number: Hire Date: Anen Namber: Document Type:	Jefferson 216-47-4400 03/26/2008 Unexpired or Expired U	First Name: Maiden Name: Date of Birth: Citizenship Status: I-94 Number: Doc. Expiration Date:	Thomas 04/20/1962 Citizen or National of the United States
Pwd Challeng Q&A Change Profi Site Administration Add User	Initiated By: Initial Verification Resul	Passport ARAD1527	Initiated On:	03/26/2008
> View Users > Maintain Com any > Request Terr nation Reports > View Reports	Initial Eligibility <u>Case Documents for Print</u> <u>Case Details</u> [Resolve Case] Close	EMPLOTMENT AUTHORITED	This E-Verify result sh authorized to work.	ows that the employee is
.S. Department of Homel	and Security U.S. Citizenship ar	d Immigration Services		
		3. A		



E-Verify: Case Resolution

- If **Employment Authorized**, the employer records the systemgenerated verification number on the Form I-9. Client Services will not process a new hire if the verification number (CV#) is not noted on the I-9 Form.
- If **Tentative Non-confirmation**, the employee can contest the finding and then:
 - Social Security Number mismatches are resolved with SSA
 - Non-citizen status mismatches are resolved with DHS
- If the employee *chooses not to contest*, it is considered a **Final Non-confirmation**, and the Research Foundation terminates the employee and resolve the case.



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E-Verify, Employment Eligibility Verification On-line Resources Tutorial Home Contact Us Exit Case Verification Number: 2008086122854PB Initial Verification **Case Administration** Last Name: Jefferson Thomas First Name: Initial Verification Middle Initial: Maiden Name: > View Cases Social Security Number: 216-47-4401 Date of Birth: 04/20/1962 **User Administration** Hire Date: 03/26/2008 **Citizenship Status:** Citizen or National of the United States Alien Number: I-94 Number: Change Password **Document Type:** Unexpired or Expired U.S. **Doc. Expiration Date:** Pwd Challenge Q&A Passport Change Profile 03/26/2008 **Initiated By:** ARAD1527 **Initiated On:** Site Administration **Initial Verification Results** > Add User This E-Verify result > View Users SSA TENTATIVE NONCONFIRMATION **Initial Eligibility** SSN does not match shows an SSA Tentative Maintain Company Request Termination Non-Confirmation. **Case Documents for Printing** Reports Case Details Notification to Employee - Social Security Administration Tentative Nonconfirmation (English version) View Reports Notification to Employee - Social Security Administration Tentative Nonconfirmation (Spanish version) Initiate SSA Referral Resolve Case Close U.S. Department of Homeland Security | U.S. Citizenship and Immigration Services



Tentative Non-confirmation (TNC)

- Inform the employee and print and review the TNC notice with the employee.
- The employee chooses to "contest" or "not contest" the TNC.
- **Refer** the employee to the appropriate agency if the TNC is contested.
- The employee has 8 Federal Government workdays from the date of referral to visit or call the appropriate agency to resolve the discrepancy.

File Edit View Favorites Tools Help						
🕝 Back 👻 🐑 💌 📓 🏠 🔎 Search 🤸 Favor	rites 🕢 🔗 🛪 🐴	• 🎍 🖭 🖭 🛍				
Address Chtps://www.vis-dhs.com/WebBp/SSATentativeNonconfirmN	lotice.aspx?EmployeeName	=jefferson%2c+thomas&EmployeeSs	n=211 💌 🄁 Go	Links 🎽	🌀 SnagIt	🖻 i
NOTICE TO E	MPLOYEE O	VE NONCONFIRMATION				^
Employee Name:	jefferson, thomas	If E-Verify result is Tentativ	ve NonConfirm	ation this i	s the	
SSN:	216-47-4401	notice that must be printed	d and given to t	he employe	e. It mus	st
Date of Tentative Nonconfirmation:	09/18/2007	be filled by employee in yo copy to the I-9 form.	our presence. Y	'ou must at	tach a	
A gency Providing Tentative Nonconfirmation:	Social Security Admin	istration				
This employer is participating in a pilot project with the Social Secu- information you provided when you completed the Form I-9. When are eligible to work in the United States. This tentative nonconfirm incorrect. There are many reasons why a work authorized employer that you must contact the SSA to resolve the situation if you wish t	your information was co nation does not mean tha ee could be the subject of o continue your employm	mpared electronically to governm it you are not work authorized, or a tentative nonconfirmation. The ient.	ent records, SSA that the informat tentative nonconf	could not co ion you provi irmation me:	nfirm that ded is	you
You have a voluntary choice. You may Contest the tentative nonco	nfirmation, or you may c	hoose to Not Contest the tentative	nonconfirmation			
If you Contest this tentative nonconfirmation, you must contact referral notice that will tell you how to contact the SSA. You will be with SSA. At the SSA office, you may have to provide additional i During the 8 Federal government work days your employer may not status or because you have chosen to contest the tentative noncor	e provided 8 Federal gov information or document t terminate your employn	ernment work days from the date o s that will permit the SSA to notify	f that referral noti your employer th	ce to resolve 1at you are w	your situa ork authori	tion zed.
If you do Not Contest the tentative nonconfirmation, you are mak not contest the tentative nonconfirmation, it automatically beco unauthorized employee. If you do not contest the tentative nonco your employment.	mes a final nonconfirm	ation. That means that your emp	loyer may termin	ate you imm	ediately as	s an
If you have questions or concerns about immigration-related unf Employment Practices toll free at 1-800-255-7688 or 1-800-237-2515 (ecial Counsel for	Immigration-	Related Ur	ufair
I choose to (check one):						
Contest the tentative nonconfirmation. I understand that I ————————————————————————————————————		Security Administration within 8 F	ederal Governmer	nt work days	from the da	ate
Not Contest the tentative nonconfirmation. I choose volur voluntary choice not to contest the tentative nonconfirma				understand tl	nat my	
Signature of Employee:		Date:				
NOTICE TO E	E-VERIFY MPLOYEE OF TENTAT	IVE NONCONFIRMATION				
Employer's Certification						
I certify that this employer has received a tentative nonconfirmation	n relating to the employe	e whose name and signature appe	ar above and that	the employe	e has made	the 🔽
🕙 Done			- (🔒 🥥 Interr		



TNC Case Resolution

- Employee continues to work while the case is being resolved.
- The 8 days is only for the employee to contact the appropriate agency. Resolution may go beyond 8 days.
- Once the employee resolves the discrepancy in his or her records, they should inform the Office of Client Services.
- With both a **SSA TNC** and a **DHS TNC**, a response is electronically sent to the Research Foundation through the system. The employer should check E-Verify periodically for the response.



TNC Case Resolution cont.

- The employer will receive one of three results:
 - Employment Authorized
 - Final Nonconfirmation
 - Review and Update Employee Data then Resubmit
- The employer then resolves the case in E-Verify.



Employment Authorized

E-Verify, Employment Eligibility Verification On-line Resources Tutorial Home Contact Us Exit Case Verification Number: 2008086123844GP **Initial Verification Case Administration** Last Name: Jefferson First Name: Thomas Initial Verification Middle Initial: Maiden Name: > View Cases Social Security Number: 216-47-4400 Date of Birth: 04/20/1962 **User Administration Hire Date:** 03/26/2008 **Citizenship Status:** Citizen or National of the United States Alien Number: I-94 Number: Change Password Document Type: Unexpired or Expired U.S. **Doc. Expiration Date:** Pwd Challenge Q&A Passport Change Profile Initiated By: ARAD1527 Initiated On: 03/26/2008 Site Administration Initial Verification Results > Add User > View Users **Initial Eligibility** EMPLOYMENT AUTHORIZED Maintain Company **Enter Case Resolution** Request Termination **Resolve Options:** Resolved Authorized Reports O Resolved Unauthorized / Terminated View Reports O Self Terminated O Invalid Query O Employee Not Terminated Submit Resolve Case Close U.S. Department of Homeland Security | U.S. Citizenship and Immigration Services



Photo Screening Tool

- The E-Verify photo tool enables employers to match the photo on an employee's Employment Authorization Document (EAD) I766 or Permanent Resident Card ("green card") I-551 to the photo that USCIS has on file for that employee.
- Assist employers to detect instances of document fraud.



Photo Screening Tool Sample

nlowmont Elizibility Verification

E Verify	Employment Englority vertication
– • • • • • • • • •	
	Case Verification Number: 2007240160205MM
Case Administration	Identity Verification
Initial Verification	Does the photograph below match the photograph on the I-766 document provided by the employee?
≻ View Cases	○ Yes
User Administration	○ No
Change Password	O Cannot be determined (specify why)
≻ Pwd Challenge Q&A	
≻ Change Profile	
Site Administration	
> Add User	
≻ View Users	Real Click to Enlarge
Maintain Company	
Request Termination	Next
Reports	
> View Reports	

On-line Resources | Tutorial | Home | About | Exit

U.S. Department of Homeland Security | U.S. Citizenship and Immigration Services

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- E-Verify must ONLY be used to verify NEW hires, and must be initiated after the employee accepts the position (hire date) and within 3 days of the employee's actual start date.
- E-Verify procedures **must be applied to ALL new hires**, regardless of citizenship status.



E-Verify Poster





OSC Anti-Discrimination Poster

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.

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

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

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

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

Office of Special Counsel for Immigration-Related Unfair Employment Practices





Employee Rights

• The employee has the right to contest or not to contest a Tentative Non-confirmation (TNC) from SSA or DHS.



Related/Contact Information

- <u>Right to Work Poster</u>
- E-Verify Poster Notice
- RFCUNY website
- E-Verify User Manual
- E-Verify: DOs and DON'Ts
- Office of Client Service