

Frequently Asked Questions about E-Verify

1. Are state government agencies required to record a DUNS number in E-Verify?

Your company's DUNS number is a unique, 9-digit identification number assigned by Dun and Bradstreet to the organizations maintained in its database. **The DUNS number is not required to enroll in E-Verify**, however if your company currently knows its DUNS number, please feel free to provide it during enrollment.

2. We understand that we must use the NAICS code. When enrolling, is there a drop-down box that provides the NAICS codes?

The NAICS (pronounced "NAKES") code is the North American Industry Classification System Code. This system is used to classify organizations by their industries (i.e. medical, manufacturing, accounting, etc.). When enrolling in E-Verify, the NAICS code list is provided, and you may choose the one that best describes your organization. Three digits of the code are requested. Many state agencies will be able to use "921" as the code.

3. When enrolling, the employer is required to record the company's size. Does this mean the number of full-time equivalent employees (salaried and wage)? This number fluctuates widely for some state agencies that employ seasonal hourly workers (for tax season, for parks, etc.) What number should they use for this question?

The total number of employees required is not a specific number. Instead, E-Verify will provide you a range of numbers to select from (i.e. 1-4, 50-100, etc.). You should use the range of number that reflects the total number of all employees (including part-time and full-time) your company currently employs.

4. When I make a mistake on the Form I-9, I know that I am supposed to draw a line through the incorrect information, then enter the correct information and initial and date the correction. What should I do if I've keyed incorrect information into E-Verify?

The Employer–User must go back into E-Verify and notate the error in the space provided for comments and then close out the case number. Once the account is closed, re-enter the employee's information and E-Verify will assign the employee to a new case number.

5. A new hire's information must be submitted on the Form I-9 and entered into E-Verify within three work days. What happens if the three day window is missed?

The three work day after hire period is an expectation established in your MOU with E-Verify. For example, if an employee is hired on Monday, the E-Verify information must be entered no later than close of business on Thursday.

For rare occasions when the three day period is not met, E-Verify has a pull-down menu with selections that allow you to explain the delay or you can explain the delay in the comments section. Also, attach a note to the Form I-9 explaining the circumstances along with a plan to address similar issues in the future. The explanations may not excuse your organization from culpability should you be inspected by a federal agency but it will serve to show that your organization knows the rules and is making efforts to follow them. State-level audits conducted by the APA will most likely not excuse the agency from the three day window.

An occasional delay in meeting this deadline is acceptable. However, repeated delays will prompt closer scrutiny by the USCIS.

Frequently Asked Questions about E-Verify

(Continued)

- 6. I've used E-Verify for other employers and I've already viewed the tutorial videos that are required in order to gain an Employer-User access. Can I skip the tutorial videos and just get my Employer-user access?**

No, you must go through the tutorial videos to acquire each enrollment.

- 7. Will E-Verify serve as a resource to the USCIS and set my agency up for Form I-9 inspections?**

E-Verify does have a Compliance Group that monitors patterns in the system, and may evaluate how the data is being submitted or communicate concerns about the type of data being submitted. In these instances, a member of the Compliance Group may call you to ask questions and if necessary encourage you to make corrections.

When an agency enters an E-Verify case later than the third day AFTER the day the employee is hired, the system will require you to provide an explanation for the delay. An occasional delay will not trigger additional scrutiny. However, if there are repeated delays, you may be contacted and more closely monitored. Ensuring that your I-9 completion process is timely and documenting the E-Verify process will aid you in converting successfully to the E-Verify program.

Repeated entries of incorrect data may prompt similar scrutiny.

- 8. Our agency has several division offices located through out the state. Each site will be conducting the Form I-9 process and the verification process for its newly hired employees. How should these sites register?**

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

- 9. Our agency has multiple sites as well, but we prefer to maintain controls at our central office. What do we need to do when we register for E-Verify?**

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

- 10. I heard some agencies are using "Designated Agents" to do their E-Verify processing. What exactly is a Designated Agent?**

A Designated Agent is a vendor or company that contracts with your agency to process your Form I-9s and E-Verify queries. A Designated Agent must register online and sign an MOU with SSA and DHS. Once the MOU is approved, the E-Verify Designated Agent can then begin registering employers and clients who have designated it to perform the company's verification services. Each employer/client will also be required to sign an MOU and will have a unique E-Verify client number.