

E-Verify FAQs

1. How does an organization register for participation in E-Verify?

You can register for E-Verify at <https://www.vis-dhs.com/EmployerRegistration>, which provides instructions for completing the registration process. At the end of the registration process, you will be required to sign a Memorandum of Understanding (MOU) that provides the terms of agreement between you the employer, the SSA, and USCIS. An employee who has signatory authority for the employer can sign the MOU.

2. How should multiple hiring sites register?

Each site that will perform the employment verifications must go through the registration process and sign an individual MOU.

3. Can one site verify all new hires across all sites on campus?

Yes, one site may verify new hires at all sites. When registering, the individual at that site should select "multiple site registration" and give the number of sites per state it will be verifying.

4. After an employer registers, how does E-Verify work?

Using an automated system, the process involves verification checks of SSA and DHS databases. The E-Verify MOU, User Manual, and Tutorial contain instructions and other information on procedures and requirements. Once the user has completed the tutorial, s/he may immediately begin using the system

5. When does an employer initiate an E-Verify query?

The earliest an employer may initiate a query is after the employee accepts employment and after the I-9 form has been completed. The employer must initiate the query no later than the end of three (3) business days after the actual start date. The employer may not pre-screen applicants using E-Verify, and may not re-verify employees who have temporary work authorization.

6. What information is required to conduct a verification of a new employee?

The employer must submit a query that includes information from Sections 1 and 2 of the I-9 form, including: employee's name and date of birth; social security number; citizenship status attested to; an A number or I-94 number if applicable; type of document(s) provided on the I-9 form to establish work authorization; and proof of identity and its expiration date, if applicable. The E-Verify system will respond to the initial query within seconds. Please note that the identification documents presented for I-9 purposes must contain a photograph.

7. Which employees should be verified through the E-Verify system?

Employers are required to verify all new hires, both U.S. citizens and non-citizens. Employers may not verify selectively and must verify all new hires while participating in the

program. This includes all students and temps on your payroll, not just full time faculty and staff.

8. Does E-Verify certify the immigration status of a new hire who is not a U.S. citizen?

No, E-Verify only confirms a new hire's employment eligibility, not his or her immigration status.

9. What should you do if your new employee does not have a Social Security Number (SSN)?

The E-Verify system requires that the new employee have a valid SSN, and there are no exceptions.

If your employee does not yet have an SSN, you should complete the I-9 process as required and then wait until s/he obtains a SSN before running the E-Verify query. You should note on the I-9 form why you have not yet run the E-Verify query, and your employee should be instructed to provide you with the new SSN as soon as possible. In the meantime, because you will have completed the I-9 process with that new employee to verify work authorization, your employee is allowed to work temporarily without the SSN or the E-Verify system result.

10. Does participation in E-Verify provide a "safe harbor" from worksite immigration enforcement actions?

No; however, an employer who verifies work authorization using E-Verify is presumed to not have knowingly hired an unauthorized worker.

11. What documentation do you need to keep to indicate that you initiated a query in E-Verify for a new hire?

If employment is authorized by the E-Verify system, you should either make a notation of the E-Verify Case Verification Number on the I-9 form, or print out and attach the case details sheet to the I-9 form. If employment is not immediately authorized, you should inform the new employee about the non-confirmation and explain the next steps to be taken to resolve the situation.

12. Does E-Verify require that you make copies of documents presented for I-9 purposes?

The E-Verify system requires employers to make and attach copies of Permanent Resident Cards and Employment Authorization Cards but only if they are presented by the new employee as their freely chosen documents for completion of Section 2 of the I-9 form. E-Verify does not require that copies of any other documents be made or kept.

13. Once you receive the "employment authorized" message in E-Verify, how do you actually exit the query?

The General User should click on the "Resolve Case" button, and then the "Close" button. The case remains pending in the system until it is officially resolved and closed. Once

employment is authorized, no further action is required, so the case can be resolved and closed.

14. What do you do when the employee's case receives a "SSA tentative nonconfirmation" result?

When an employee's case receives a 'SSA tentative nonconfirmation' result, print out the tentative nonconfirmation notice and provide it to the employee. The employee will check on the notice that s/he will either "contest" or "not contest" the nonconfirmation and then should sign the notice. If the employee chooses to "not contest" the nonconfirmation, then it automatically becomes a final nonconfirmation and you must terminate that employee. If the employee chooses to "contest" the tentative nonconfirmation, the General User should click on the "initiate SSA referral" button to print out the Social Security Administration referral letter for the employee to sign. The employee should take that letter to the nearest Social Security Administration office within eight (8) federal government workdays and someone from the SSA will sign the referral letter and resolve the case in the E-Verify system. The employer needs to see electronic or written confirmation that the discrepancy has been resolved and that employment is now authorized in the system.

15. What do you do when the employee's case receives a "DHS tentative nonconfirmation" result in the system?

When an employee receives a 'DHS tentative nonconfirmation' result, the General User should print out the tentative nonconfirmation notice and provide it to the employee. The employee should check that s/he will "contest" the nonconfirmation and sign the form. The employee should be given the DHS referral letter (which is printed out from the system) and informed to contact, within eight (8) federal government workdays, either the appropriate Program Administrator for additional assistance in resolving the issue with DHS or DHS directly to resolve his/her case.

16. If a foreign national -- or a nationalized U.S. citizen -- has a one-word legal name (so, not a "first" name + "last" name), how do you enter it into the E-Verify system?

When the employee only has one legal name, enter "unknown" into the 'first name' block, and the one legal name into the 'last name' block. If the employee only has one initial for a first name, enter a period after the initial in the 'first name' block.

17. Has the SSA or DHS ever modified, evaluated or improved the E-Verify system?

According to the federal government, the E-Verify tutorial and training program are being reformulated to address issues such as H-1B portability, automatic extensions of work authorizations for certain nonimmigrants, refugees with unlimited right to work, etc. Although the data entry requirements of E-Verify will not change, additional employer training and FAQs will be developed and offered through the website.

18. How can I find out more information about E-Verify?

To find out more information about the E-Verify system at NC State University, please contact Susan Nagorski (susan_nagorski@ncsu.edu) or Jill Guzman (jill_guzman@ncsu.edu) in IE.

The government website is www.dhs.gov/e-verify and the dedicated E-Verify Customer Service number is 1-888-464-4218.