E-Verify Updates

From the E-Verify Web-Site

Hire Date

We have modified the hire date in E-Verify so that it matches the Section 2 “Certification” date on Form I-9. As of June 2011, you may select a future hire date and you will use the Section 2 “Certification” date from the employee’s Form I-9 as the hire date in E-Verify.

Prior to June 2011, if you created a case in E-Verify after the employee accepted a job offer but before the employee began work for pay, you had to select the date the case was created as the hire date because E-Verify wouldn’t permit you to select a future date.

This modification also enables us to better accommodate our E-Verify users in Guam, who have had to ensure an additional workaround because Guam is a day ahead of the continental United States.

What you need to know:

- The hire date is the date the employee began (or will begin) work for pay. Use the Section 2 “Certification” date from the employee’s Form I-9 as the hire date in E-Verify.
- You may select a hire date that is up to 365 calendar days in the future.
- The ability to select a future hire date does not change the rule that prohibits prescreening. A prospective employee MUST have accepted an employment offer before you may complete Form I-9 and create a case in E-Verify. Selecting a future hire date simply eliminates a confusing workaround in cases where E-Verify is used after an employee accepts an employment offer, but before he or she begins work for pay.
- If you rehired an employee and completed Section 3 of Form I-9, use the “Date of Rehire” from Section 3 of the employee’s Form I-9 as the hire date in E-Verify.
- If the employee’s hire date changes after you have created the case in E-Verify, no additional action is required in E-Verify as you cannot change the hire date once you’ve created the case. You must, however, make a correction to the Section 2 “Certification” date on the employee’s Form I-9 if the employee’s hire date changes.

Three-Day Rule

An E-Verify case is considered late if you create it later than the third business day after the employee first started work for pay. If the case you create is late, E-Verify will ask why, and you can either select one of the reasons provided or enter you own. The reasons provided are:

- Awaiting Social Security Number
- Technical Problems

- Audit Revealed that New Hire Was Not Run
- Federal Contractor with FAR E-Verify Clause verifying an existing employee *(see note)*
- Other

Note: This reason is displayed only to an organization enrolled in E-Verify as a "Federal Contractor with FAR E-Verify Clause."

If you select "Other," you must enter a reason. The reason you enter must be 200 or fewer characters and should not include any personally identifiable or sensitive information (such as Social Security numbers).

For information on what date you should select as the hire date, read What's the Hire Date.

What's the Hire Date for E-Verify

The hire date entered into E-Verify has been simplified to mirror Form I-9. The hire date is now the date the employee began (or will begin) work for pay as determined on Section 2 "Certification" date from the employee's Form I-9.

Completing Form I-9 and E-Verify:

While there is much overlap between Form I-9, Employment Eligibility Verification, and E-Verify requirements, this page addresses the three-day rule as it applies to E-Verify. For more information on Form I-9, consult the M-274, Handbook for Employers.

Completing Form I-9 and E-Verify		
To comply with the law	**Complete Form I-9**	**Create a Case in E-Verify**
The earliest you may:	• The employee has accepted an offer of employment	• The employee has accepted an offer of employment; and • Form I-9 is complete
The latest you may:	• The third business day after the employee started work for pay	• The third business day after the employee started work for pay; and • Form I-9 is complete

If the employee starts work for pay on Monday, the third business day after the employee started work for pay is Thursday (assuming all days were business days for the employer). The first day the employee starts work for pay is not included in the three business day calculation.

Determining the E-Verify Hire Date:

The hire date is the date the employee began (or will begin) work for pay. Use the Section 2 "Certification" date from the employee's Form I-9 as the hire date in E-Verify. You may select a hire date that is up to 365 calendar days in the future.

The ability to select a future hire date does not change the rule that prohibits prescreening. A prospective employee MUST have accepted an employment offer before you may complete Form I-9 and create a case in E-Verify. Selecting a future hire date simply eliminates a confusing workaround in cases where E-Verify is used after an employee accepts an employment offer, but before he or she begins work for pay. If you rehired an employee and completed Section 3 of Form I-9, use the "Date of Rehire" from Section 3 of the employee's Form I-9 as the hire date in E-Verify.

If the employee's hire date changes after you have created the case in E-Verify, no additional action is required in E-Verify as you cannot change the hire date once you've created the case. You must, however, make a correction to the Section 2 "Certification" date on the employee's Form I-9 if the employee's hire date changes.

If you're a federal contractor with the FAR E-Verify clause and you're creating a case for an existing employee, the hire date is always the date the employee first started work for pay. It doesn't matter if the employee completes a new Form I-9—the hire date is always the Section 2 certification date of the original Form I-9.

What if a case is created late?

The E-Verify Memorandum of Understanding (MOU) specifies the acceptable reasons for creating a case late, which are:

- E-Verify was temporarily unavailable because of a technical outage and after subtracting the time period of the outage, the case wouldn't have been considered late.
- The employee applied for, but did not yet have a Social Security number, and the case was created as soon as the employee was issued the Social Security number.

We realize there are other reasons why an employer might create a case late, but the above reasons are the only reasons considered acceptable in the MOU. While we are committed to identifying and taking action against employers that *consistently don't* follow the rules, our primary goal here is to educate employers so that they *do* follow the rules.

Case Alerts

E-Verify features three types of case alerts to help you work more efficiently.

Open cases to be closed

When a case gets a final result, you must close the case to complete the verification process. Any case that has been updated with a final case result within the past 30 days and that hasn't been closed appears in this alert. To remove the case from this alert, simply close the case.

Cases with new updates

Sometimes, it's necessary to wait for either DHS or SSA to update a case. When a case is updated within the past 30 days, it appears in this alert. The action you must take to remove the case from this alert depends the on the status of the case. To learn more about case statuses, consult the E-Verify user manual.

Work authorization documents expiring

When you create a case for an employee who presents a work authorization document with an expiration date, E-Verify will remind you when the document is about to expire. For these cases, you must only complete section 3 of Form I-9—you may not create a new case in E-Verify to re-verify the employee. This case alert provides a countdown of expiring work authorization documents beginning 90 days before expiration and will show the document as expired for 30 days past expiration. Once you've completed section 3 of Form I-9, you can remove a case from this alert by clicking the red "X" in the "dismiss alert" column. Any subsequent expirations won't appear in this alert though the usual Form I-9 rules still apply.

A few things to keep in mind:

- General users see case alerts for only the cases they created. Program administrators see case alerts for all cases created under their company's account.
- When a user takes action that removes a case from a case alert, it removes the case from every user's case alerts.
- The case alerts feature is not available to corporate administrators as they do not manage cases.

Why not email?

We are often asked why we don't email users when E-Verify updates a case. We're looking into solutions that would allow us to use email more, but in the meantime, the new case alerts feature represents a big improvement in case management.

E-Verify Enhancements

Last year we brought you a redesigned E-Verify Web interface that enhanced its usability, security, accuracy and efficiency. In our ongoing effort to improve E-Verify, we are deploying several more enhancements on June 12, 2011.

This section highlights many of the changes we've made and includes links that will help you learn more. Our goal is to make your transition seamless so let us know if there's anything we can do to help.

Your existing user ID and password are still valid and all of your cases will be there when you log in. The first time you log in on or after June 12, 2011, you will be required to take a short tutorial to learn about the changes.

June 2011 Upgrades:

- **Driver's License Verification**
- **U.S. Passport and Visa Number Entry**
- **Password Change**
- **Add User**
- **Hire Date**
- **Help Text**
- **Case Details**
- **E-Verify Employer Agent Interface Enhancements**

Driver's License Verification

E-Verify has expanded its information sources to include driver's license records, which strengthens the integrity of the program.

Starting June 12, 2011, E-Verify will collect driver's license information for employees who present a state-issued driver's license as a "List B" document. You will notice new screens that support this change; and based on customer feedback, the list of Form I-9 documents displayed in E-Verify will be expanded to include "List B" and "List C" documents consistent with Form I-9.

U.S. Passport and Visa Number Entry

While most U.S. Passport numbers are nine digits and most U.S. visa numbers are eight digits, some are not. Last year, we implemented a workaround for entering document numbers that do not fit the usual pattern. That workaround will no longer be necessary as we have implemented a permanent fix as part of our June 2011 upgrades.

What you need to know:

- U.S. Passport numbers must be between six and nine alphanumeric characters (letters and numbers).
- The "C" that precedes a U.S. Passport Card number is no longer case sensitive.
- U.S.visa numbers must be exactly eight alphanumeric characters (letters and numbers). Entering a visa number is still optional though if an employee provides one, we encourage you to enter it, as doing so may prevent a tentative nonconfirmation (TNC).

Password Change

Do you dread changing your E-Verify password? There are few things more frustrating than learning that your password does not meet our security requirements and never knowing which requirements your password failed to meet.

While loosening the password requirements isn't an option (see note below), we have improved the error messages for when you enter an unacceptable password. If you enter a password that does not meet our requirements, we will tell you which requirements you did not meet and what you need to do to create an acceptable password.

NOTE: U.S. Department of Homeland Security (DHS) policy sets strict password standards. Check out DHS 4300A Sensitive Systems Handbook for more information (pages 154-155 address password standards).

Add User

We have upgraded the user registration process to improve security and save time. You will no longer need to provide a new user with his or her user ID and password! E-Verify will send new users a confirmation email that includes the user ID, temporary password, E-Verify login website address and steps for getting started.

What you need to know:

- When adding a user, you will still be able to accept the suggested user ID or create your own.
- E-Verify will send the confirmation email to the email address you entered when you added the user, so be sure to enter the correct email address.

- There is no way to resend the email. If the user deletes the email or never receives it, you must reset the user's password and provide him or her with the user ID and password you created.

Case Details

We have upgraded the "Case Details" screen available to E-Verify users to improve reporting capabilities. Users will now be able to easily locate detailed information for each case created in E-Verify.

Added fields include:

- List A Document
- List B Document
- List C Document
- Employer Case ID
- Three-day rule exception reason

Help Text

Did you know you can find help while logged in to E-Verify? Simply click on any blue question mark icon. E Verify help text offers instructions on selecting documents, entering employee information, case status and more. We have focused on improving guidance within E-Verify, and our June 2011 upgrades feature more than 30 new and revised help text items.