



And I-9's

Presented by:

Linda Dunbar – Oklahoma State University

Susan Caldwell – University of Georgia

Dahlia French – Vanderbilt

Doug Podoll – Georgia Institute of Technology



How does it affect my
international student and scholar
employees?

➤ **E-VERIFY** is an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. E-Verify is fast, free and easy to use – and it's the best way employers can ensure a legal workforce.

CONSIDERATIONS

- How we do it on our campuses
- Centralized process or not
- Make copies of documents or not
 - Must retain copies of U.S. Passport, Passport Card, PR Card and Employment Authorization Card
- Training for E-Verify Users
- I-9 Training
- Initial and ongoing training
 - H-1b example from OSU

CONSIDERATIONS (Cont'd)

- E-Verify checks the information collected on Form I-9 with the records at DHS and SSA for work eligibility and work authorization in the United States.
- E-Verify will look for any mismatch information on Form I-9 with the records at DHS and SSA.
- If a mismatch of information is found, a Tentative Non-conformation may be issued.
- If all the information matches the DHS and SSA records, the E-Verify case can be closed as Employment Authorized.

CONSIDERATIONS (Cont'd)

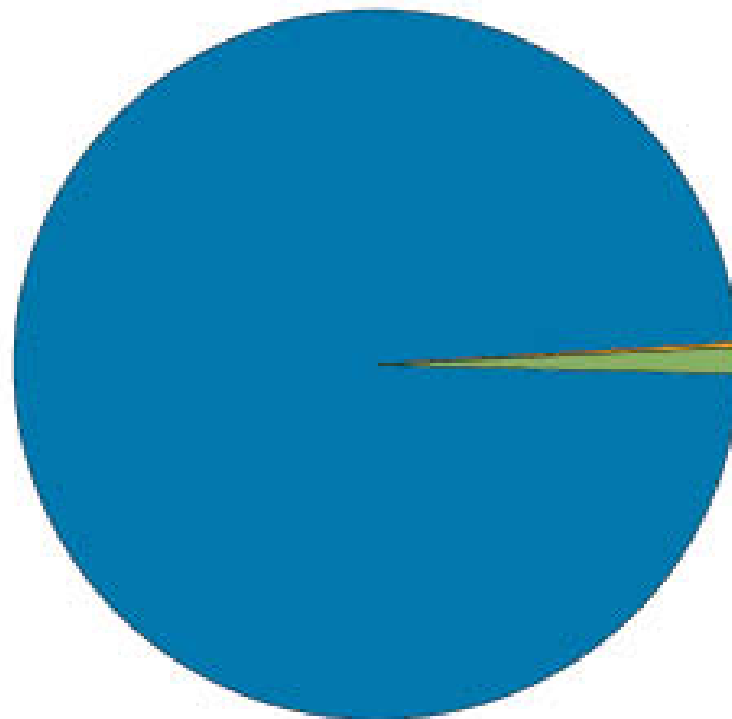
- Accuracy problems with any of the databases?
 - E-Verify
 - DHS
 - SSN
- Westat Evaluation E-Verify - January 28, 2010
 - Data from September 2007 to June 2008

WESTAT EVALUATION OF E-VERIFY

- 96 % of all E-Verify initial responses were consistent with the person's work authorization status
- 4.1% inaccuracy rate was primarily due to identity fraud
- E-Verify reduces discrimination against foreign-born workers in the hiring process
- Employers are generally satisfied with the program and feel it is non-burdensome
- The efficiency and timeliness of the system has improved
- Protection for workers' privacy and civil rights have been strengthened.

Statistics Fiscal Year 2011

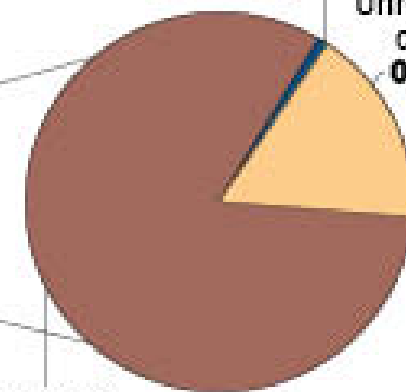
Automatically confirmed
as work authorized
98.3%



Total E-Verify cases: 16,612,333

Contested mismatches
not found authorized
0.01%

Unresolved
cases
0.24%



Not found authorized
1.39%

Uncontested mismatches
1.13%

Cases not found work authorized: 230,946



Voluntary service

Employer cannot require it

Allows employees to check for database errors and correct them

Available in English and Spanish

Available in all 50 states, Washington, D.C.,
Guam, Puerto Rico, the U.S. Virgin Islands,
and the Commonwealth of Northern
Mariana Islands.

STEPS for F-1 STUDENT FROM ARRIVAL TO WORK

1. Student is offered and accepts a job.
2. Student gets letter from employer and DSO to verify job to SSA.
3. Student waits 10 days after arrival in the U.S. to apply for SSN.
4. Student takes letters, passport, I-94, and activated I-20.
5. If the SSA verifies information, the number is usually available the next day. Student must go back to SSA in person to receive number. The card is mailed within 2 weeks.
6. I-9 may be completed without SSN.
7. If using E-Verify, must wait for SSN to create a case. Employee may work as long as I-9 is complete.

I-9 TIMING



Employee **accepts offer** for employment



Employee **completes Section 1** of the form no later than first day of work for pay



Employee **gives documents and form** to employer



Employer **completes Section 2** of the form no later than 3rd business day employee starts work for pay



If Employee's work authorization expires,
complete Section 3

Section 1: Employee Information and Verification (To be completed and signed by employee at the time of employment.)			
Print Name: Last	First	Middle Initial	Printed Name
Student	John	A	
Address (Street Name and Number)		City	Date of Birth (month/day/year)
123 University Street		College town	01/01/1991
State	Zip Code	Social Security #	
Any state	00000	000-00-0000	
I am aware that Federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.		<input type="checkbox"/> I am, under penalty of perjury, that I am (check one of the following): <input type="checkbox"/> A citizen of the United States <input type="checkbox"/> A permanent resident of the United States (green card) <input type="checkbox"/> A lawful permanent resident (alien #) <input checked="" type="checkbox"/> An alien authorized to work (Alien # or Authorization #) 11-digit 1948 until (or previous date, if applicable - month/day/year) 05/30/2013	
Employee's Signature <i>John A. Student</i>		Date (month/day/year) 01/03/2010	
Preparer and/or Translator Certification (To be completed and signed if Section 1 is prepared by a person other than the employee. I declare, 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.)			
Preparer/Translator's Signature		Print Name	
Address (Street Name and Number) City, State, Zip Code		Date (month/day/year)	
Section 2: Employer Review and Verification (To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)			
2	List A	OR	List B AND List C
Document title:	Form I-944	OR	Passport B
Issuing authority:	Passport	OR	Expiration
Document #:	194-8-00000000	OR	(not visa)
Registration Date of entry:	05/30/2013	OR	
Document #:	120-400000000000	OR	
Expiration Date (if any):	05/30/2013	OR	I-20 expiration date
CERTIFICATION. I affirm, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) 01/03/2010 and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)			
Signature of Employer or Authorized Representative		Title	
<i>Booker Smith</i>		Booker Smith	
Business or Organization Name and Address (Street Name and Number) City, State, Zip Code		Date (month/day/year)	
College Library, 123 University St., College town, Any state 00000		01/28/2010	

Figure 5: Completing Form I-9 for Students in Curricular Practical Training

- 1 Student completes Section 1 and enters his or her 11-digit Form I-94/I-94A number.
- 2 Student presents his or her foreign passport, Form I-94/I-94A, and Form I-20 that specifies that you are his or her approved employer. You must record these documents in Section 2 as shown.



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services (USCIS)

USCIS
Form I-9
OMB No. 1615-0047
Expires 08/31/2012

► **START HERE.** Read instructions carefully before completing this form. The instructions must be available during completion of this form.
ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

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

Print Name: Family Name (Last Name)		Given Name (First Name)		Middle Initial	Maiden Name, if applicable	
Address - Street Number and Name		Apt. Number	City or Town		State	Zip Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		E-mail Address (optional)		Telephone Number (optional)	

I am aware that federal law provides for imprisonment 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, month/day/year) _____. Some aliens may write "N/A" on this line. See instructions.

For aliens authorized to work, list your Alien Registration Number / USCIS-Number or Form I-94 Admission Number:

1. Alien Registration Number / USCIS-Number:

2. Form I-94 Admission Number:

If you received your Form I-94 when traveling to 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 lines. See instructions.

Signature of Employee:	Date (mm/dd/yyyy):
------------------------	--------------------

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/Translator:		Date (mm/dd/yyyy):			
Print Family Name of Preparer (Last Name)		Given Name (First Name)		Middle Initial	
Address (Street Number and Name)		City or Town		State	Zip Code

3-D Barcode

Employee Family Name in Caps (last name),
Given Name (first name), and Middle Initial:

Section 2. Employer Review and Verification

(Employers must complete and sign Section 2 within 3 business days of the employee's first day of work for pay. Employers must 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 the "Lists of Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, issuing authority, document number, and expiration date, if any.)

List A	OR	List B	AND	List C
Document title:		Document title:		Document title:
Issuing authority:		Issuing authority:		Issuing authority:
Document Number:		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) ▶
Document Number:				
Expiration Date (if any): (mm/dd/yyyy) ▶				
Document Number:				
Expiration Date (if any): (mm/dd/yyyy) ▶				

Certification

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed 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.

The employee's first day of work for pay (mm/dd/yyyy): . (State employment agencies may omit this date.)

Signature of Employer or Authorized Representative		Title of Employer or Authorized Representative		Date (mm/dd/yyyy)	
Print Family Name (Last Name)		Given Name (First Name)		Employer's Business or Organization Name	
Employer's Address (Street Number and Name)		City or Town		State	Zip Code

Section 3. Reverification and Rehires (To be completed and signed by employer.)

A. New Name (if applicable)			B. Date of Rehire (if applicable)
Family Name (Last Name)	Given Name (First Name)	Middle Initial	(mm/dd/yyyy) ▶

C. If employee's previous grant of employment authorization has expired, provide the information for the document 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 the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative:

Date (mm/dd/yyyy):

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 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. A 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 A card that includes one of the following restrictions, for example, is not acceptable: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
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. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (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.		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		
		For persons under age 18 who are unable to present a document listed above:		
		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).

Refer to Section 2 of the instructions, entitled "Employer Review and Verification," for more information about acceptable receipts.



What Does the E-Verify website
look like?

E-Verify[®]

Employment Eligibility Verification



Welcome
Lewis Starkey

User ID
LSTA6038

Last Login
09:57 AM - 10/04/2011

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Welcome to E-Verify



Need Help?

Click any ? icon for more information or contact us at 888-464-4218 or E-Verify@dhs.gov.

E-Verify News

[View All >](#)

Print version of Handbook for Employers (M-274) is now available 09/28/2011

The United States Citizenship and Immigration Service (USCIS) off ... [read more >](#)

Employees from Liberia with Expiring EADs May Still Be Authorized to Work 09/15/2011

E-Verify's "Work Authorization Documents Expiring ... [read more >](#)

Safeguard who uses your E-Verify company account 08/25/2011

Make it a priority to secure your company's E-Verify us ... [read more >](#)

Self Check expands to 16 additional states and is

Case Alerts: You Must Take Action!

Open Cases to be Closed



Cases with New Updates



Work Authorization Docs Expiring



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Verify Employee

Enter Form I-9 Information

Verification Results

Close Case

What citizenship status did the employee choose in Section 1 of Form I-9? 

Select one, then click **Continue**.

- ☐ A citizen of the United States
- ☐ A noncitizen national of the United States
- ☐ A lawful permanent resident
- ☒ An alien authorized to work

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Verify Employee

Enter Form I-9 Information

Verification Results

Close Case


What documents did the employee present for Section 2 of Form I-9? 

Select one, then click **Continue**.

- ☐ Arrival/Departure Record (Form I-94)
- ☐ List B and C Documents
- ☐ Employment Authorization Document (Form I-766)
- ☒ Unexpired Foreign Passport with Form I-94

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Verify Employee

Enter Form I-9 Information

Verification Results

Close Case

Enter the employee's Form I-9 information, then click **Continue**. * - required

Click any  for help

* Last Name 

* First Name

Middle Initial

Maiden Name

* Date of Birth

Month Day Year


* Social Security Number


- -

Citizenship Status

An alien authorized to work

* ☒ Alien Number

☐ I-94 Number 

Visa Number 

Document Type

Foreign passport with
Arrival/Departure Record (Form
I-94)


* Document Number 

Document Expiration Date

Month Day Year

* Hire Date 

Month Day Year

Employer Case ID 

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Verify Employee

Enter Form I-9 Information

Verification Results

Close Case

Select or enter the reason why this case has not been submitted within 3 business days of hire, then click **Continue**. ?

* Select Reason

--select--
--select--
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
Other

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Verify Employee

Enter Form I-9 Information

Verification Results

Close Case

Select or enter the reason why this case has not been submitted within 3 business days of hire, then click **Continue**. ?

* Select Reason

Other

Other Reason ?

Student did not fill out I-9 until today.

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POSSIBLE “OTHER” REASONS:

- Employee/Dept failed to complete I-9 within the required 3 business days from date of hire.
- Professor did not advise department of hire so the employee did not complete the I-9.
- Employee mailed forms from out-of-state.
- I-9 was not delivered to E-Verify administrator in a timely manner.
- Employee and/or department completed I-9 incorrectly.



Welcome
Lewis Starkey

User ID
LSTA6038

Last Login
09:59 AM - 10/04/2011

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Click any for help

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Open Cases (3)

Cases with New Updates (2)

Open Cases to be Closed (0)

Work Authorization Docs Expiring (8)

The **3** cases below are open. Click a case number to return to a case.

Page 1 of 1

Results Per Page 10

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Status	Last Name	First Name	Case Number	SSN	Hire Date
DHS Tentative Nonconfirmation (TNC)			2011276162833GL	*** ** 9775	09/01/2011
DHS Tentative Nonconfirmation (TNC)			2011276105149DV	*** ** 3687	10/01/2011
SSA Case in Continuance			2011214085641JA	*** ** 5153	08/01/2011

1 Employer notifies employee of TNC



2 Employee decides whether to contest



3 Employer refers the case to DHS



4 Employee calls DHS



5 Employer receives updated results



6 Employer closes the case



POSSIBLE TNC REASONS:

➤ DHS TNC

- SEVIS record not activated before hire date.
 - This year, SEVIS record needed to be registered.
- Data input error (name, passport #, etc.)
- DHS database needs to be updated.

➤ SSA TNC

- SSA records are incorrect.
- Multiple last names on SS card.

E-VERIFY AND STEM EXTENTION

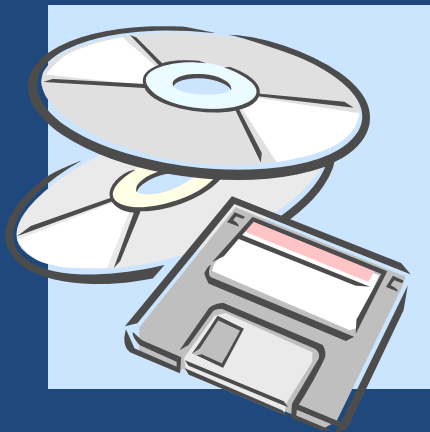
- Students with OPT must prove they work for a company that uses E-Verify
- E-Verify Company Number vs. FEI number
 - Some companies reluctant to share
 - If using an E-Verify Vendor, must have both employer E-Verify company number and the vendor's E-Verify company number



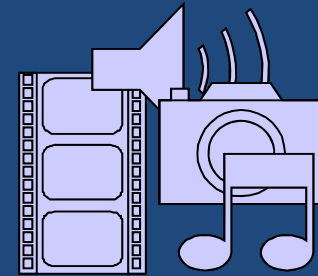
REFERENCE

Free USCIS webinars on I-9 and E-verify at www.uscis.gov Type in “Take a free webinar” in the search engine.

I-9 AND E-VERIFY SOFTWARE



MORE REFERENCE



M-274 Handbook for Employers

<http://www.uscis.gov/files/form/m-274.pdf>

ICE (U.S. Immigrations and Customs
Enforcement) F-1 and M-1 Students: Social
Security and Tax Issues Q&A

http://www.ice.gov/sevis/faqs/f1_m1_ssa_tax_information.htm

I-9 and E-Verify Blog, Newsletters and free webinars
on I-9 issues www.lawlogix.com

Additional Information

- Employees may work without a SSN
 - <http://www.ssa.gov/pubs/10181.html#a0=2>
 - This information is also on the USCIS website, I-9 Section under FAQ's
- Dahlia confirmed that USCIS changed their “three day business day calculation” to agree with E-Verify. A Monday start date will mean a Thursday deadline for Section 2 completion.

QUESTIONS???



Contact Information

- Susan Caldwell – University of Georgia
 - 706-583-8193 susanc@uga.edu
- Linda Dunbar – Oklahoma State University
 - 405-744-8117 linda.dunbar@okstate.edu
- Dahlia French – Vanderbilt
 - 615-322-3656 dahlia.french@vanderbilt.edu
- Doug Podoll – Georgia Institute of Technology
 - 404-894-2007 dougpodoll@gatech.edu