



You may not have heard of E-Verify before and wonder why your employer participates. Though participation in E-Verify is required of some employers, most employers participate voluntarily. E-Verify is fast, free and easy to use—and it's the best way companies can ensure a legal workforce. Until E-Verify, there was no way for employers to verify that the information employees provided was valid or that the documents presented were genuine. E-Verify offers employers a powerful tool in protecting themselves against those who try to cheat the system.

Employees also benefit when their employers use E-Verify. E-Verify can alert you to possible errors with your government records and correcting those errors now rather than later may save you significant time and frustration in the future.

E-Verify compares the information you provide on Form I-9, Employment Eligibility Verification, against millions of government records and generally provides results in three to five seconds. If the information matches, you do not need to do anything. If there's a mismatch, E-Verify will alert your employer—and you can choose to contest the mismatch and work until you and the government resolve the mismatch. E-Verify works by comparing information entered from your Form I-9 to:

- 455 million Social Security Administration (SSA) records
- 80 million U.S. Department of Homeland Security records

Department of Homeland Security databases contain records about employment-based visas, immigration and naturalization status and U.S. passport issuance, that allow E-Verify to compare information against a wide variety of sources.

## How it Works

Before your employer can use E-Verify to verify your employment eligibility, your employer must first enter into a written agreement with DHS in which it agrees to follow strict procedures designed to ensure that you are treated fairly. When you apply for a job with an employer that uses E-Verify, the employer should notify you that it uses E-Verify. After hire, within three days of starting work, you and your employer must complete Form I-9. If your employer uses E-Verify, you must provide your Social Security number on Form I-9. (Providing a Social

Security number on Form I-9 is voluntary unless your employer participates in E-Verify.) Also, if you present a List B document with Form I-9, the document must contain a photo. (Some List B documents without photos would be acceptable if your employer did not participate in E-Verify. You can also be provided an accommodation for religious practices.)

Once your Form I-9 is completed, your employer will enter the information from it into E-Verify. Depending on the documents you provided, your employer may have to compare a photo displayed on a computer screen to the photo on your document. The photos should match, which ensures the document photo is genuine and hasn't been altered.

Once the information has been entered and submitted, E-Verify will compare it against millions of government records. If the information entered matches, E-Verify will return an "Employment Authorized" result. This confirms you are authorized to work in the United States. Your employer then simply closes the case to complete the E-Verify process.

If there's a mismatch, E-Verify will return a "Tentative Nonconfirmation" (TNC) result. If this happens, your employer needs to print and review a notice with you that explains the cause of the mismatch and what it means for you.

You have the right to challenge the mismatch. If you do so, your employer will refer the case in E-Verify to the appropriate agency (either SSA or the Department of Homeland Security) and print a letter that it must give to you. The letter contains important instructions and contact information that you will need in order to resolve the mismatch. You then have eight federal government work days from the date the case was referred in E-Verify to initiate contact with the appropriate government agency to start resolving the problem. During this time, your employer must allow you to continue working and may not delay your training, reduce your work hours or take any other adverse actions against you.

E-Verify will alert your employer of an update in your case. If you successfully resolve the mismatch, E-Verify will return a result of "Employment Authorized." If you don't resolve the mismatch, E-Verify will return a "Final Nonconfirmation" (FNC) result. Your employer may terminate you because of E-Verify only if you receive an FNC.

In rare cases, the Department of Homeland Security or SSA might need more time to verify

your employment eligibility. When this happens, E-Verify will return a “Case in Continuance” result. When your case is in continuance your employer must allow you to continue to work until E-Verify gives a final result of “Employment Authorized” or an FNC.