



# Guardian E-Verify Compliance & Requirements

# Table of Contents

1. <a href="#">Getting Started</a> .....	5
2. <a href="#">E-Verify State Map</a> .....	6
3. <a href="#">Privacy Guidelines</a> .....	7
4. <a href="#">E-Verify Requirements</a> .....	8
5. <a href="#">E-Verify Compliance</a> .....	12
6. <a href="#">E-Verify Photo Matching</a> .....	18

# Table of Contents

7. <u>Tentative Nonconfirmation (TNC)</u> .....	19
8. <u>TNC Employer Obligations</u> .....	27
9. <u>E-Verify Case Resolution</u> .....	32
10. <u>E-Verify Case Responses</u> .....	33

# Glossary

- **E-Verify**  
Employment Eligibility Verification Program
- **DHS**  
Department of Homeland Security
- **USCIS**  
United States Citizenship and Immigration Services
- **ICE**  
Immigration and Customs Enforcement
- **SSA**  
Social Security Administration

# Getting Started – Key Notes

## ➤ What is E-Verify?

E-Verify is an electronic verification system that reports the work authorization status of **new hires** based on I-9 data (with the exception of Federal Contractors subject to FAR who also may be required to submit existing employees).

## ➤ Who Manages E-Verify?

E-Verify is managed by SSA and DHS/USCIS.

## ➤ E-Verify is NOT...

... a system to provide immigration status

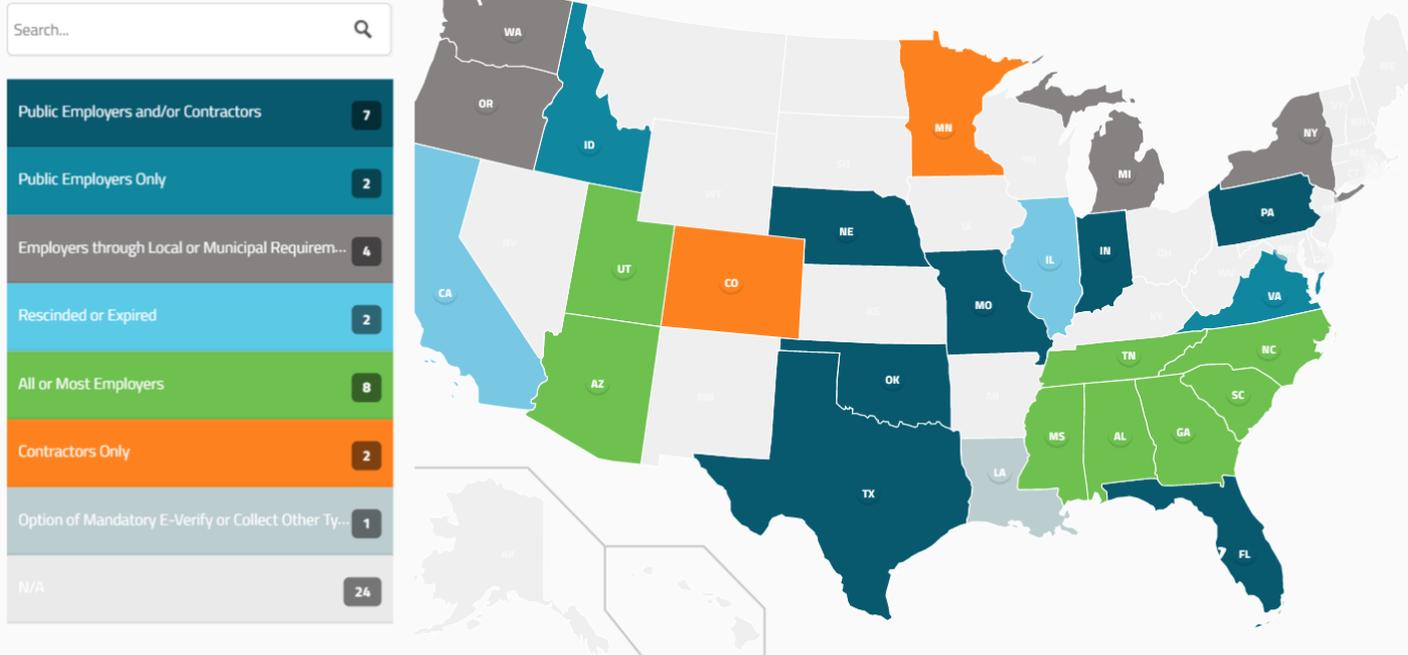
... used for prescreening

... a safe harbor from worksite enforcement



# E-Verify State Map

- Visit [www.lawlogix.com/e-verify-map/](http://www.lawlogix.com/e-verify-map/) to click on your state for up-to-date and more detailed information on that state's E-Verify status.



# Privacy Guidelines

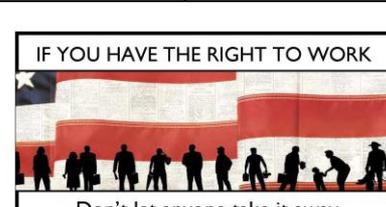
- **Allow only authorized employees to use E-Verify.** Ensure that only the appropriate employees handle information and perform verification cases.
- **Secure access to E-Verify.** Protect the password you use to access E-Verify and ensure that unauthorized users do not gain access to the system.
- **Protect and store individuals' information properly.** Ensure that employees' information is stored in a safe and secure location and is accessible only by authorized individuals.
- **Discuss E-Verify results in private.** Ensure that TNC and FNC results are discussed in private with employees.



# E-Verify Requirements

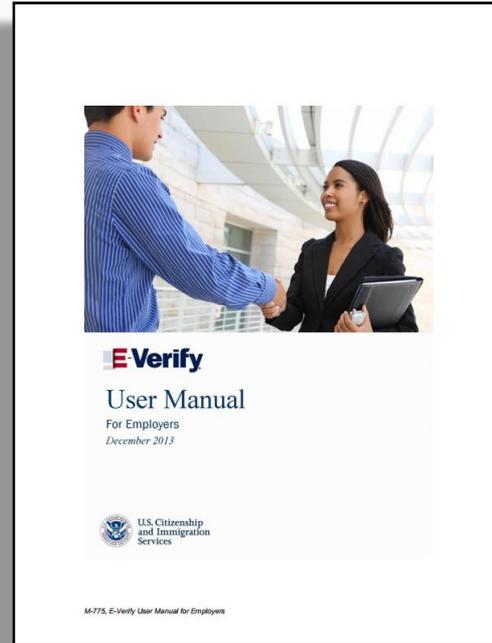
- All employers participating in the E-Verify Program must notify job applicants of participation and clearly display both the English and Spanish Notice of E-Verify Participation and the Right to Work Poster at all hiring locations that participate in E-Verify.

<p><b>This Organization Participates in E-Verify</b></p> 	<p><b>Esta Organización Participa en E-Verify</b></p>
<p>This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.</p> <p>If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.</p> <p>Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.</p>	<p>Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU.</p> <p>Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle las instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.</p> <p>Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.</p>
<p><b>E-Verify Works for Everyone</b></p> <p>For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.</p>	<p><b>E-Verify Funciona Para Todos</b></p> <p>Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.</p>
<p><b>888-897-7781</b> <b>dhs.gov/e-verify</b></p>  <p><small>EMPLOYER IS A MEMBER OF DHS AND SSA The E-Verify Program is an Equal Opportunity Employer/Contractor DHS/SSA: Department of Homeland Security and Social Security Administration English / Spanish Poster</small></p>	

<p><b>SI USTED TIENE DERECHO A TRABAJAR</b></p>  <p><b>No deje que nadie se lo quite.</b></p>	<p><b>IF YOU HAVE THE RIGHT TO WORK</b></p>  <p><b>Don't let anyone take it away.</b></p>
<p>Existen leyes que lo protegen contra la discriminación en el trabajo.</p>	<p>There are laws to protect you from discrimination in the workplace.</p>
<p><b>Usted debe saber que...</b></p> <p>En la mayoría de los casos, los empleadores no pueden negarle un empleo o despedirlo debido a su nacionalidad de origen o estatus de ciudadanía, ni tampoco negarse a aceptar sus documentos válidos y legales.</p> <p>Los empleadores no pueden rechazar documentos porque tengan una fecha de vencimiento futura.</p> <p>Los empleadores no pueden despedirlo debido a E-Verify sin darle una oportunidad de resolver el problema.</p> <p>En la mayoría de los casos, los empleadores no pueden exigir que usted sea ciudadano estadounidense o residente legal permanente.</p>	<p><b>You should know that...</b></p> <p>In most cases, employers cannot deny you a job or fire you because of your national origin or citizenship status or refuse to accept your legally acceptable birth documents.</p> <p>Employers cannot reject documents because they have a future expiration date.</p> <p>Employers cannot terminate you because of E-Verify without giving you an opportunity to resolve the problem.</p> <p>In most cases, employers cannot require you to be a U.S. citizen or a lawful permanent resident.</p>
<p><b>Contact IER</b></p> <p>For assistance in your own language: Phone: 1-800-255-7688 TTY: 1-800-237-2515</p> <p>Email us: <a href="mailto:IER@usdoj.gov">IER@usdoj.gov</a></p> <p>Or write to: U.S. Department of Justice - CRT Immigrant and Employee Rights - NYA 950 Pennsylvania Ave., NW Washington, DC 20530</p>	<p>If any of these things happen to you, contact the Immigrant and Employee Rights Section (IER).</p>  <p><b>DEPARTMENT OF JUSTICE</b> <b>IMMIGRANT &amp; EMPLOYEE RIGHTS SECTION</b> <b>CIVIL RIGHTS DIVISION</b></p>
<p><b>Sección de Derechos de Inmigrantes y Empleados</b> Departamento de Justicia de los EE. UU., División de Derechos Civiles</p> <p><b>Immigrant and Employee Rights Section</b> U.S. Department of Justice, Civil Rights Division</p> <p><a href="http://www.justice.gov/ier">www.justice.gov/ier</a></p>	

# E-Verify Requirements

- All employers participating in the E-Verify Program must be familiar with the E-Verify User Manual. A link to the current E-Verify User Manual is available in Guardian **Help > Additional Resources**.



# E-Verify Requirements

- Once enrolled, employers must submit all new hires to E-Verify (certain FAR Federal Contractors excluded). Employers must not selectively verify work authorization for newly hired employees.



# E-Verify Requirements

- E-Verify should be used for all new hires regardless of national origin or citizenship status. Employers must not discriminate against any job applicant or new hire on the basis of his or her national origin, citizenship, or immigration status.



# E-Verify Compliance

- Employees should be submitted to E-Verify within three business days of the hire date (also known as the Thursday Rule).

◀ June 2011 ▶ Manage HR Manager, Corporate

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
▶				<a href="#">1</a>	<a href="#">2</a>	<a href="#">3</a>	<a href="#">4</a>
▶	<a href="#">5</a>	<a href="#">6</a> ✓	<a href="#">7</a> ✓	<a href="#">8</a> ✓	<a href="#">9</a> ✓	<a href="#">10</a>	<a href="#">11</a>
▶	<a href="#">12</a>	<a href="#">13</a>	<a href="#">14</a>	<a href="#">15</a>	<a href="#">16</a>	<a href="#">17</a>	<a href="#">18</a>
▶	<a href="#">19</a>	<a href="#">20</a>	<a href="#">21</a>	<a href="#">22</a>	<a href="#">23</a>	<a href="#">24</a>	<a href="#">25</a>
▶	<a href="#">26</a>	<a href="#">27</a>	<a href="#">28</a>	<a href="#">29</a>	<a href="#">30</a>		

# E-Verify Compliance

- Employers must not specify or request which Form I-9 documentation a newly hired employee must use.

LISTS OF ACCEPTABLE DOCUMENTS All documents must be unexpired				
LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record		5. Native American tribal document
		6. Military dependent's ID card		6. U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		8. Employment authorization document issued by the Department of Homeland Security
		9. Driver's license issued by a Canadian government authority		
		<b>For persons under age 18 who are unable to present a document listed above:</b>		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI				

**Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)**

Form I-9 (Rev. 08/07/09) Y Page 3

# E-Verify Compliance

- Submission to E-Verify may only occur after I-9 completion. The employee SSN must be provided in Section 1.

**Employment Eligibility Verification**  
USCIS  
Form I-9  
OMB No. 1615-0047  
Expires 03-31-2018  
Department of Homeland Security  
U.S. Citizenship and Immigration Services

**Section 1: Employee Information and Attestation** (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

Last Name (Family Name): Turing  
First Name (Given Name): Alan  
Middle Initial: \_\_\_\_\_ Other Names Used (if any): \_\_\_\_\_  
Address (Street Number and Name): 10101 Binary Rd  
Apt. Number: \_\_\_\_\_ City or Town: Stafford  
State: PA Zip Code: 12456  
Date of Birth (mm/dd/yyyy): 02/02/1996  
U.S. Social Security Number: 1001172485  
E-mail Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

I am aware that federal law prohibits discrimination and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):  
 A citizen of the United States  
 A noncitizen national of the United States (See instructions)  
 A lawful permanent resident (Alien Registration Number/USCIS Number): \_\_\_\_\_  
 An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy). Some aliens may write "N/A" in this field. (See instructions)

For aliens authorized to work, provide your Alien Registration Number/USCIS Number OR Form I-94 Admission Number:  
1. Alien Registration Number/USCIS Number: \_\_\_\_\_  
OR  
2. Form I-94 Admission Number: \_\_\_\_\_

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:  
Foreign Passport Number: \_\_\_\_\_  
Country of Issuance: \_\_\_\_\_  
Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (See instructions)

Signature of Employee: Individual Under Age 18  
Date (mm/dd/yyyy): 04/15/2013

**Preparer and/or Translator Certification** (To be completed and signed if Section 1 is prepared by a person other than the employee.)  
I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator: Electronically Signed by T. Turing  
Date (mm/dd/yyyy): 04/15/2013  
Last Name (Family Name): Turing  
First Name (Given Name): Mister  
Address (Street Number and Name): 10101 Binary Rd  
City or Town: Stafford  
State: PA Zip Code: 12456

Form I-9 03/08/13 N Page 7 of 9

**Section 2: Employer of Authorized Representative Review and Verification**  
The authorized representative must complete and sign Section 2 within 2 business days of the employee's first day of employment. You may examine one document from List A OR examine a combination of one document from List B and one document from List C as listed on "Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, only, document number, and expiration date, if any.)

Last Name, First Name and Middle Initial from Section 1: Turing, Alan

List A	OR	List B	AND	List C
Employment Authorization		Identity		Employment Authorization
Document Title: Individual Under Age 18		Document Title: Social Security Card (Unrestricted)		Document Title: _____
Issuing Authority: Social Security Administration		Issuing Authority: _____		Issuing Authority: _____
Document Number: 1001172485		Document Number: _____		Document Number: _____
Expiration Date (if any)(mm/dd/yyyy): _____		Expiration Date (if any)(mm/dd/yyyy): _____		Expiration Date (if any)(mm/dd/yyyy): _____

3-D Barcode  
Do Not Write in This Space

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

Employee's first day of employment (mm/dd/yyyy): 04/17/2013 (See instructions for exemptions.)

Employer or Authorized Representative: Hiring Representative  
Date (mm/dd/yyyy): 04/15/2013  
Family Name: J. Manager  
First Name (Given Name): Joe  
Employer's Business or Organization Name: Guardian Training Company  
City or Town: Philadelphia  
State: PA Zip Code: 12356

**3. Verification and Rehire** (To be completed and signed by employer or authorized representative.)  
If applicable, Last Name (Family Name): \_\_\_\_\_ First Name (Given Name): \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Date of Rehire (if applicable) (mm/dd/yyyy): \_\_\_\_\_  
If the employee's previous grant of employment authorization has expired, provide the information for the document from List A or List C the employee that establishes current employment authorization in the space provided below.  
Document Title: \_\_\_\_\_ Document Number: \_\_\_\_\_ Expiration Date (if any)(mm/dd/yyyy): \_\_\_\_\_

I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

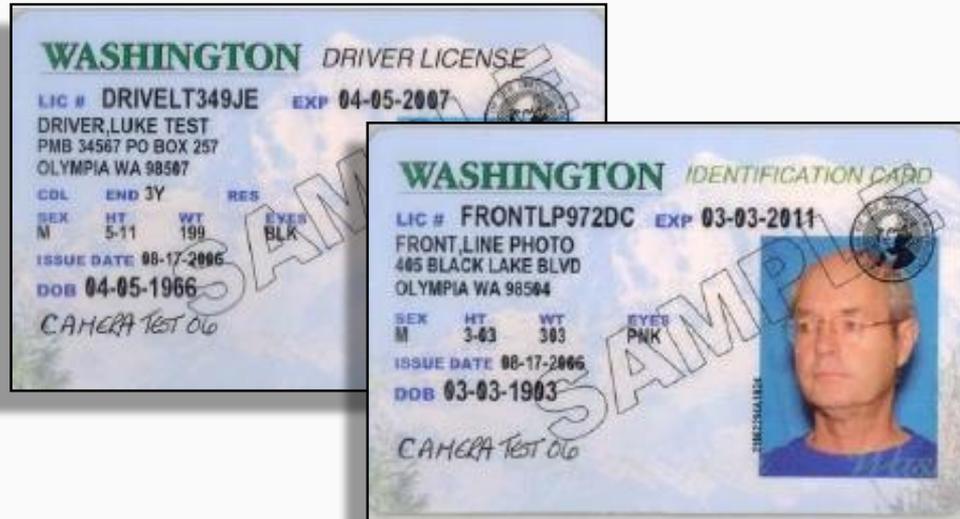
Employer or Authorized Representative: \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_ First Name of Employer or Authorized Representative: \_\_\_\_\_

03/13 N Page 8 of 9

# E-Verify Compliance

## List B Documents

If a List B document is presented, employers may only accept List B identification documents containing a photograph.





# E-Verify Compliance

- Employers must not take any adverse action against an employee based upon a case result unless E-Verify issues a Final Non-Confirmation or “No Show”.



# E-Verify Photo Matching

- Photo matching is an automatic part of the E-Verify submission that prompts users to compare an employee's photo ID with the photo displayed by E-Verify. The photo matching step occurs when an employee has presented a U.S. Passport or Passport card, Permanent Resident Card (I-551) or an Employment Authorization Document (I-766).
- Compare the photo displayed by E-Verify to the photo on the employee's document and determine if the photos are reasonably identical.
- Do not compare the photo displayed by E-Verify to the employee directly.

**E-Verify for Goodell, Elaine** 11434

Overview E-Verify Status Close Case Manual Processing

E-Verify Process In Progress - Photo Match Needed  
E-Verify photo match required.

**Photo**

Does the photo to the left match the photo provided by the employee?

Yes - Photo Matches

No - Photo Does Not Match

No Image - No Photo Present

**Document Information**

Document

U.S. Passport ID Page  
U.S. Passport Cardside Page

**Things To Know About Photo Matching**

- Photo must be compared to the document presented, not the employee in person.
- Employee photo documents should be stored in employee's OnDocs file for reference.

**Passport Details:** PASSPORT PASSEPORT PASAPORTE, Type / Tipo / Tipo, Code / Código / Código, Issued by / Emisado / Emisado, USA, Surname / Apellido / Apellido, Given Name(s) / Prename(s) / Nombre(s), Nationality / Nacionalidad / Nacionalidad, UNITED STATES OF AMERICA, Date of birth / Date de nacimiento / Fecha de nacimiento, Sex / Sexo / Sexo, M, Authority / Autoridad / Autoridad, United States Department of State, Date of issue / Date de expedición / Fecha de expedición, Date of expiration / Date d'expiration / Fecha de caducidad, Endorsement(s) / Matrices / Especificaciones / Añadidos, SEE PAGE 27, USA

# Check Information

- If the information entered does not immediately match records available to Social Security Administration (SSA) and/or U.S. Department of Homeland Security (DHS), the 'Check Information' screen appears so that you can confirm that the information was entered correctly.
- The employer may either confirm that the information matches Form I-9 or correct information by clicking "Amend this I-9".

**E-Verify** for Goodell, Elaine 11428

Overview | E-Verify Status | Close Case | **Manual Processing**

**E-Verify Process In Progress - Verify all information is correct**  
E-Verify requests you review and verify the correctness of the I-9 information.

**Information For Review**  
Carefully review these items below for correctness.  
E-Verify requests a review of the I-9 information for the fields included below. Utilize the amendment tool to correct any data entry errors before continuing the E-Verify case.

	Information Originally Submitted	Information to Re-Submit
Social Security Number	132-21-3214	132-21-3214

[Amend this I-9](#) [Continue with Case](#)

# Tentative Nonconfirmation (TNC)

## ➤ What is a Tentative Non-Confirmation (TNC)?

A DHS or SSA TNC means that the information provided to E-Verify from an employee's Form I-9 did not match records available to DHS or SSA. A DHS or SSA TNC case result does not necessarily mean that the employee is not authorized to work in the United States.

## ➤ Can an employee be terminated for receiving a TNC?

No, the employee must first be given the opportunity to contest the TNC. The employee may only be terminated because of E-Verify if they decide to not contest the TNC, or if they receive a Final Non-Confirmation (FNC) or “No Show” response for their E-Verify case.

# Tentative Nonconfirmation Processing

## ➤ Steps for employer:

1. Notify the employee of the TNC as soon as possible.
2. Privately review the E-Verify generated Further Action Notice (FAN letter) with the employee.
3. Allow the employee to decide whether or not to contest the TNC.
4. Ensure the employee and representative signs and dates the FAN letter and provide the employee a copy.
5. Keep the original signed FAN letter on file with the I-9.

**You may provide the Further Action Notice to the employee in person, by fax, e-mail, overnight or next day delivery services, as long as you take the proper precautions to ensure the employee's information is protected. You may not send the Further Action Notice by mail.**

# Tentative Nonconfirmation Processing

## ➤ **Steps for employer after employee has contested the TNC:**

1. Initiate the referral with E-Verify.
2. Provide the employee with a copy of the Referral Date Confirmation (RDC letter) and explain the next steps.
3. Retain the original RDC letter with the I-9.
4. Continue to maintain the employee in the same work status without making any changes throughout the period that the TNC is pending.

## ➤ **Steps for employee after deciding to contest the TNC:**

1. The employee has eight (8) federal government work days from the date of the referral to contact the appropriate federal agency to contest the TNC.

# Tentative Nonconfirmation Processing

## ➤ Processing an SSA TNC



# Tentative Nonconfirmation Processing

## ➤ Processing a DHS TNC



# Tentative Nonconfirmation Processing

- The employee has eight (8) federal government days from the date of the referral to contact the appropriate federal agency to contest the tentative non-confirmation.

Manage HR Manager, Corporate

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
▷				<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
▷	<u>5</u>	<u>6</u> ✓	<u>7</u> ✓	<u>8</u> ✓	<u>9</u> ✓	<u>10</u> ✓	<u>11</u>
▷	<u>12</u>	<u>13</u> ✓	<u>14</u> ✓	<u>15</u> ✓	<u>16</u>	<u>17</u>	<u>18</u>
▷	<u>19</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>23</u>	<u>24</u>	<u>25</u>
▷	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>		

# Tentative Nonconfirmation Processing

- In the event of a DHS TNC due to a photographic mismatch, E-Verify prompts the user to submit a copy of the employee's photo document to DHS. The copy(s) must be submitted electronically within Guardian.

**E-Verify** for Goodell, Elaine 11435

Overview E-Verify Status Close Case **Manual Processing**

**E-Verify Process In Progress- Photo Submission Required**  
E-Verify requests you transmit a copy of the I-9 supporting document.

**Document Selection**  
If you do not see the document listed, please use the View Employee OnDocs button to upload a copy to the employee's record.

Select File for U.S. Passport - ID Page	Select File for U.S. Passport - Barcode Page
<input checked="" type="radio"/> U.S. Passport-ID Page <a href="#">[View]</a>	<input type="radio"/> U.S. Passport-ID Page <a href="#">[View]</a>
<input type="radio"/> U.S. Passport-Barcode Page <a href="#">[View]</a>	<input checked="" type="radio"/> U.S. Passport-Barcode Page <a href="#">[View]</a>

[Submit Images to E-Verify](#)

[Go Back](#)

# TNC Employer Obligations

- **An SSA/DHS TNC does NOT mean that the employee is not authorized to work in the United States.**
- Employers may not fire, suspend, delay training, withhold or lower pay, or take any other adverse action against an employee during the time they are contesting a case result. E-Verify may take up to 15 federal government workdays to respond to a TNC.
- The employer may not ask the employee for additional evidence or confirmation that SSA/DHS resolved his or her case.
- Employers may terminate workers based upon E Verify only upon receipt of a Final Nonconfirmation (including a No Show), or when an employee has chosen not to contest a Tentative Nonconfirmation.

# E-Verify Case Closure Statements

- **The employee continues to work for the employer after receiving an Employment Authorized result:** E-Verify has verified that the employee is eligible to work in the United States and the employee continues to work for the employer.
- **The employee continues to work for the employer after receiving a Final Non-confirmation result:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee had contested the TNC, but was unable to resolve it. The employer chooses to exercise its legal right to allow the employee to continue to work.
- **The employee continues to work for the employer after receiving a No Show result:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee had contested the TNC, but did not take action to resolve it. The employer chooses to exercise its legal right to allow the employee to continue to work.
- **The employee continues to work for the employer after choosing not to contest a TNC:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee chose not to contest the TNC. The employer chooses to exercise its legal right to allow the employee to continue to work.

# E-Verify Case Closure Statements

- **The employee was terminated by the employer for receiving a Final Non-confirmation result:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee had contested the TNC, but was unable to resolve it. The employer terminated the employee because of the Final Non-confirmation result.
- **The employee was terminated by the employer for receiving a No Show result:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee had contested the TNC, but did not take action to resolve it. The employer terminated the employee because of the No Show result.
- **The case is being closed because DHS or SSA instructed this employer to close the case:** The employer was directed by DHS or SSA to close this case.
- **The employee was terminated by the employer for choosing not to contest a TNC:** E-Verify cannot verify that this employee is authorized to work in the United States. The employee chose not to contest the TNC. The employer terminated the employee because of the employee chose not to contest the TNC.

# E-Verify Case Closure Statements

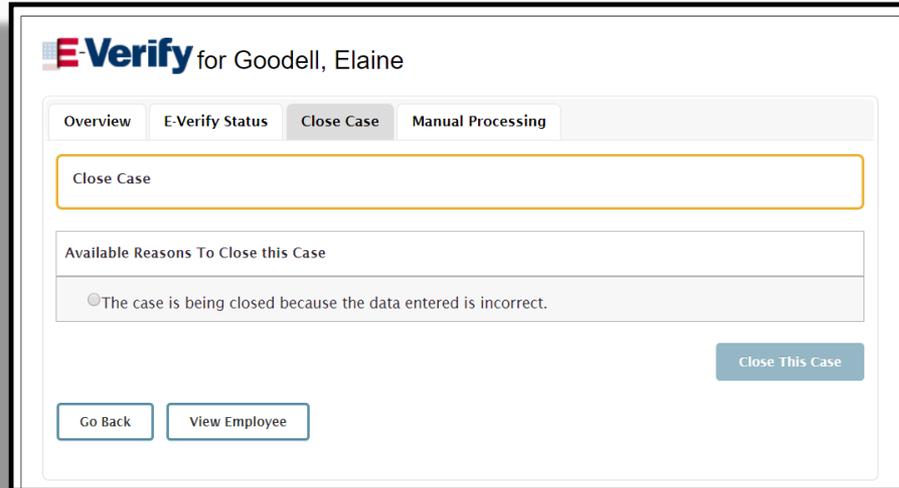
- **The employee quit working for the employer:** The employee chose to stop working for the employer.
- **The employee was terminated by the employer for reasons other than E-Verify:** The employer terminated the employee for reasons unrelated to E-Verify.
- **This case is being closed because of technical issues with E-Verify:** E-Verify was unable to process this case due to a technical issue. The employer is closing this case and needs to create a new case.
- **The case is invalid because another case with the same data already exists:** An E-Verify case with the same data was already created for this employee. This is a duplicate case.
- **The case is invalid because the data entered is incorrect:** The data entered for this employee was not correct.

# E-Verify Case Closure Statements

- **The case is being closed because the document is expired:** The document presented by the employee for verification was expired. The employer is closing the case and needs to create a new case with an unexpired document.
- **The case is being closed because DHS or SSA instructed this employer to create a new case for this employee:** The Department of Homeland Security (DHS) or Social Security Administration (SSA) instructed the employer to create a new case for this employee because E-Verify was unavailable, or for another reason.
- **The employee is no longer employed by the employer for reasons unrelated to E-Verify and the TNC process could not be completed:** The employee is not available because they are no longer working for this employer for reasons unrelated to E-Verify. The Tentative Nonconfirmation (TNC) process could not be completed.

# E-Verify Case Resolution

- Cases returned as Employment Authorized are automatically closed by E-Verify. In the event of a Final Nonconfirmation (FNC) users are responsible for closing the case manually.
- E-Verify returns a variety of case responses that can be initial, interim or final. The E-Verify response shapes the available options for the employer and next steps.



The screenshot shows the E-Verify interface for Elaine Goodell. At the top, it says "E-Verify for Goodell, Elaine". Below this is a navigation bar with four tabs: "Overview", "E-Verify Status", "Close Case" (which is selected), and "Manual Processing". The main content area is titled "Close Case" and contains a section "Available Reasons To Close this Case" with a single radio button option: "The case is being closed because the data entered is incorrect." At the bottom right of the main area is a blue button labeled "Close This Case". At the bottom left are two buttons: "Go Back" and "View Employee".

# E-Verify Case Responses

- **Employment Authorized:** Employment eligibility is verified and the case is ready to resolve.
- **DHS Verification in Process:** Indicates that the non-citizen's information provided to SSA matches the information contained in SSA records, but did not match DHS records. The case is referred to DHS for verification. No action is required by the employer. DHS will normally respond within 24hrs.
- **SSA/DHS Tentative Nonconfirmation:** A TNC case result means that the information entered into E-Verify from Form I-9 differs from records available to SSA and/or DHS. E-Verify identifies the agency associated with the mismatch when the TNC result is provided.

# E-Verify Case Responses

- **SSA/DHS Case in Continuance:** Indicates that following an SSA/DHS TNC the employee has visited SSA or contacted DHS, but more time is needed to confirm employment eligibility.
- **DHS No Show:** Following a TNC referral, a DHS No Show case result indicates that the employee did not contact DHS within eight federal government working days and is considered a Final Nonconfirmation. Employers may terminate employment based on a case result of DHS No Show.
- **SSA/DHS Final Nonconfirmation:** An SSA or DHS Final Nonconfirmation case result is received when E-Verify cannot verify an employee's employment eligibility after an employee has visited a SSA field office or contacted DHS during the TNC referral process.

# For Additional Assistance

- Select **Help** from the vertical toolbar to access other Guardian tutorials.
- For additional assistance contact your in-house Guardian expert.

# Confidential User Guide

Please do not distribute this document outside of your organization without our written permission.

Thank you.