E-Verify
Process Summary

I-9 Management

Revised September 6, 2017

This document provides an overview for using E-Verify with the Equifax Workforce Solutions I-9 service and is intended for clients implementing the Equifax Workforce Solutions I-9 service. This document is confidential to Equifax Workforce Solutions Corporation. This document or any part thereof may not be reproduced or transmitted in any form by any means for any purpose without written permission of Equifax Workforce Solutions Corporation.

This document is not an official federal government manual for E-Verify.

E-Verify Contact Information

For questions regarding the E-Verify:

- Technical Help Desk: 1-800-741-5023
- General Information: 1-888-464-4218
- Support E-Mail: e-verify@dhs.gov
- Web: https://www.vis-dhs.com

Reference Documents

For additional information regarding the Form I-9 and E-Verify:

- M-274 – **Handbook for Employers** – Instructions for Completing the Form I-9 (Employment Eligibility Verification Form M-274 (Rev. July 2017) N). To order more forms or handbooks, call the U.S. Citizenship and Immigration Service (USCIS) toll-free number at 1-800-870-3676. Individuals also can order them by phoning the USCIS National Customer Service Center at 1-800-375-5283, or download PDF versions from the USCIS website at www.uscis.gov.
- I-9 Central FAQs
- E-Verify Right to Work Poster

Additional assistance with the I-9 Management service can be found in the Help link once you are logged in as a User. The Help section includes important User Guides and video tutorials for using E-Verify through I-9 Management.

Table of Contents

Overview

This document is designed to educate clients on the E-Verify program as well as to provide instructions on how to send cases to E-Verify, close E-Verify cases, and monitor E-Verify issues using the Equifax Workforce Solutions I-9 service. This document also includes a list of all E-Verify statuses as well as some frequently asked questions.

E-Verify

E-Verify is a secure, online service that verifies an employee's authorization to work in the United States by comparing information from the Form I-9 with records contained in Social Security Administration (SSA) and Department of Homeland Security (DHS) databases. E-Verify, formerly referred to as the SAVE / Basic Pilot Program, has been in existence since the mid-1990's and is operated by the U.S. Citizenship and Immigration Services division of the Department of Homeland Security (DHS) in partnership with the Social Security Administration. It is designed to be used in conjunction with the Form I-9.

Benefits

- Helps eliminate potential employer liability by ensuring Forms I-9 are compliant and workers hired are legal. Use of E-Verify is #1 on the DHS and ICE list of best hiring practices.
- Helps eliminate the guesswork in verifying employee documents.
- Complies with state laws. Some states have passed laws mandating that employers use E-Verify and more states are expected to follow.
- Provides a competitive advantage. Some customers require their service providers to supply workers who have been verified with E-Verify.
- Protects jobs for authorized United States workers.
- Ensures a legal workforce.
- Prevents disruptions and turnover in the workforce if illegal workers are discovered.
- Protects your corporate brand and avoids negative publicity from employing illegal workers.

Requirements

- A new employee must present a photo ID to prove identity when completing the I-9.
- ALL new hires and rehires completing a new I-9 MUST be verified if the location uses E-Verify. Refer to your corporate hiring policies.
- Reactivated employees may NOT be verified. However, there may be some exceptions. Refer to your corporate hiring policies.
- Existing employees may NOT be verified, unless covered by the E-Verify Federal Contractor Rule, which took effect September 8, 2009.
- E-Verify may NOT be used to re-verify existing employees with expiring work documents.
- Employers should submit verification queries for newly hired employees no later than the 3rd business data after they start work for pay.
- If you discover that you failed to initiate a verification query by end of the 3rd business day, you should make a good faith effort to comply by immediately initiating a query. You should make a note of the reason for the delay and attach it to the Form I-9. (If the employee also failed to complete the Form I-9, this must be completed first.)

E-Verify System Flow

An E-Verify transaction is automatically initiated when Section 2 of the I-9 is electronically signed by the employer. Information from the I-9 is automatically sent to the SSA and, in certain cases, the DHS for verification. A unique Case Number is assigned by E-Verify and an initial response is returned and displayed in the Equifax Workforce Solutions I-9 service.
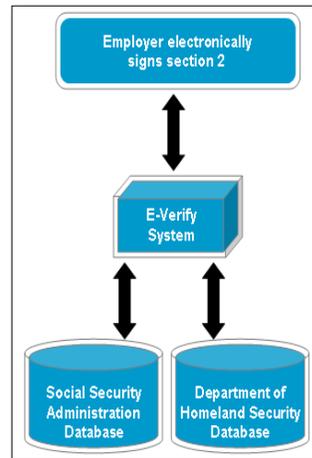
U.S. Citizen / Naturalized Citizen

For a U.S. Citizen or a Naturalized Citizen, E-Verify only checks against the SSA database to verify the new employee.
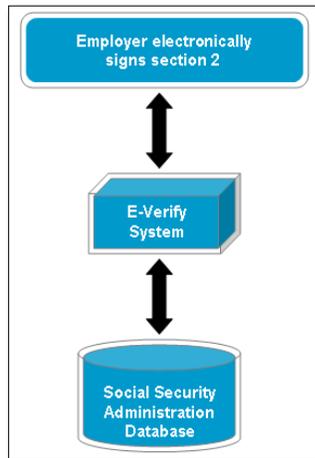
Non-Citizen

For a non-citizen, E-Verify checks against the SSA database and the DHS database to verify the new employee.

E-Verify Service Availability

DHS has scheduled nightly maintenance outages for the E-Verify service. Below is the regularly scheduled E-Verify outage:

E-Verify Regular Daily Outage Schedule:

- Monday – Saturday: 1am – 5am (Eastern)
- Sunday: 6pm – 5am Monday (Eastern)

In addition to the scheduled outages, DHS will sometimes takes the E-Verify service down outside of the regular scheduled outage to perform system maintenance. It is common for these unscheduled outages to occur with less than 24 hours' notice. They typically occur over a weekend.

An E-Verify Service Indicator is displayed on the Main Menu for employers that use E-Verify.
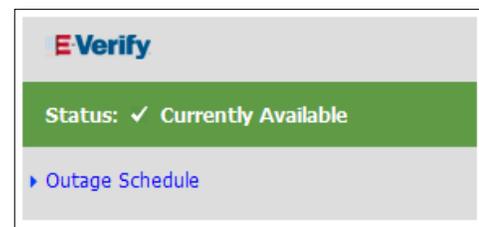
The indicator displays the current E-Verify Service status (Green is up, Red is down). In addition, Users can click on the outage schedule to see upcoming service outage times, including regular scheduled outages as well as unscheduled outages.

Submitting a Case to E-Verify

Initiating E-Verify

The employee's data is automatically submitted to E-Verify when Section 2 of their I-9 is electronically signed by the employer, if the criteria below are satisfied.

- The SSN must be entered in Section 1 of the I-9
- The employee must be a new hire.
- The I-9 must be data ready or Eligible for Verification through E-Verify which includes no receipts for documents.
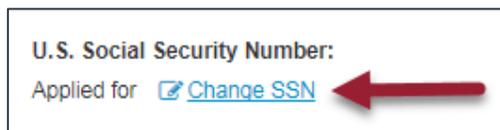
SSN Applied for

E-Verify requires that the employee's SSN be included in Section 1 of the I-9. If the employee has applied for a Social Security Number and the SSN has not been issued yet, this must be indicated in Section 1 by clicking the **SSN Applied For** radio button.

The employee should provide their SSN to you within 90 days and can be updated via the **Change SSN** link on the Employee Detail Page. Once completed, the I-9 will be sent automatically to E-Verify and return a reponse. The I-9 Management service tracks I-9s marked as SSN Applied For in the Quick Search box.

New Hire Window

The New Hire Window is used to determine if the employee completing the I-9 is an existing or former employee or a new hire. The I-9 service compares the hire date entered on the I-9 with the current date. If the Hire Date is within the New Hire Window, the I-9 service considers the employee a new hire. If it is not within the New Hire Window, the I-9 service considers the employee an existing employee who is considered ineligible for E-Verify and the I-9 is not submitted to E-Verify. The standard New Hire Window is 30 days.

After carefully reviewing the hire date, the I-9 can be forced to E-Verify by using the **Send to E-Verify** button on the **Employee Detail** Page.

Not Eligible For Verification through E-Verify

I-9s that do not meet the criteria in order for the I-9 to be submitted to E-verify will show the E-verify Current Status as "*The current I-9 is not eligible for verification through E-Verify.*"
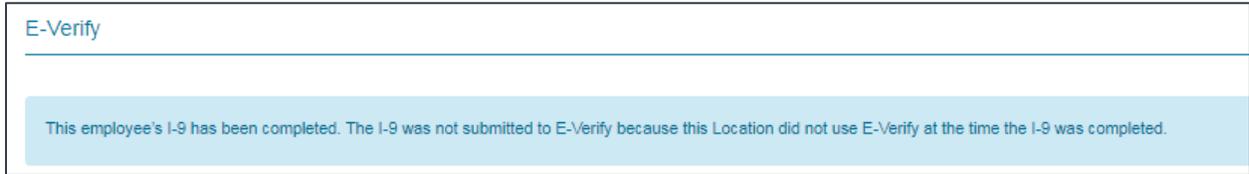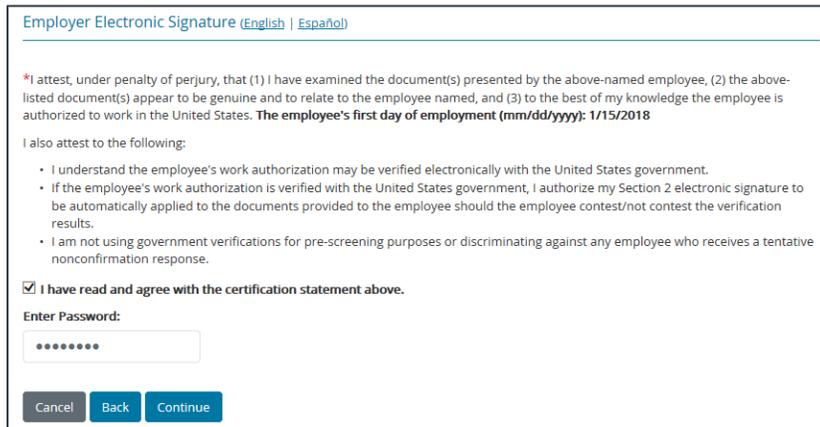

Section 2

If the employee is eligible for E-Verify, completing Section 2 of the employee's I-9 automatically initiates the E-Verify transaction. The service sends the employee's information to E-Verify to verify their eligibility to work in the United States.

Signing Section 2 includes three simple steps.

- Review the information entered on the I-9 to make sure it is correct and enter the document information provided by the employee.
- Click the checkbox to agree with the perjury statement.
- Click Continue to complete the electronic signature.

E-Verify Status and Scenarios

Initial E-Verify Response

When Section 2 is signed and the I-9 information is automatically submitted to E-Verify, the E-Verify system assigns a unique case number and returns an initial status response to the I-9 service. The steps necessary to complete the E-Verify verification process and close the case are dependent on the current status of the E-Verify case. You will see one of the following responses displayed in the I-9 History section of the Employee Detail page.

Most Common Responses
- [Employment Authorized](#)
- [Photo Matching](#)
- [SSA or DHS Tentative Nonconfirmation](#)
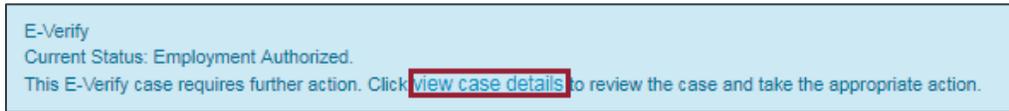

Additional Responses
- [Initial verification not processed. The I-9 service will continue trying to process the transaction.](#)
- [Employment Authorized – with additional verification optional](#)
- [Employment Authorized – with additional verification requested automatically](#)
- [DHS Verification in Process](#)
- [SSA or DHS Case In continuance](#)
- [SSA or Case DHS Case Incomplete](#)

Employment Authorized

This response means that the employee is authorized to work in the United States. **Employment Authorized** is the most common initial response received from E-Verify. Most employers receive this response 99% of the time as the initial response from E-Verify.

The E-Verify response is displayed in the banner at the top of the page, as well as in the E-Verify section of the **Employee Detail** page. While the case will display a status of **Employment Authorized**, further action is required by the employer in order to close the case.

E-Verify
Current Status: Employment Authorized.
This E-Verify case requires further action. Click view case details to review the case and take the appropriate action.

First, the User must click the **Close Case** button in the E-Verify section on the **Employee Detail** page.

This employee has been authorized by E-Verify. To complete the process, click the **Close Case** button below.
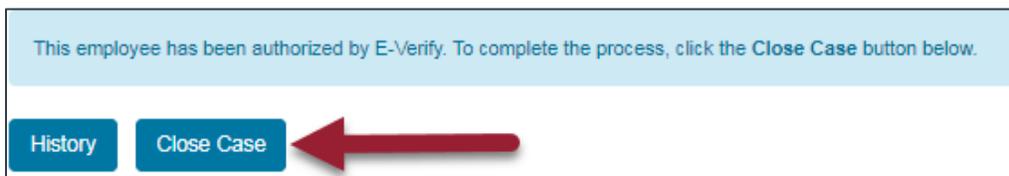
History   Close Case

This will take the User to the E-Verify History page, where they must select the appropriate closure option, and then click **Close Case**.
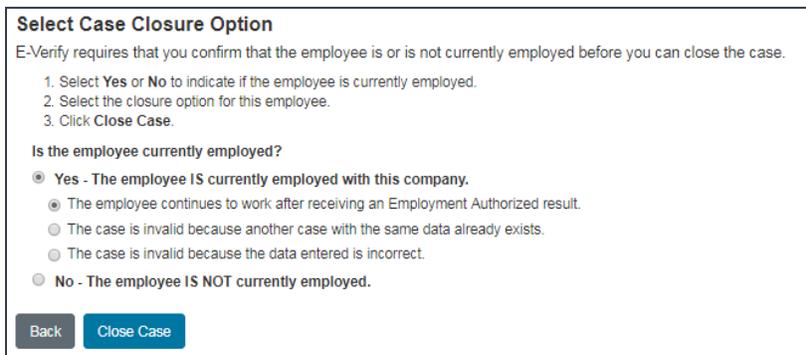
Select Case Closure Option
E-Verify requires that you confirm that the employee is or is not currently employed before you can close the case.

1. Select **Yes** or **No** to indicate if the employee is currently employed.
2. Select the closure option for this employee.
3. Click **Close Case**.

Is the employee currently employed?

- ● **Yes - The employee IS currently employed with this company.**
  - ● The employee continues to work after receiving an Employment Authorized result.
  - ○ The case is invalid because another case with the same data already exists.
  - ○ The case is invalid because the data entered is incorrect.
- ○ **No - The employee IS NOT currently employed.**

Back   Close Case

Once the case is closed, the service returns to the **Employee Detail** page, where the E-Verify banner message is now absent, and the updated closed E-Verify status is listed.

Resolution (01/29/2018)

Resolve Option: Case Resolved: Employee continues to work after receiving an Employment Authorized result
Resolved By: User Name

Back
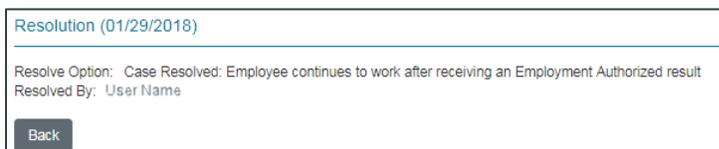
Photo Matching

Photo Matching is a status regarding the E-Verify Photo Matching tool. The status of **Photo Matching** may be returned as an initial response by E-Verify. The **Photo Matching** status requires the employer to compare the photograph on the employee's Section 2 document to the picture displayed by E-Verify. The employer must then indicate if the photograph on the employee's document matches the photograph displayed by E-Verify. The only documents included in the E-Verify **Photo Matching** tool are the I-766, I-551, and U.S. Passport and U.S. Passport Card.

Initial Verification (05/12/2017)			
Name: Paul Hewson xxxxxxxx	**Social Security #:** XXX-XX-5356	**Birth Date:** 01/01/1992	**Employment Date:** 05/10/2017
Work Status: A Citizen of the United States	**Alien Registration Number/USCIS Number:**	**I-94 #:**	**Passport #:** 987654321
Passport Country of Issuance:	**Visa #:** No visa number	**Document Type:** U.S. Passport or U.S. Passport Card	**Issuing Authority:** U.S. Department of State
Document #:	**Document Expiration Date:** 05/29/2017	**Initiated By:** Brad Echele	**E-Verify Company ID Number:** 10469
Reason for Delay: Initial query submitted on time.		**Return Name:**	**Status:** Photo Matching

Photo Matching (01/23/2018)			
Status: Photos matched	**Initiated By:** Sharon Newton	**Copy Retained:** No	**Document Name:** (None)
Status: Employment Authorized.			

> **IMPORTANT!** For a case with Photo Matching you MUST retain a copy of the employee's document.
>
> You must scan the document and attach the image to the employee's electronic Form I-9 by clicking the Attach File action in the I-9 History Section on the Employee Detail page.

[Back] [Close Case]

The I-9 Management service will prompt the User to scan and attach a copy of the employee's document. If a document copy is not attached to the employee's I-9, the following message will be displayed indicating that the document needs to be retained and giving the User the ability to do so.

Photo Matching Document Retention - Best Practices for Uploading Documents

Best Practice in retaining copies of Photo Matching documents is to upload a scanned copy of the document to the I-9 Management service via the **Employee Detail Page**.

The document can be attached by using the **Attach File** button in the I-9 History portion.

I-9 History			
Hire/Entry	**Type (click to view)**	**E-Verify**	**Actions**
1/22/2018	Original I-9	View History	Attach File

An additional option for Users who do not have access to a scanner will see the option to attach the Photo Matching document by using the **I-9 Mobile App**.

Photo Matching Scenario #1 **(Photograph matches)**

The employee presents an I-766 or I-551 document for their Form I-9. The initial response of Photo Matching is returned. To complete the photo match, click the **Photo Matching** button.

E-Verify

Origination Date:
05/12/2017

Reason for Delay:
Initial query submitted on time.

Current Status Date:
05/12/2017

Current Status:
Photo Matching

Photo Matching Document:
N/A

History   Photo Matching

Clicking this button takes the User to the E-Verify History page where the photograph that should be on the employee's document is displayed.Instructions are displayed for the User explaining what they must do to indicate that the photographs do or do not match.

*Note: If no photo displays or the wording **"No Photo on this Document"** appears in the box in place of a photo, select **Yes, The photographs are the same**. If passport information such as the passport number or a partial document is displayed instead of a photo, select **No. The photographs are different.***

E-Verify Photo Matching

You **MUST** compare the photo below to the photo on the U.S. Passport or U.S. Passport Card presented by the employee. Do **NOT** compare the photo below from E-Verify to the employee directly.

Does the photo below match the photo on the U.S. Passport or U.S. Passport Card presented by the Employee?

Note: If 'No Photo on this Document' appears below, select 'Yes' and click the **Continue** button.

EXAMPLE

Click to Enlarge

○ Yes. The photographs are the same.
○ No. The photographs are different.

IMPORTANT! Make sure your selection above is correct. Then, click the **Continue** button below to confirm your response with E-Verify.

IMPORTANT! You **MUST** retain a copy of the employee's U.S. Passport or U.S. Passport Card. To comply with this Federal government requirement you must scan the document and attach the image to the employee's electronic Form I-9 by clicking the Attach File action in the I-9 History Section on the Employee Detail page.

Back   Continue

- Click **Yes. The photographs are the same.** to confirm that the photo on the employee's document matches the photo returned by E-Verify. E-Verify will then update the case status to **Employment Authorized** and you can close the case after retaining a copy of the Photo Matching document.

Photo Matching Scenario #2 (Photographs do NOT match – Employee Contests)
In this scenario, the User indicates that the photo on the employee document does NOT match the photograph displayed, **AND** the employee chooses to **Contest** the E-Verify results.

The employee's I-9 is completed; the employee presented an I-766 or I-551 document, and E-Verify returns the status **Photo Matching**.

E-Verify

Origination Date:
05/12/2017

Reason for Delay:
Initial query submitted on time.

Current Status Date:
05/12/2017

Current Status:
Photo Matching

Photo Matching Document:
N/A

[History] [Photo Matching]

The User clicks the **Photo Matching** button to compare the employee document photograph.

E-Verify Photo Matching

You **MUST** compare the photo below to the photo on the U.S. Passport or U.S. Passport Card presented by the employee. Do **NOT** compare the photo below from E-Verify to the employee directly.

Does the photo below match the photo on the U.S. Passport or U.S. Passport Card presented by the Employee?

Note: If 'No Photo on this Document' appears below, select 'Yes' and click the **Continue** button.

EXAMPLE

Click to Enlarge
○ Yes. The photographs are the same.
○ No. The photographs are different.
IMPORTANT! Make sure your selection above is correct. Then, click the **Continue** button below to confirm your response with E-Verify.

IMPORTANT! You **MUST** retain a copy of the employee's U.S. Passport or U.S. Passport Card. To comply with this Federal government requirement you must scan the document and attach the image to the employee's electronic Form I-9 by clicking the Attach File action in the I-9 History Section on the Employee Detail page.

[Back] [Continue]

The User then compares the photograph from the employee document (I-766 in this example), to the photograph displayed on the screen. In this example, the User then clicks **No** to indicate that the photograph on the employee's document does not match the photograph displayed on the screen and clicks **Continue**.

A message is displayed informing the User that a copy of the employee's document should be retained. The User should click the checkbox to confirm that the copy has been retained.

The User then clicks the appropriate **Continue** option to move on with the TNC Process.

ACTION REQUIRED

The employee received a Tentative Nonconfirmation (TNC) response from E-Verify. This does NOT necessarily mean that the employee is not authorized to work in the United States; however, additional action is required. Employers must allow the employee to contest a TNC and may not take adverse action against the employee because of the TNC while the employee is contesting the TNC and the E-Verify case is pending.
E-Verify Further Action Notices have been translated into several languages and are available via I-9 Management Help. Additional information can be found on the USCIS web site: http://www.uscis.gov/e-verify/publications/notices-and-letters/further-action-notices-and-referral-date-confirmations.

To begin the TNC process click the **Continue** button below.
If you created this case in error or no longer need to continue this verification, click the **Close Case** button below.

[History]   [Continue]   [Close Case]

SSA or DHS Tentative Nonconfirmation

A response of **SSA TENTATIVE NONCONFIRMATION (SSA TNC)** simply means that the information on the employee's I-9 did not match the information on file at the SSA.

It does NOT mean the employee is not authorized to work. The employee can choose to: contest (correct the problem) or not contest (forfeit & terminate employment).

E-Verify
Current Status: SSA Tentative Nonconfirmation.
This E-Verify case requires further action. Click view case details to review the case and take the appropriate action.

A response of **DHS TENTATIVE NONCONFIRMATION (DHS TNC)** means that the Department of Homeland Security could not verify employment eligibility. You may not receive this as a response from E-Verify. DHS TNC could be received after the **DHS Verification in Process** status, if information at DHS does not match.

E-Verify includes an indicator that identifies a **Potentially Naturalized Citizen.** Cases flagged as potentially naturalized citizens are presented with a different set of Further Action documents. This additional information is displayed on the **E-Verify History** page in the Initial Verification response section as well as on the **Employee Detail** page in the E-Verify section. Potentially Naturalized Citizen status can be **Yes** or **No**. This is conditional and not always provided by E-Verify. If not provided, it is not displayed.

A DHS or SSA Tentative Nonconfirmation response does NOT mean that the employee is ineligible to work. The employer should assume the employee is eligible to work until they receive a Final Nonconfirmation response indicating the employee is not authorized to work in the United States.

Informing the Employee of the TNC

Inform the employee of the reason for the tentative result by using the guide below. The employer should help the employee understand what documentation he/she will need to take to the local SSA office or use to call the DHS to correct the issue. Instruct the employee to ensure the SSA or DHS verifies ALL of the employee's information.

> **IMPORTANT!**
> Before clicking the **Referral** button, review the data on the I-9 with the employee to make sure all the data was entered correctly. Common mistakes include typos for SSN, employee name, and date of birth on the I-9. If a data entry error is found, **DO NOT CLICK REFER.** You should click **Close Case**, as invalid data. You should then complete a new I-9 with the employee immediately with the correct information.

Common scenarios that may cause a Tentative Nonconfirmation due to data entry:
- Unable to confirm United States citizenship:
  - The employee may have checked the wrong checkbox in Section 1 of the Form I-9 regarding citizenship. If this is the case, you will need to close this E-Verify case as Invalid or Incorrect Data. The employee will then complete a new I-9. Once Section 2 of the I-9 is completed by the employer, a new E-Verify case will be automatically initiated.
- SSN does not match:
  - The wrong SSN may have been entered on the I-9.
  - This means that either the name or birth date does not match the SSA's information. The employee will need to present documentation (birth certificate, marriage license/certificate, etc.) in order for the SSA to update their information. It is very helpful if the employee pinpoints the problem to the SSA clerk – this will save time and potentially multiple visits to the SSA.
- Invalid SSN:
  - This is most likely a Social Security number that was not issued by the SSA. As a double check, review the SSN that was entered for accuracy.

Processing the TNC

After you inform the employee of the TNC response from E-Verify, the employee must then decide whether they would like to **Contest** or **Not Contest** the TNC. The I-9 service provides a link to the Tentative Nonconfirmation Notice to help the employee understand the response and make a decision on whether to Contest or Not Contest. By contesting the TNC, the employee is indicating that they believe that they are authorized to work in the United States and they want to have the opportunity to work with the SSA or DHS to correct the data issue. If the employee chooses to not contest, they are admitting that they are not authorized to work in the United States and should be terminated immediately.

The following will help guide you through what actions to take for employees that choose to Contest or Not Contest the Tentative Nonconfirmation as well as the process to follow for employees that simply leave after you notify them.

Employee Contests the Tentative Nonconfirmation

Click the **Continue** button on the **Employee Detail** page; this will take you to the E-Verify History page for the employee. The I-9 service will pre-populate the forms with the employee's information to the SSA or DHS Tentative Nonconfirmation Notice and respective documents.

You will now follow the steps for the Referral Process:

Verify Information
To begin the Referral Process you will first need to review the information in order to confirm the Case Information. Next, click **Continue**.

Print Notice
Follow the instructions to print the **Further Action Notice** that will need to be printed out and provided to the employee.

Check the checkbox to confirm that the employee has been given the Further Action Notice.

The **Contest** and the **Not Contest** buttons have now been enabled. Click **Contest** to continue to the next step.

Refer Employee

Click **Refer Case** to update the case status to employee referred. This lets E-Verify know that the employee has been referred.

SSA Referral - Case Number: 170511124946566

Promotion Checkout Account is a demo employer.>

Verify Information — Print Notice — Close Case / Refer Employee — Complete / Print Confirm — Complete

Refer Employee

The next step is to refer the employee to SSA.

To refer the employee to SSA click **Refer Case**

⚠ After clicking **Refer Case**, the employee has 8 Federal government workdays to visit SSA.

Cancel   Back   Refer Case

Print Confirm

Follow the instructions to print the **Referral Date Confirmation** and give it to the employee.

Check the checkbox to confirm that the employee was given the **Referral Date Confirmation**.

The **Complete** button is now enabled and you can continue with last step.

SSA Referral - Case Number: 170511124946566

Promotion Checkout Account is a demo employer.>

Verify Information — Print Notice — Close Case / Refer Employee — Complete / Print Confirm — Complete

Print & Give to Employee

This employee was referred to SSA on 1/23/2018. The employee must visit a SSA field office within 8 Federal government workdays. To complete the referral process follow the steps below.

1. Print the SSA Referral Date Confirmation.
2. Review the SSA Referral Date Confirmation privately with the employee.
3. Give the employee the SSA Referral Date Confirmation. The employee will need to take the letter to a SSA field office.
4. Confirm you have given the employee a printed copy of the SSA Referral Date Confirmation.
   ☑ *I have given the employee a printed copy of the SSA Referral Date Confirmation.*
5. After these steps are complete, click the **Complete** button below.
6. E-Verify Referral Date Confirmations have been translated into several languages and are available via I-9 Management Help.

   Additional information can be found on the USCIS web site http://www.uscis.gov/e-verify/publications/notices-and-letters/further-action-notices-and-referral-date-confirmations.
7. I authorize my electronic signature to be applied to this E-Verify document being provided to the employee.

Confirm
SSA Referral Date Confirmation (English)
SSA Referral Date Confirmation (Español)

Complete

Complete

The **Complete** step provides confirmation that the employee has been successfully referred to SSA/DHS.
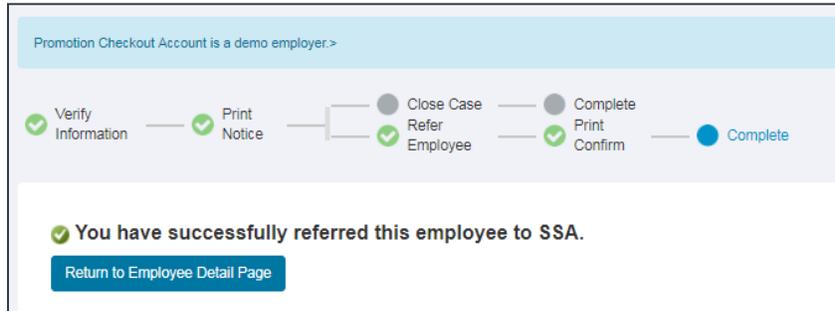

Click **Return to Employee Detail Page** to go back to the **Employee Detail** page. The current E-Verify case status is displayed on the **Employee Detail** page. The E-Verify updated case status will automatically display on the **Employee Detail** page when E-Verify makes a change to status. You should monitor the case status daily for updates. You can also monitor the status of all open E-Verify cases in the Locations you have access to via the Quick Search box, by clicking on the **E-Verify Issues** link.

IMPORTANT!

After receiving the notification and referral documents and being "referred" to SSA, the employee has 8 government workdays to visit the local SSA office or call the DHS to resolve the issue.

Employee Does Not Contest the Tentative Nonconfirmation
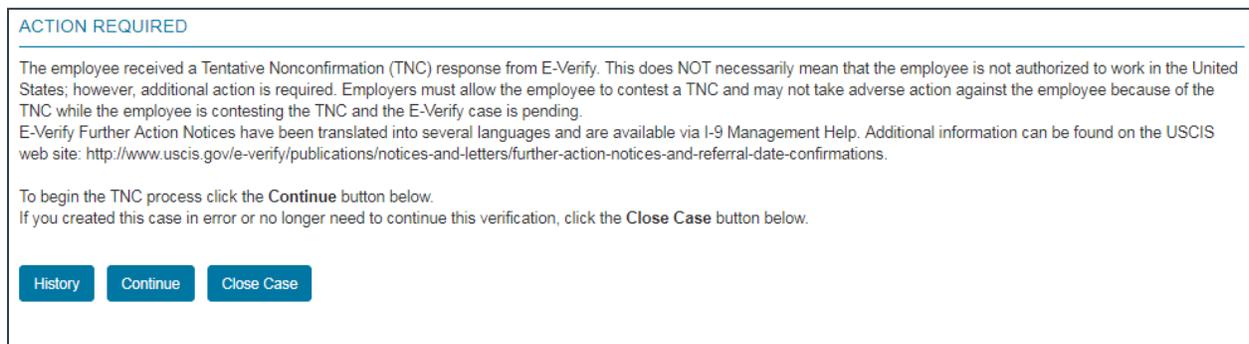
Click the **Continue** button on the **Employee Detail** page. This will take you to the E-Verify History page. Review the information for accuracy and then click **Continue** to proceed with the **Not Contest** process.

You will now follow the steps to close out the case.

Verify Information

To begin the Referral Process you will first need to review the information to confirm the Case Information. Next, click **Continue.**

Print Notice

Follow the instructions to print the **Further Action Notice** that will need to be printed out and provided to the employee.

Check the checkbox to confirm that the employee has been given the Further Action Notice. The **Contest** and the **Not Contest** buttons have now been enabled. Click **Not Contest** to continue to the next step.

Close Case

Select the appropriate **Case Resolution** by clicking the radio button next to the desired resolution.
Once you have chosen your Case Closure option, click **Close Case** to continue.

Complete

The **Complete** step provides confirmation that the case has been successfully closed.

You can exit this page by clicking the **Return to Employee Detail Page** link. The updated E-Verify case status is displayed on the **Employee Detail** page.

Employee leaves when you notify them of the TNC.

Click the **Close Case** button on the **Employee Detail** page. This will take you to the E-Verify History page and allow you to close out the case.

Initial Verification Not Processed

This informational message indicates that the I-9 has been completed, but a response has not yet been received from E-Verify. Check the I-9 service frequently for updated results. This typically occurs right after Section 2 is signed. The I-9 service will continue to attempt to process the transaction with E-Verify.

Click the **Refresh** button to check for an update to the E-Verify status. Once results are received, follow the appropriate steps based on the E-Verify status.

Employment Authorized – *With Additional Verification Optional*

This response from E-Verify indicates that the employee has been determined to be **Employment Authorized**. However, the DHS can perform a more in-depth verification on this employee. The decision to request an additional verification is at the discretion of the employer.

Your company policy will determine if this additional verification must be requested, since these cases could actually results in a FINAL NONCONFIRMATION (unauthorized) even though the initial result was Employment Authorized. **It is very important to always follow company policy regarding requesting the additional verification when EMPLOYMENT AUTHORIZED–ADDITIONAL VERIFICATION results are received.** You will need to indicate whether you would like to perform the additional or not.

- *Request Additional* – Click the **Additional Verification** button. The case status will update to DHS Verification in Process. DHS responds to most of these cases within 24 hours, although DHS is permitted up to 3 government workdays to respond. You should check the I-9 service daily for a response from DHS/E-Verify.
- Close Case – Click the **Close Case** button. You will then need to select the resolution to indicate that the employee is continuing to work after receiving an Employment Authorized response.

Employment Authorized – *With Additional Verification Requested Automatically*

This response indicates that the employee has been determined to be **Employment Authorized**. However, the DHS can perform a more in-depth verification on this employee. The additional verification

is automatically requested. No action is required by you at this point. The additional verification will be automatically requested and the case status will update to **DHS Verification in Process**.

DHS reviews and updates the status for most of these cases within 24 hours, although DHS is permitted up to 3 government workdays to respond. You should check the I-9 service daily for an update from DHS/E-Verify.

DHS Verification in Process

This response means a definitive answer is not yet available. DHS responds to most of these cases within 24 hours, although DHS is permitted up to 3 government workdays to respond. You should check the I-9 service daily for an update from DHS/E-Verify.

The **DHS Verification in Process** status will be displayed in the E-Verify section of the **Employee Detail** page. **No action** is required by you or the employee at this point. E-Verify will automatically update the status. You should check the I-9 service daily for a response.

The reason for the DHS Verification is listed on the E-Verify History page. Clicking the **History** button on the **Employee Detail** page to take you to the E-Verify History page.

SSA or DHS Continuance

E-Verify returns the status of **SSA or DHS Case in Continuance** when the respective agency needs more time to research the case. These statuses indicate that the employee received an SSA or DHS TNC and opted to **Contest** the result. The employee then visited SSA or contacted DHS within 8 government workdays to update his or her record, but the government needs more time to confirm employment eligibility.

You should check the I-9 service daily for updated results. Possible responses include:
- Employment Authorized
- SSA Final Nonconfirmation
- Review and Update Employee Data then Resubmit
- DHS Verification in Process
- DHS Final Nonconfirmation

The case remains open in E-Verify and your employee should continue to work. You must wait until the government provides an updated response through E-Verify before taking action on the case. You may not terminate or take adverse action against the employee unless E-Verify returns an updated response of **SSA Final Nonconfirmation** or **DHS Final Nonconfirmation**.

- No action is required from you or the employee at this point
- Check the I-9 service daily for updates
- When E-Verify updates the status, follow the steps accordingly based on the E-Verify status as outlined in this document.

IMPORTANT!

There is no definitive timeline for E-Verify providing an updated status for a DHS/SSA Case in Continuance. A case can remain in this status for months and in extreme situations over a year.

Review and update employee data and resubmit

In some cases, SSA will prompt you to review and update the employee information you originally submitted to E-Verify. This means the SSA has determined that there appears to be a discrepancy in the employee data. This discrepancy may result from any of the following situations:

1. A keying error on the I-9;
2. The employee unintentionally provided incorrect information on the I-9; or
3. The employee intentionally provided incorrect information on the I-9.

To resubmit the case to SSA, perform the following steps:

- Review with the employee, the accuracy of the information they provided on the electronic I-9 in the I-9 service.
- Click the **Resubmit Verification** button on the **Employee Detail** page. This will take you to the **E-Verify History** page for this case.
- Next, update the employee information as needed by entering it in the fields provided. After you have entered any necessary information, click **Resubmit**.
- Clicking **Resubmit** will resubmit the case to E-Verify, including any updated employee information that was entered. The case will generally go into a status of **DHS Verification in Process**. No action is required from you or the employee while the DHS Verification in Process. See the DHS Verification in Process section for more details.

You should monitor the status of the E-Verify case in the I-9 service on a daily basis.

NOTE: This will not change the information on the original I-9. If you would like to update the information on the I-9, you can complete Section 3 on the electronic I-9 by clicking the Section 3 button on the Employee Detail page. This should be done AFTER the current E-Verify case is closed.

DHS Referral to SSA

The SSA Referral Resolution interaction has E-Verify response that will result in a status of **DHS Referral to SSA**. There are no User options for a case with this status. The User must wait until E-Verify updates the status.

The E-Verify History page displays the **DHS Referral** to **SSA Status**.

SSA or DHS Case Incomplete

The status codes of **SSA Case Incomplete** and **DHS Case Incomplete** were created to help reduce the burden on employers and employees by reducing the number of **Tentative Nonconfirmation (TNC)** responses from E-Verify. These status codes act as precursors to a **TNC**. E-Verify returns the status of **Case Incomplete** if there are minor discrepancies in the data submitted and the data on record for the employee at SSA or DHS. The employer/employee is then given a second chance to review/edit the data to confirm accuracy. This helps reduce the burden on the employer and employee by avoiding **TNCs** caused by data entry errors.

SSA Case Incomplete

E-Verify
Current Status: SSA Case Incomplete
This E-Verify case requires further action. Click view case details to review the case and take the appropriate action.

When E-Verify returns the status of **SSA Case Incomplete**, the User can click the **Review/Edit Case** button to review the data submitted to E-Verify, confirm it is accurate and edit if necessary.

E-Verify

Origination Date: **Reason for Delay:**
02/25/2018   Initial query submitted on time.

FAR E-Verify Status: **Current Status Date:**
Covered   02/25/2018

Current Status:
SSA Case Incomplete

Photo Matching Document:
N/A

[History] [Review/Edit Case] [Close Case]

Review the data entered and make any necessary corrections. Click **Continue** to submit the information to E-Verify.

Check Information

The information below is on the employee's Form I-9. Check with the employee to confirm that the information is correct.
If this information is correct, click **Continue**.
If this information is not correct, enter the correct information and click **Continue**.

Last Name: **First Name:**   **Middle Initial:**   **Maiden Name:**
Sample   Sue

SSN: **Birth Date:**
999220028   05/05/1985
                    (mm/dd/yyyy)

[Back] [Continue]

DHS Case Incomplete

E-Verify
Current Status: DHS Case Incomplete
This E-Verify case requires further action. Click view case details to review the case and take the appropriate action.

When E-Verify returns the status of **DHS Case Incomplete**, the User can click the **Review/Edit Case** button to review the data submitted to E-Verify, confirm it is accurate and edit if necessary.

E-Verify

Origination Date:
02/25/2018

Reason for Delay:
Initial query submitted on time.

FAR E-Verify Status:
Covered

Current Status Date:
02/25/2018

Current Status:
DHS Case Incomplete

Photo Matching Document:
N/A

History   Review/Edit Case   Close Case

Review the data entered and make any necessary corrections. Click **Continue** to submit the information to E-Verify.

After the **SSA** or **DHS Case Incomplete** status, the case will be updated by E-Verify to one of the following statuses:

- Employment Authorized
- SSA or DHS Tentative Nonconfirmation
- Photo Match

Closing an E-Verify Case

All E-Verify cases must be manually closed. By closing an E-Verify case, you are closing the case with the DHS and E-Verify.

Closing an Employment Authorized Case

The E-Verify case status is **Employment Authorized** and the employee is still employed. The User is attempting to close the case. The User must first click on the **Close Case** button on the **Employee Detail** page. This takes the User to the E-Verify History page and prompts them to select the closure option.
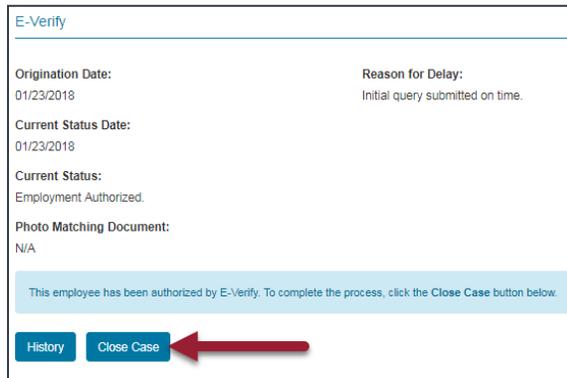

Clicking the **Yes** radio button expands the page to show the closure options available.

Note: If the status is Employment Authorized and you select "Yes - The employee IS currently employed", the closure status "The employee continues to work after receiving an Employment Authorized result" is already selected for you.
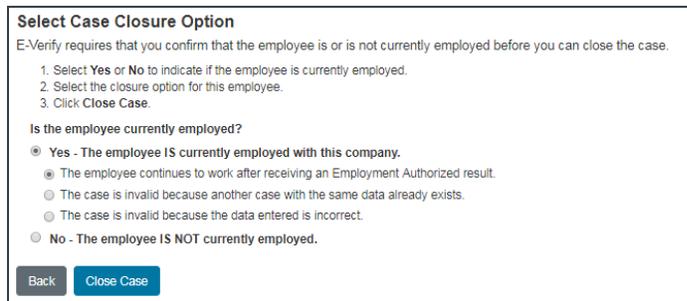
Clicking the **No** radio button expands the page to show the closure options available.
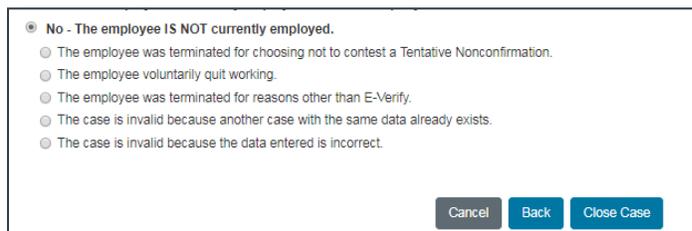
USCIS PUBLISHED GUIDANCE:

Employed or Not Employed: That is the Question

When we (USCIS) redesigned the case closure step in E-Verify, the idea was to offer clear and simple case closure statements that would make it easy to pick the right one. Choosing the right case closure statement is important – it helps you comply with the E-Verify rules and helps us (USCIS) keep accurate program statistics.

There are 11 possible closure statements so we (USCIS) ask you whether your employee is currently employed in order to narrow down the list and display only the statements that may apply.

Here are some tips to help you decide how to answer the question of whether the employee still works for your company:

Is the employee currently employed with this company?

If the employee didn't contest a **TNC**, or received a **Final Nonconfirmation** or **No Show**, you must decide whether you will allow the employee to continue working. If you decide to:

- Continue to employee's employment then select 'Yes'
- Terminate the employee's employment, you must do so, then select 'No'.

If you have an employee who has accepted a job offer, but hasn't started work, you must decide whether you will allow the employee to start working. If you decide to:

- Allow the employee to start work as planned, then select 'Yes'.
- Terminate the employee's employment offer then select 'No'.

Note: Prescreening is <u>not</u> allowed. You may create a case in E-Verify only after an employee has accepted an offer of employment and Form I-9 is complete.

You must close each case after E-Verify provides a final case result.

Monitoring E-Verify Issues

It is important that you monitor E-Verify issues in the I-9 service to ensure that you are proactively processing the cases when action is required by you and/or the employee, as well as be aware of all open E-Verify cases that are awaiting a response from E-Verify.

The I-9 service offers several ways to monitor E-Verify cases.

- Quick Search
- Search for Employees
- E-mail Notifications

Quick Search

The **Quick Search** box is displayed on the Main Menu in the I-9 service. The categories listed in the **Quick Search** box depend on your **User Role** and the service's configuration for your employer.

Click the **E-Verify Issues** option on the Dashboard to view all open E-Verify issues.

To take action on an E-Verify issue, click the link to the Employee's name in the Search Results.

This takes you to the **Employee Detail** page. Follow the steps to process the case based on the E-Verify status as outlined in this document.

Search for Employees

Another way to access the list of open E-Verify issues is to perform an employee search. The employee search functionality, available to authorized Users, allows you to enter specific search criteria, which include the ability to search for E-Verify issues.

Click the **Search for Employee** link on the left navigation bar on each page as well as in the middle section of the Main Menu.
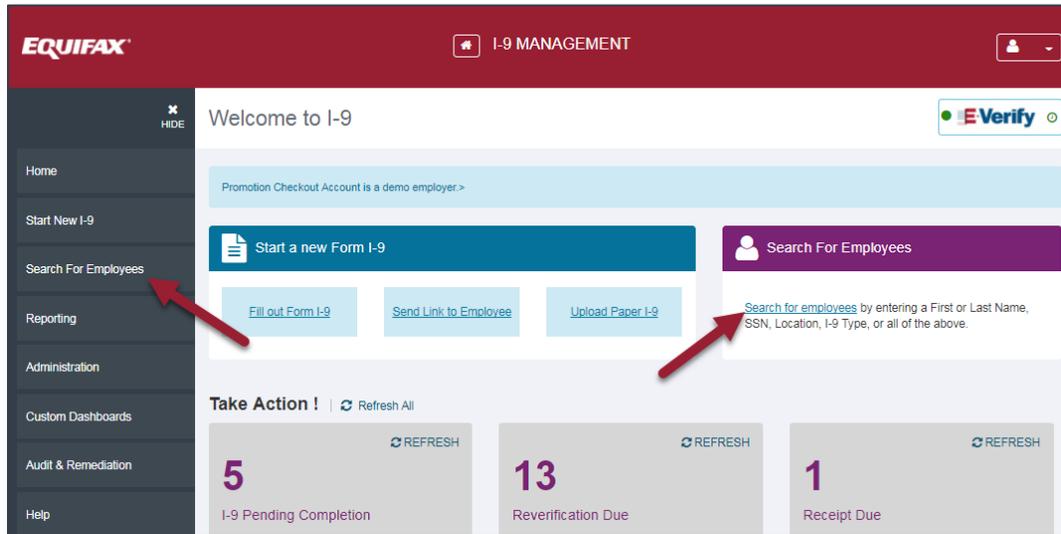
Enter the desired search criteria on the search screen and click the **Search** button. Choosing Type of I-9: E-Verify Issues, will display all the open E-Verify issues. You can also choose to limit your search results by entering other search criteria.

To take action on the E-Verify issue, click the **Employee Name** link. This will take you to the **Employee Detail** page. Next, follow the steps to process the case based on the E-Verify status as outlined previously in this document.

NOTE: You will only have access to E-Verify issues for the locations that you have been granted access.

E-mail Notifications

The I-9 service has the ability to send an e-mail to you for outstanding E-Verify issues. As part of your configuration of the I-9 service, you will determine if you would like to receive e-mails for outstanding E-Verify issues. If you would like to receive e-mails, you will define the following:

- Send e-mail to the employee's current work Location
- Main e-mail address for all E-Verify alerts
- When to send the e-mails