

# ELECTRONIC I-9/ E-VERIFY

*Resources and Information  
for Auburn University*



*April 2019*

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## Introduction

Auburn University and Auburn Montgomery must employ individuals who can legally work in the United States – either U.S. citizens or foreign citizens who have the necessary authorization. To ensure that we continue to fulfill this federal requirement, AU Human Resources spent more than a year working toward the implementation of the electronic employment verification system known as E-Verify.

E-Verify is an internet-based system that compares information from an employee's Form I-9 (Employment Eligibility Verification) to data from the U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility. More than 500,000 employers in the United States, including many higher education institutions, currently use E-Verify.

Auburn University and AUM are now utilizing Equifax as the E-Verify agent for electronic I-9 management. The online Form I-9 is the same as the paper form. The difference is that an employee and an authorized department representative will now complete the required information on a computer by visiting a specified computer link/location address. Please note that only new employees and some current employees who are performing work on a designated federal contract will be required to utilize the new system.

If you have additional questions, contact AU Human Resources at (334) 844-4145.

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## How to Access the System

- Employees: [www.newi9.com](http://www.newi9.com)
  - I-9 completer: Find the **Verifier Access to I-9/E-Verify System** link on the AU Access page.
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## Training Recording

A link to the [training video](#) is available online.

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## United States Citizenship and Immigration Services (USCIS) Resources

- [USCIS Main Webpage](#)
  - [Form I-9 Acceptable Documents](#)
  - [Information on Tentative Non-confirmations](#)
  - [Information on Photo-matching](#)
  - [Supplemental Guide for Federal Contractors](#)
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## Equifax Guides

- [Employer Quick Reference Guide](#)
  - [E-Verify Process Summary](#)
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## Definitions Related to the Electronic System

- **Pending** – Section 1 has been completed and Section 2 needs to be completed by the authorized department user.
- **Reverification due** – An employee is due a re-verification (Section 3) completed due to a document that has expired.
- **Receipt Due** – At the time an I-9 was completed, the employee provided a receipt document where they had lost or misplaced their Social Security card and a receipt was provided for use as one of the employee documents.

- **SSN Applied For** – At the time the Form I-9 was completed, a Social Security number had been applied for and had not yet been issued.
  - **E-Verify Issues** – E-Verify response is still open.
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## Frequently-Asked Questions

### What is E-Verify?

E-Verify is an internet-based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.

### What is a Form I-9?

A form that is required for completion of any employee hired after November 6, 1986. It allows for the verification of identity and employment authorization of individuals hired for paid employment in the United States.

### Who can access the new electronic process?

An authorized user will be provided access to the electronic system. To be authorized, you must complete the training and be familiar with training materials as provided.

### How do I request access for an authorized department user of the electronic I-9/E-Verify system?

All access must be requested through the Administrative Security Request system. Human Resources will approve the access through the request system after it is submitted. Contact your unit's computer coordinator for additional assistance regarding initiating the request.

### Why are Auburn University and Auburn Montgomery using an electronic system?

- It streamlines the verification process and makes it more consistent;
- It ensures timely completion and accuracy;
- It is more secure and protects personal information;
- The forms are centrally located electronically;
- It will reduce paper and eliminate the risk of form misplacement;
- It allows for reporting and tracking;
- It decreases manual handling of the forms; and,
- It helps ensure that Auburn University and Auburn Montgomery continue to follow the law, as penalties are costly.
  - Paperwork violations – \$216 to \$2,156 per Form I-9
  - Knowingly hire or continue to employ unauthorized employee – \$375 to \$16,000 per occurrence
  - Criminal penalties – up to \$3,000 and 6 months of prison

### What is the impact of utilizing an electronic system on departments?

The process will stay the same but the format will change on completing the Form I-9. The department will notify the employee upon acceptance of the offer to visit [this website](#) to complete Section 1 of the Form I-9. The authorized department user will access the employee's pending record via the electronic system when documents are presented for verification and completion of Section 2.

### Do I make copies of the Form I-9 and List A or List B and C supporting documents?

No, it is recommended that you do not make copies of these supporting documents. All records are maintained in the electronic system and it is not necessary to maintain copies. You will be prompted by the system to print any documentation in the E-Verify process if it is necessary to discuss and provide to the employee. After you scan the supporting documents to the system for uploading, please delete the copies from the location where these were saved on your computer.

### What are the System User Roles and system capability of my role?

A chart that shows [System User Roles](#) is available online.

As an HR Liaison or HRL backup, will I be able to see all of the locations (departments) across AU and AUM?  
You will only be able to see the locations (departments) as assigned in your division. If you do not see a location (department), please contact the Employer Super User in Human Resources.

As an authorized department user, where can I access the link for completing Section 2?

A link will be established in Banner Self-Service on the Employees tab labeled "Verifier Access to I-9/E-Verify System."

When can the employee complete Section 1 of the Form I-9?

An employee can complete Section 1 as soon as an offer of employment is accepted. The employee must complete Section 1 on or before the first day of employment.

What is considered the first day of employment?

The United States Citizenship and Immigration Services (USCIS) defines the first day of employment as the first day the employee begins working for pay.

When is the employer (department representative) required to complete Section 2?

The authorized department representative must complete Section 2 no later than the third day of employment.

What does my department do if the newly hired employee does not yet have a Social Security Number (SSN)?

The E-Verify system requires that the new employee has a valid SSN. If a newly-hired employee does not yet have an SSN, complete the Form I-9 process as required and then wait until the employee obtains an SSN before running the E-Verify inquiry.

Note on the Form I-9 why you have not yet run the E-Verify query, and instruct the employee to provide you with the new SSN as soon as possible. In the meantime, because you will have completed the I-9 process with that new employee to verify work authorization, your employee is allowed to work temporarily without the SSN or the E-Verify system result.

What is different in an electronic process for completing the Form I-9?

The form is exactly the same as the paper form. The difference is that an employee and an authorized department representative will complete the required information on a computer by visiting a specified computer link/location address.

Does the authorized user have to see the employee's documents?

Yes, the authorized department user will still have to see the **original** List A or B and C supporting documents to verify and attest that the employee documents, as presented, are the employees. The authorized department user will upload the supporting document(s) in the electronic system.

What is required for the E-Verify inquiry?

The E-Verify process is initiated automatically in the system with the completion of Section 2 of a Form I-9 on an employee. List A or List B and C supporting document(s) that are used in Section 2 for the verification process must contain a photo to use the E-Verify system. The authorized department representative will be required to close the E-Verify case when a result is finalized.

Do I need to register on the USCIS website to be able to process E-Verify inquiries?

No, all E-Verify inquiries will be completed through our vendor, Equifax. They are acting on our behalf as an agent with E-Verify.

Do all employees have to be verified using the new electronic system?

No, only new employees effective April 1, 2017, and current employees that are performing work on a federal contract in which the Federal Acquisition Regulation (FAR) E-Verify clause is included in the contract. Federal contracts and solicitations issued after September 8, 2009 (or such other later date to be determined) will include a clause committing/requiring Auburn University to use E-Verify for newly hired and current employees assigned to the contract.

Can my department use E-Verify prior to making a job offer to a job applicant?

No. Federal regulations prohibit prospective employers from using E-Verify prior to the applicant's acceptance of a job offer. However, after the employee has both accepted the job offer and filled out the Form I-9, the department may use

E-Verify to confirm a newly hired employee's employment status before his/her start date. *Note: The Department of Justice, Civil Rights Division, investigates and prosecutes the inappropriate use of E-Verify and may issue monetary and non-monetary penalties up to and including prohibiting the UW from receipt of any federal funding.*

When does the department need to initiate an E-Verify inquiry for a new hire?

A department must initiate an E-Verify check no later than the end of three (3) business days after the employee's actual start date. The check may not be initiated until after the candidate has accepted the job offer and after the Form I-9 has been completed.

What happens after the three-day period has expired for the initiating the E-Verify inquiry on a new hire?

Please make every effort to meet the federal timeline for completion of the Form I-9 and E-Verify. If the three-day deadline is missed, there is a Comments section in the system that must have documentation as to why the deadline was missed.

Which types of contracts will include the requirement to use E-Verify?

The E-Verify requirement will be included in:

- All prime federal contracts with a period of performance longer than 120 days, or;
- A value above the simplified acquisition threshold of \$100,000; and
- All subcontracts for services or for construction with a value over \$3,000.

How will I know my federal contract is subject to E-Verify?

Covered contracts will include a specific clause that specifies the requirement to use E-Verify. The Office of Sponsored Programs will notify departments when they have a contract that includes the E-Verify requirement after the contract is fully executed.

If I have a current employee who requires E-Verify due to a federal contract, how do I access the existing Form I-9 for review to determine if a re-verification is necessary prior to an E-Verify action?

A re-verification of an existing Form I-9 will not trigger an E-Verify in the electronic system. A new Form I-9 will need to be completed on the current employee that requires E-Verify due to a federal contract.

What is the timeline for completing an E-Verify action on a current employee?

For current employees working on a contract covered by E-Verify requirements, departments are required to initiate the E-Verify check within thirty (30) calendar days after contract award.

Who must my department check through the E-Verify system?

Departments are required to use E-Verify to check the employment eligibility of all newly hired and current employees who are directly performing work in the United States under a contract that includes the E-Verify clause.

Are there any exceptions to the E-Verify requirements?

Yes. Employees directly performing work on a covered contract are exempt from E-Verify requirements if the employee:

- Has been continuously employed at Auburn University since November 6, 1986; or
- Holds an active U.S. Government security clearance of confidential, secret or top secret; or
- Has had a background investigation completed and credentials issued pursuant to [Homeland Security Presidential Directive \(HSPD\)-12](#)

How quickly will E-Verify provide a confirmation of work authorization?

The E-Verify system compares the employee's information against both the Social Security Administration and Department of Homeland Security databases and a confirmation will be generated in three to five seconds. A discrepancy with one or both databases may result in a tentative non-confirmation and E-Verify will prompt you to review the submitted information to ensure its accuracy. Refer to the E-Verify Closure Status table on Page 43 of the [E-Verify Process Summary document](#).

### What information is included in the result from an E-Verify check?

- If the system check confirms employment authorization, the case details page will indicate Employment Authorized.
- If the system check does not confirm employment authorization, the report will indicate “SSA Tentative Non-confirmation”, “DHS Verification in Process”, or “DHS Tentative Non-confirmation.”

### What should my department do if I receive a tentative non-confirmation?

First, make sure that the data was entered correctly. A department representative must inform the employee of the tentative non-confirmation result and find out whether the employee intends to contest the results. The E-Verify system will print a form titled “Notice to Employee of Tentative Non-confirmation” that must be signed by both the employee and a department representative. The employee must complete the form, making a check mark to record his or her decision to contest or not to contest the result. A copy of the letter should be sent to Human Resources, Attn: Records unit.

### What should my department do if the employee chooses to contest the tentative non-confirmation result?

- If the employee chooses to contest the non-confirmation, he or she is entitled to continue working during the contest period. Prior to a final non-confirmation, no adverse action, including suspension or termination, may be taken against the employee.
- The department must give the employee the referral directing the employee to either the Social Security Administration or the Department of Homeland Security (depending on the type of document at issue).

### How is a Social Security Administration (SSA) non-confirmation resolved?

- To resolve a tentative non-confirmation from the SSA the employee must contact the SSA within 8 federal work days. SSA will automatically issue a final non-confirmation 10 federal workdays after issuance of the referral if the employee fails to meet this deadline. The department must close out the E-Verify case with a “Final Non-confirmation.” A copy of the final notice should be sent to the Payroll Office.
- In some instances, the SSA needs more than 10 federal workdays to resolve a case. In these instances, the SSA will notify the department that the case is still pending.

### How is a Department of Homeland Security (DHS) non-confirmation resolved?

- To resolve a DHS discrepancy the employee must contact the DHS within 8 federal work days.
- The DHS will automatically issue a final non-confirmation, a “DHS No-Show,” if 10 federal work days have passed since the referral and the employee has not contacted the DHS. The department must close out the E-Verify case with a “Final Non-confirmation.” A copy of the final notice should be sent to the Payroll Office.
- The DHS will respond to most of its referral cases within 24 hours, although some responses may take up to 3 federal work days. In some cases, the DHS needs more than 10 federal work days to resolve employment eligibility and the department will receive a “Case in Continuance” response. DHS will notify the department when the verification process is complete.

### What if the employee chooses not to contest the tentative non-confirmation?

With either an SSA or DHS referral, if the employee chooses not to contest, have them check the form and sign it. Then the department must resolve the case in the E-Verify system. If the employee does not contest, the department must choose “Unauthorized/terminated” and terminate the employee. The department must send a copy of the letter to Human Resources, Attn: Records unit.

### How do I answer the question in the electronic I-9/E-Verify system of, “Is the employee currently employed?” when closing the E-Verify case if I complete the Form I-9 and E-Verify prior to the hire date?

As you know, you may initiate the completion of the Form I-9/E-Verify process after an offer is accepted and prior to the first date of employment. Instances where you complete the process prior to the hire date, you will select the answer of the question as “Is Employed.”

## What are my steps as an authorized departmental user if a Tentative Non-Confirmation (TNC) is received?

1. Check the information to see if a data error has occurred in the entry of the information. If a data error is confirmed, select the "Close Case" option due to invalid data. Discuss with the employee that a new Form I-9 will need to be completed. Complete a new Form I-9.
2. If you cannot confirm that a data error has occurred, bring the employee into your office and discuss the Tentative Non-Confirmation privately.
3. Confirm with the employee on whether they will contest or not contest the TNC.
  - If the employee elects not to contest:
    - The employee must check the form and sign it.
    - Resolve the case in the E-Verify system by selecting "Unauthorized/terminated."
    - Terminate the employee (if employed) and do not allow them to work.
    - The department must send a copy of the letter to Human Resources, Attn: Records Unit.
  - If the employee elects to contest:
    - Click on the continue button on the Employee Detail page.
    - Review the information displayed on the screen to confirm accuracy.
    - Click "Continue."
    - Follow the instructions to print the Further Action Notice.
    - Provide a copy of the Further Action Notice to the employee and click checkbox No. 3 to confirm that the employee has been provided the notice.
    - Click "Contest."
    - Click "Refer Case" to update the case status to the employee referred.
    - Click on the icon displayed to print the "Referral Date Confirmation" and give to the employee.
    - Click checkbox No. 3 to confirm that the employee was given the "Referral Date Confirmation."
    - Click on "Complete" (this signifies that the employee has successfully been referred to Social Security Administration/Department of Homeland Security (SSN/DHS))
    - You must monitor the case status daily for updates. You may accomplish this through the Quick Search Box by clicking on "E-Verify Issues."

*Note: The employee has eight (8) government workdays to visit the local SSA office or call the DHS to resolve the issues.*

Can I initiate a Form I-9 and E-Verify process if the employee does not yet have a Social Security Number (SSN)? E-Verify requires that the employee's SSN is included in Section 1 of the Form I-9. You can initiate the Form I-9 process if the employee has applied for an SSN and the SSN has not been issued yet. You will select the option "SSN Applied For" radio button. The employee must provide their SSN to you within 90 days.

Instances where the employee applied for an SSN and a Form I-9 was initiated, what do I do when the employee provides presents their Social Security card within the 90-day period?

- In the Quick Search box, you can monitor employees that did not have their Social Security number issued at the time the Form I-9 was initiated.
- Click on the "SSN Applied For" link on the Quick Search box. Click on the employee name link to access the "Employee Detail" page for the employee.
- Click on the Section 3 button and enter the employee's SSN to resolve the SSN Applied For status. By entering the SSN, the Form I-9 will automatically submit the employee's information to E-Verify, if eligible.

Where can I learn more about the electronic system?

Refer to the following resources:

- [E-Verify Process Summary](#)
- [Employer Quick Reference Guide](#)

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## Securely Scanning Supporting Documents

Select Ricoh devices on the AU campus have been configured to securely scan I-9 supporting documents.

From the Ricoh device:

1. Load your documents and select the **Scanner** icon on the Ricoh display panel.
2. From the Folder Tab on the Ricoh display panel, select the **icon for secure I-9 document scans** (Note: this icon will have a unique name on each Ricoh device).
3. Press the **Start** button on the Ricoh device (this will start the scanning process).

Immediately after the documents have been scanned, the authorized department user will receive an email with detailed instructions on where, and how, to access the scanned documents.

The authorized department user can now access the employee's pending record via the I-9/EVerify system; browse to and select the securely scanned supporting documents; and verify and complete section 2 of the Form I-9. For units that do not have a secure scanning location (most are located off campus), please contact your division's information technology coordinator for additional information.

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## Communication to the Affected Candidate or Employee

When No Offer Letters are Generated (i.e., Students, Temporary, etc.):

Congratulations on your new position with Auburn University!

This offer of employment is contingent upon verification of the appropriate identity and employment eligibility documentation on the Form I-9, as required by the Immigration Reform and Control Act of 1986. This offer of employment is contingent upon verification of the appropriate identity and employment eligibility documentation on the Form I-9, as required by the Immigration Reform and Control Act of 1986. Upon acceptance, one of the first steps of your employment is to complete the verification of identity and employment authorization process. Please visit [www.newi9.com](http://www.newi9.com) and complete Section 1 of the electronic form, enter the location of [**Enter the Specific Location for your Department**] and sign it with an electronic signature **no later than the first day of employment** (*the first day the employee begins work for pay*).

The **Employer Code** for Auburn University is **18580**.

On the first date of employment, you must report to [enter name and location address] with your original documents to be used for the verification to enable the completion of Section 2. ([Acceptable documents](#)). In compliance with E-Verify, one of your documents must include a photo.

### Wording to Insert in an Offer Letter

This offer of employment is contingent upon verification of the appropriate identity and employment eligibility documentation on the Form I-9, as required by the Immigration Reform and Control Act of 1986. Upon acceptance, one of the first steps of your employment is to complete the verification of identity and employment authorization process. Please visit [www.newi9.com](http://www.newi9.com) and complete Section 1 of the electronic form, enter the location of [**Enter the Specific Location for your Department**] and sign it with an electronic signature **no later than the first day of employment** (*the first day the employee begins work for pay*).

The **Employer Code** for Auburn University is **18580**.

On the first date of employment, you must report to [enter name and location address] with your original documents to be used for the verification to enable the completion of Section 2. ([Acceptable documents](#)) In compliance with E-Verify, one of your documents must include a photo.

## Remote I-9 Instructions and Form

### [Form and Printable Instructions](#)

This process should only be utilized when a Form I-9 verification cannot be completed in person at Auburn University within the compliance period of three (3) days of hire. *Please note that a Form I-9 may be completed as early as an offer of employment is accepted.*

Auburn University is a member of the CUPA-HR I-9 Reciprocal Processing Consortium. Therefore, we may utilize the I-9 Reciprocal database for completion of a Form I-9 for a new hire of Auburn University if necessary to be in compliance.

### Hiring Department Instructions

1. Visit the [CUPAHR I-9 Reciprocal Processing website](#) to search the database for options of a contact for completion of a remote Form I-9. You must be a member in the CUPAHR directory for Auburn University to search and utilize the database. You will search by ZIP Code to find the nearest contact and institution in the database.
2. Select the institution and contact the person listed as the I9 representative to confirm their willingness of completing the Form I-9. Provide the name of the new employee to the I9 representative.
3. It is expected that the new employee and designated contact at the reciprocal I-9 institution coordinate a date and time for the completion.
4. Send an email to the new employee that includes the following documents and copy (CC) the I-9 representative:
  - A blank copy of the paper version [Form I-9](#) with the instructions;
  - A copy of these instructions; and
  - A completed and signed Remote I-9 Completion Form.
5. Due to the remote completion of the Form I-9, it is advised that the form be completed prior to the first day of employment (first day begin work for pay). This will allow the appropriate time for providing the completed form and verification documents to Auburn University for initiation of E-verify. As a reminder, the E-verify inquiry must be initiated no later than the third day of employment.
6. Send the completed Form I-9 and copies of the verification document(s) to University Records via the Secure Document.

**Authorized Representatives:** *When this process is used, an employee of another institution may act as an authorized agent of Auburn University for the purposes of the execution of Form I-9 work authorization verification (Section 2). Throughout these instructions, this agent will be referred to as the Authorized Representative.*

### Employee Instructions

1. Please print the attached Form I-9 which includes the List of Acceptable documents. Review the List of Acceptable documents and determine which documents you will utilize for the completion.
2. Complete Section 1 of the Form I-9 no later than the first day of employment.
3. Take the Form I-9, original acceptable document(s), and the Remote I-9 Completion Form to the designated reciprocal I-9 institution for your scheduled appointment. Ensure that all information is legible.
4. After completion of Section 2 by the authorized representative, mail the original, completed Form I-9 and copies of acceptable documents used for the verification to address on the Remote I-9 Completion Form. If the Form I-9 was completed on the first day of employment at the reciprocal location, it is recommended that you overnight the information to ensure that it is received within 3 days of the hire date to ensure compliance of the E-verify inquiry.

### Authorized Representative Instructions

1. Complete the Remote I-9 Completion Form in the designated section.
2. Review with the employee the Form I-9 Section 1 for accuracy.
3. Inspect the acceptable documents as presented by the new employee.
4. Complete Section 2 of the Form I-9. Refer to the Remote Completion form for the hire date and make sure to sign and date the document.
5. Make copies of the original acceptable documents as provided by the new employee.
6. Provide the completed Form I-9 and copies of the documents to the new employee.

7. Inform the new employee to mail the original, completed Form I-9 and copies of the documents to the designated Auburn University representative as indicated immediately.
8. Thank you!

***\* For questions, please contact the Auburn University representative designated on the Remote Completion form.***



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