

ALASKA SHRM STATE COUNCIL



Form I-9 & E-Verify: What's New & What's Important Presented by Jeanette Johnson, USCIS

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www.E-Verify.gov

Form I-9 & E-Verify: What's New & What's Important

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Disclaimer

This presentation is intended for E-Verify employers and their designated agents. This presentation provides basic guidance about the rules and responsibilities during the employment eligibility verification process. For more information visit the <u>e-verify.gov</u> website.

This presentation is not intended for members of the media. For all media inquires visit the <u>U.S. Citizenship and Immigration Services Media Contacts</u> webpage.



Agenda

- ✓ New Form I-9
- E-Verify Review
- Live Demo of E-Verify
 - Account features
 - Case creation and process review
- Additional Resources



New Form I-9

Important Dates and Grace Period

- ✓ Form approved on October 21, 2019 new revision date
- Form available for use as of January 31, 2020
- Employers may use the previous version (revision date 07/17/2017) until April 30, 2020 (90 days from the date the new version became available)
- After April 30, 2020 employers may *only* use the new form with the revision date of 10/21/2019
- What should you do if an employee completes the old version after the deadline to use the new form?



New Form I-9

Form Changes

- Countries added to the foreign passport drop down lists in Sections 1 & 2
 - 🚽 Eswatini
 - North Macedonia listed Macedonia, North on the I-9

Instruction Changes

- Clarified who can act as an authorized representative
- Updated USCIS and E-Verify website addresses
- Updated instructions for requesting paper Forms I-9
- Updated the DHS Privacy Notice



New Form I-9

Instruction Changes

Provided clarification
 on what constitutes
 List B #2 and List C #7
 documents



LISTS OF ACCEPTABLE DOCUMENTS All documents must be UNEXPIRED

Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

	LIST A Documents that Establish Both Identity and	LIST B Documents that Establish Identity	LIST C Documents that Establish Employment Authorization
240	Employment Authorization O		
_	U.S. Passport or U.S. Passport Card Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	 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 	 A Social Security Account Number card, unless the card includes one of the following restrictions: NOT VALID FOR EMPLOYMENT
	Foreign passport that contains a temporary I-551 stamp or temporary	color, and address	(2) VALID FOR WORK ONLY WITH INS AUTHORIZATION
	I-551 printed notation on a machine- readable immigrant visa	 ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or 	(3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
4.	Employment Authorization Document that contains a photograph (Form I-766)	information such as name, date of birth, gender, height, eye color, and address	 Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
5	For a nonimmigrant alien authorized	3. School ID card with a photograph	3. Original or certified copy of birth
	to work for a specific employer	4. Voter's registration card	certificate issued by a State,
	because of his or her status:	5. U.S. Military card or draft record	county, municipal authority, or territory of the United States
	 a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; 	6. Military dependent's ID card	bearing an official seal
		7. U.S. Coast Guard Merchant Mariner	4. Native American tribal document
		Card	5. U.S. Citizen ID Card (Form I-197)
	(2) An endorsement of the alien's	8. Native American tribal document	6. Identification Card for Use of
	(2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.	9. Driver's license issued by a Canadian government authority	Resident Citizen in the United States (Form I-179)
		For persons under age 18 who are unable to present a document listed above:	 Employment authorization document issued by the Department of Homeland Security
6,	Passport from the Federated States of Micronesia (FSM) or the Republic of	10. School record or report card	
	the Marshall Islands (RMI) with Form	11. Clinic, doctor, or hospital record	
	I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI	12. Day-care or nursery school record	

Examples of many of these documents appear in Part 13 of the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.

E-Verify Highlights

- Free web-based system that electronically verifies the employment eligibility of newly hired employees
- Partnership between the U.S. Department of Homeland Security (DHS) and the Social Security Administration (SSA)
- Ensures a legal workforce and protects jobs for authorized workers
- Does NOT provide immigration status
- May NOT be used for prescreening
- ✓ Works seamlessly with Form I-9 no additional information is required



Enrollment





Access Methods

Employer	E-Verify Employer Agent	Corporate Administrator	Web Services
Allows E-Verify users in your company to electronically verify the employment eligibility of newly hired employees and existing employees assigned to a federal contract.	Select this access method if your company creates cases for client companies.	Allows you to create, manage and administer new and existing E-Verify accounts as well as create and view reports. Does <u>NOT</u> allow you to create cases.	Requires a company to develop software that interfaces with E-Verify. Web Services for Employers or Web Services for E-Verify Employer Agents



User Roles

User Role	Permissions	
Program Administrator (at least one required)	The program administrator is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.	
General User	Employers can have as many or no general users as they desire. The general user is responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures.	



Form I-9 & E-Verify Work Together





LIVE DEMO



Verif	y Employee	Review Case
ØO	Enter Form I-9 Information Review Case Case Results	 Photo Match Does the photo displayed match the photo displayed on Test Test's U.S. Passport or Passport Card? Yes, this photo matches No, this photo does not match No photo displayed
		Continue to Case Results Save & Exit

Photo match is automatically triggered if an employee presents:

- I-551, (Permanent Resident Card)
- Form I-766, (Employment Authorization Document), or
- U.S. passport or passport card



Verify I	Employee	Case Results	rint Case Details
	Enter Form I-9 Information Review Case	Employment authorized - Case 2018123162 Closed is authorized to work in the United States and the case has been automatically closed. View/Print Case Details	
	Case Results	View All Cases	



LIVE DEMO



Tentative Nonconfirmation Action Required

- Employer prints the TNC Further Action Notice and reviews it with the employee promptly and privately.
- Employee decides whether or not to take action on the TNC.
- If employee chooses to take action, employer provides the Referral Date Confirmation.
- Employee visits SSA or calls DHS.
- Employer receives updated results in E-Verify and closes the case.

Chooses to Takes Action	Chooses Not to Take Action
Employer refers employee to	Employer may terminate employee
appropriate agency.	and close the E-Verify case.



LIVE DEMO



Case Alerts

Official Website of the Department of Homela	nd Security		
E -Verify		Welcome	Company User ID
HOME CASES - PROFILE	• COMPANY • REPORTS •	WEB SERVICES + RESOURCES +	LOG OUT 🗭
• Verify • Output • Output	Visit the E-Verify Message Center to get the latest E-Verify News and Inform	Center	QUICK LINKS Verify Employee View View Resources
	You Have No Cas	e Alerts at this Time	
Open Cases to be Closed	Cases with New Updates 🗁	Work Authorization Docs Expiring	Message Center



Additional Resources

Engage with us online and through Social Media

- Visit <u>www.E-Verify.gov</u>
- Visit our **new** <u>E-Verify Video Page</u>
- Check out our E-Verify User Manual, Job Aids, Fact Sheets, Reports and more on the Employer Resources page
- Check out our additional websites <u>I-9Central</u>, <u>myE-Verify</u>
- Follow #EVerify on <u>www.Twitter.com/EVerify</u>
- Follow us at <u>E-Verify LinkedIn</u> to stay in-the-know



Additional Resources

Outreach Services

Take advantage of our FREE Outreach services

- Take additional <u>public webinars</u>
- Request event speakers, customized webinars, or content for your publications <u>EVerifyOutreach@uscis.dhs.gov</u>
- Seek approval for E-Verify[®] Logo Authorization



Participation Poll

Please take a moment to respond to the poll.





E-VerifyOutreach@uscis.dhs.gov





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Upcoming Alaska SHRM State Council Webinars!

Friday, February 28, 2020: Greg Fisher; AK Wage and Hour Update: AK Supreme Court & Burden of Proof Developments for Exemptions