

## **E-VERIFY CHANGES TO I-9 PROCESS**

Before an agency may use E-Verify, the agency and employee must complete Form I-9 (Sections 1 and 2). All of the Form I-9 rules that agencies followed before signing up for E-Verify still apply with several exceptions:

1. When an agency uses E-Verify, **all new hires must provide a social security number in Section 1 of the I-9 form.** (*Providing a Social Security number on Form I-9 is voluntary unless the employer participates in E-Verify.*)

- This does NOT mean that employees are required to use their Social Security **Cards** as documentation of eligibility to work in the U.S.
  - a. Employees are free to provide documentation of their choice from the acceptable list of documents on the I-9 form to show eligibility to work in the U.S.
  - b. The employee needs only to record the Social Security **number** in Section 1; he does not have to present the Social Security card.
- A temporary Social Security number may be recorded by the employee on the I-9 form and used by the agency to run the E-Verify query.
- If the employee does not have a SS number, the agency must delay the E-Verify query until the number has been obtained. The I-9 process remains the same.

2. **Any List B document that employees present to show identity must contain a photo.** (*Some List B documents without photos are acceptable unless the employer participates in E-Verify.*)

Once Form I-9 is completed, the agency enters the information from Form I-9 into E-Verify. Depending on the documents an employee provides, the employer may have to compare a photo displayed on a computer screen to the photo on the employee's document. If the photos match, the employer can be assured that the document photo is genuine and hasn't been altered. If not, additional investigation may be necessary.

3. The **agency must make a copy of any documents presented and retain the copy with the I-9 form.**
4. The **agency must either record the E-Verify confirmation case number on the I-9 form OR print a copy of the verification and retain.**
  - The agency may attach the copy to the I-9 or maintain it in a separate file – NOT in the personnel file.

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(Continued)

5. The **E-Verify participation and right to work posters in English and in Spanish must be displayed at all hiring sites** (wherever the I-9 form is completed.) You may download the posters from the USCIS website and print them in black and white or in color on 8-1/2" x 11" paper.
  - The following posters must be displayed at each site:
    - [E-Verify Participation Poster \(English\)](#)
    - [E-Verify Participation Poster \(Spanish\)](#)
    - [Right to Work Poster \(English\)](#)
    - [Right to Work Poster \(Spanish\)](#)