

# E-VERIFY: AT A GLANCE

## What is E-Verify?

**E-Verify** is an Internet-based system that uses information from an employee's I-9 form and Employment Eligibility Verification, as well as the Department of Homeland Security (DHS) and Department of State (DOS) records to confirm if an employee is authorized to work in the U.S.

The system is administered by the DHS, U.S. Citizenship and Immigration Services (USCIS) Verification Division, and the Social Security Administration.

## How Does E-Verify Work?

Employers create a case in E-Verify, which checks the employee's information against available DHS records. The system then provides the employer a result in 3 to 5 seconds. The case results state one of the following:



### **Employment Authorized**

The information entered by the employer matches with DHS or SSA records



### **DHS or SSA Tentative Nonconfirmation (TNC)**

The information entered by the employer does not match DHS, SSA or DOS records. Employers must inform the employee of the TNC and give him/her the opportunity to contest the result by correcting the DHS or SSA records (on their own).

## Why Do Employers Use E-Verify?

E-Verify helps employers maintain a legal workforce and reduce the use of fraudulent work documents. Also, E-Verify improves the accuracy of wage and tax reporting by reducing identity mismatches.

## What Employers are Required to Use E-Verify?

E-Verify is a voluntary program for most employers, but mandatory for some, including:

- **Required for ALL Federal Contractors**
- **Required for ALL Employers in:** Alabama, Arizona, Mississippi, South Carolina, and Fremont, NA
- **Required for MOST Employers in:** Florida (25+ Employees), Georgia (11+ Employees), North Carolina, (25+ Employees), Tennessee (35+ Employees), and Utah (15+ Employees)
- **Required for State Agencies and Public Contractors in:** Florida, Georgia, Idaho, Indiana, Michigan, Minnesota, Nebraska, North Carolina, Oklahoma, Pennsylvania, Utah, Virginia, and West Virginia

# E Verify Guide

**Terry C. Jones**



## E Verify Guide:

The I-9 and E-verify Handbook Bruce E. Buchanan, Gregory H. Siskind, 2017 The Problem In 2017 employers across the United States have been assessed millions of dollars in civil penalties for I 9 violations and employment discrimination In addition some companies are having their business licenses revoked and state contracts denied and or revoked when they are found to have hired unauthorized employees Employers are being targeted for a variety of criminal sanctions including harboring illegal aliens and money laundering in addition to the criminal penalties contained in the employer sanctions and anti discrimination clauses within the Immigration Reform and Control Act of 1986 IRCA Twenty three states have now passed employer sanctions laws and of those 23 states 8 states require all employers who meet jurisdictional standards to use E Verify while 12 states require contractors working with state or local governments to participate in E Verify The Solution The I 9 and E Verify Handbook A Guide to Employment Verification and Compliance provides comprehensive information on a topic that affects every employer in the country regardless of whether the company hires foreign employees Written by Bruce E Buchanan and Greg Siskind two of the nation s top business immigration and employment labor attorneys The I 9 and E Verify Handbook serves as a one stop shop for those who need to know the intricacies of the I 9 E Verify and anti discrimination laws and regulations governing the U S workforce In 2007 after President George W Bush s efforts to pass Comprehensive Immigration Reform failed in Congress enforcement began to increase at the federal level During the first six years of President Barack Obama s administration worksite enforcement increased to unprecedented levels and it has begun to increase under President Donald Trump Because Buchanan and Siskind have represented U S employers of all sizes in immigration employment labor law and worksite compliance they have written The I 9 and E Verify Handbook as a guide for human resource professionals recruiters attorneys and even government officials who need to understand the array of compliance related statutes and regulations The Handbook is organized in an easy to understand question and answer format with illustrations checklists and sample documents which give the reader the tools to implement and improve any employment compliance program The I 9 and E Verify Handbook contains detailed answers to the most common questions about the I 9 and E Verify process such as What is the Form I 9 and when must it be completed What is the employee s employer s responsibility when completing Form I 9 Does an independent contractor need to complete a Form I 9 Can an employer specify which documents to accept from an employee What if an employee changes his or her name What are the Form I 9 re verification requirements What is E Verify and how does it work What are the best ways to prevent being prosecuted for Form I 9 employer violations When would an employer be considered to have constructive knowledge of unlawful immigration status How is a complaint filed for an Immigration Reform and Control Act anti discrimination violation And many more **PayrollOrg Basic Guide to Payroll, 2024** Mitchell-George, **Handbook for Employers** U.S. Citizenship and Immigration Services, 2011 *Handbook for Employers* , 2011 A Guide to the Human Resource Body of

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