



➤ December 7, 2021

I-9 Compliance Training

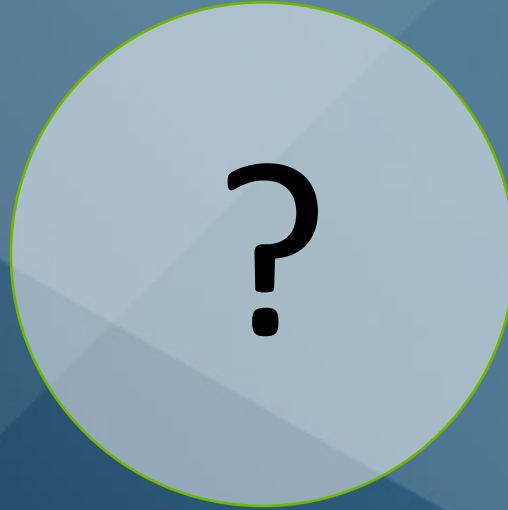


Presentation By:
Alejandro Perez

Before We Begin



We are recording today's webinar



Submit your questions at any time



Please complete the exit survey

Coast to Coast Administration



**BASIC services over
20,000 employers
nationwide.**



Technology Driven HR Solutions to Take Your Company Further

Suite of HR Benefits, Payroll and Leave Management, and Compliance solutions offered individually or bundled.



➤ Presenter

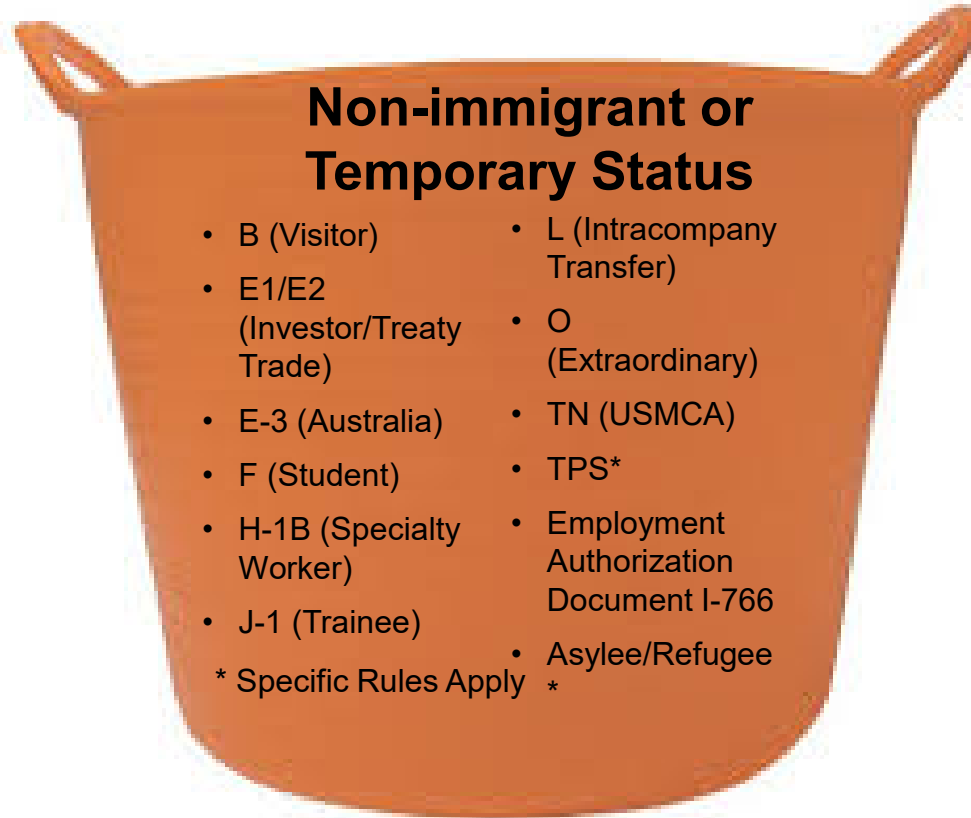
Alejandro Pérez

Alejandro assists employers facing a variety of employment disputes, including employment discrimination, sexual harassment, wrongful termination, workplace torts, trade secret/anti-piracy, non-compete agreements and unfair competition litigation and arbitration. Alejandro's clients value his proactive and practical approach to identifying preemptive HR strategies that increase employee job satisfaction, minimize risk, and reduce overall litigation costs.



➤ Immigration Buckets

“Alien Authorized to Work”



➤ The Risk

- You can't afford I-9 mistakes. Simple errors and omissions can lead to government fines and penalties ranging from \$234 to \$2,332 per employee. In addition, the government can aggravate fines up to an additional 25% based upon a variety of factors.



➤ Mistakes on the Form I-9

- Dubbed “America’s most complicated form”, the I-9 is filled with potential traps for the unwary employer. There are more than **80 common errors** that can be made on the form. Even using an electronic I-9 system, up to 10-20% of I-9s can contain mistakes due to the complexity of the laws.




Basic I-9 Training




➤ Overview

- The Immigration and Nationality Act requires all employers to verify the work authorization of all employees hired after November 6, 1986. This is accomplished by completing Form I-9 and reviewing the work authorization documents presented by the employee.
- **I-9 Rules**
 - The I-9 cannot be completed until a job offer has been made and the employee has accepted that offer.
 - The Employee must complete Section 1 on or before the first day of work for pay.
 - The employee must present original documents from the List of Acceptable Documents to prove eligibility to work. All documents must be unexpired, genuine, and relate to the person presenting them.
 - Employer must complete Section 2 within three business days of the first day of work for pay.

➤ Form I-9

 Employment Eligibility Verification Department of Homeland Security U.S. Citizenship and Immigration Services	USCIS Form I-9 OMB No. 1615-0047 Expires 10/31/2022																																				
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Form I-9 10/21/2019 Page 1 of 3																																					

 Employment Eligibility Verification Department of Homeland Security U.S. Citizenship and Immigration Services	USCIS Form I-9 OMB No. 1615-0047 Expires 10/31/2022																																																																	
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Form I-9 10/21/2019 Page 2 of 3																																																																		

➤ Section 1



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

USCIS
Form I-9
 OMB No. 1615-0047
 Expires 10/31/2022

▶ **START HERE: Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.**

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ 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 employment**, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number □□□□ - □□ - □□□□		Employee's E-mail Address		Employee's Telephone Number	

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 boxes):

<input type="checkbox"/>	1. A citizen of the United States
<input type="checkbox"/>	2. A noncitizen national of the United States <i>(See instructions)</i>
<input type="checkbox"/>	3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____
<input type="checkbox"/>	4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i>

➤ Preparer/Translator Section

Preparer and/or Translator Certification (check one):

I did not use a preparer or translator. A preparer(s) and/or translator(s) assisted the employee in completing Section 1.

(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.


Signature of Preparer or Translator		Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)	City or Town	State	ZIP Code



Employer Completes Next Page



➤ Section 2

	Employment Eligibility Verification Department of Homeland Security U.S. Citizenship and Immigration Services	USCIS Form I-9 <small>OMB No. 1615-0047 Expires 10/31/2022</small>	
Section 2. Employer or Authorized Representative Review and Verification <small>(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")</small>			
Employee Info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I. Citizenship/Immigration Status
List A	OR	List B	AND
Identity and Employment Authorization		Identity	Employment Authorization
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 Title		<div style="border: 1px solid black; padding: 5px;"> Additional Information </div>	
Issuing Authority			
Document Number			
Expiration Date (if any) (mm/dd/yyyy)			
Document Title		<div style="border: 1px solid black; padding: 5px;"> QR Code - Sections 2 & 3 Do Not Write In This Space </div>	
Issuing Authority			
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 employment (mm/dd/yyyy): _____ <i>(See instructions for exemptions)</i>			
Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)	Title of Employer or Authorized Representative
Last Name of Employer or Authorized Representative		First Name of Employer or Authorized Representative	Employer's Business or Organization Name
Employer's Business or Organization Address (Street Number and Name)		City or Town	State ZIP Code

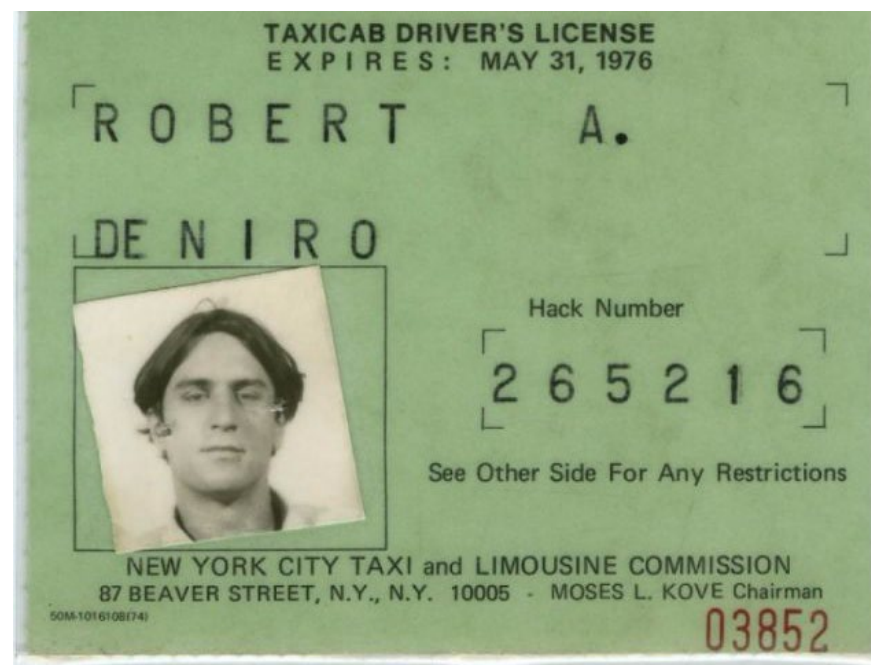
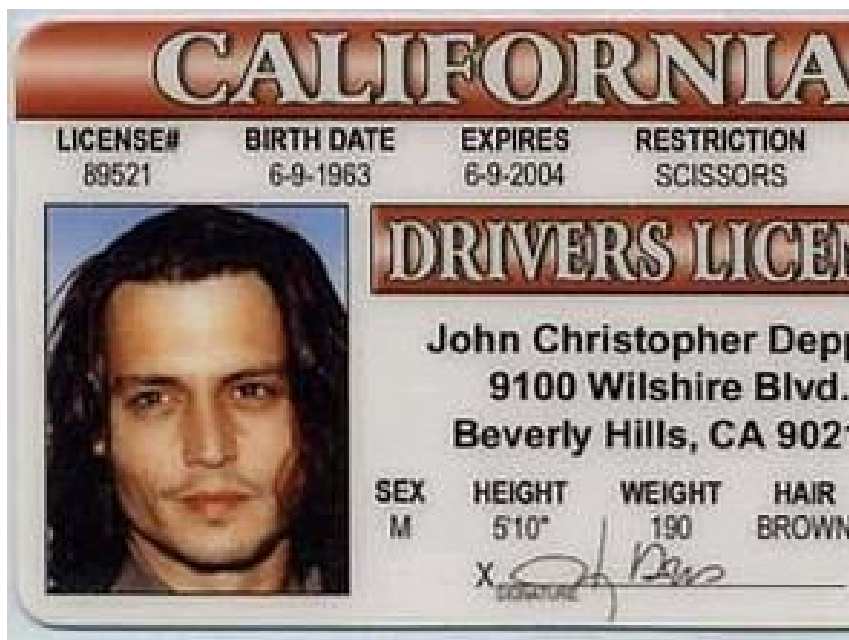
➤ Issuing Authorities

- Issuing authorities for Social Security Cards: record what is on the card!
 - Department of Health and Human Services
 - Social Security Administration



➤ Issuing Authority for Driver's License

- Read the driver's license and record what it says
- If there is no clear issuing authority, write "State of _____"



➤ Issuing Authority for US Passport

- US Department of State



➤ Section 3

Section 3. Reverification and Rehires <i>(To be completed and signed by employer or authorized representative.)</i>			
A. New Name <i>(if applicable)</i>			B. Date of Rehire <i>(if applicable)</i>
Last Name <i>(Family Name)</i>	First Name <i>(Given Name)</i>	Middle Initial	Date <i>(mm/dd/yyyy)</i>
C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.			
Document Title	Document Number	Expiration Date <i>(if any)</i> <i>(mm/dd/yyyy)</i>	
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	Today's Date <i>(mm/dd/yyyy)</i>	Name of Employer or Authorized Representative	

Form I-9 10/21/2019 Page 2 of 3

➤ Section 3 -Reverification for Current Employees

- **Note:** U.S. Citizens and non-citizen nationals never need re-verification in Section 3.
- **Do not re-verify the following documents:**
 - An expired U.S. passport;
 - An Alien Registration Receipt Card/Permanent Resident Card
 - (Form I-551);
 - List B document that has expired.



➤ List of Acceptable 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 Employment Authorization	OR	AND
LIST B Documents that Establish Identity		
		LIST C Documents that Establish Employment Authorization
<ol style="list-style-type: none"> 1. U.S. Passport or U.S. Passport Card 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa 4. Employment Authorization Document that contains a photograph (Form I-766) 5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: <ol style="list-style-type: none"> a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: <ol style="list-style-type: none"> (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. 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 	<ol style="list-style-type: none"> 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 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 3. School ID card with a photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card 7. U.S. Coast Guard Merchant Mariner Card 8. Native American tribal document 9. Driver's license issued by a Canadian government authority <p style="text-align: center;">For persons under age 18 who are unable to present a document listed above:</p> <ol style="list-style-type: none"> 10. School record or report card 11. Clinic, doctor, or hospital record 12. Day-care or nursery school record 	<ol style="list-style-type: none"> 1. A Social Security Account Number card, unless the card includes one of the following restrictions: <ol style="list-style-type: none"> (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION 2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240) 3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal 4. Native American tribal document 5. U.S. Citizen ID Card (Form I-197) 6. Identification Card for Use of Resident Citizen in the United States (Form I-179) 7. Employment authorization document issued by the Department of Homeland Security

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.

Form I-9 07/17/17 N Page 3 of 3

➤ I-9 Matrix List A

- * Also foreign passport + I-94 + I-20 (F-1 students)
OR foreign passport + I-94 + DS-2019 (J-1 trainees)

	Document Type	A Citizen of the U.S.	A Noncitizen National of the U.S.	A Lawful Permanent Resident	An Alien Authorized to Work
LIST A	U.S. Passport or Passport Card	●	●		
	Permanent Resident Card or Alien Registration Receipt Card (Form I-551)			●	
	Foreign passport with temporary I-551 stamp or printed notation on a MRIV			●	
	Employment Authorization Document (Form I-766)				●
	Foreign passport with with Arrival/Departure Record (Form I-94)				●
	Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A				●

➤ List A



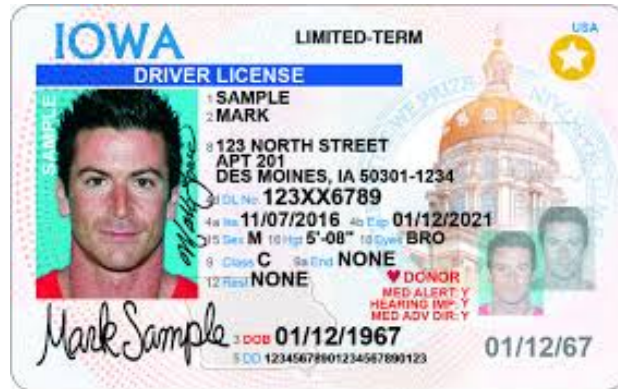
➤ I-9 Matrix List B

	Document Type	A Citizen of the U.S.	A Noncitizen National of the U.S.	A Lawful Permanent Resident	An Alien Authorized to Work
LIST B	Driver's License or ID card issued by a U.S. state or outlying possession	●	●	●	●
	ID card issued by a U.S. federal, state, or local government agency	●	●	●	●
	School ID card	●	●	●	●
	Voter registration card	●	●	●	●
	U.S.military card or draft record	●	●	●	●
	Military dependent's ID card	●	●	●	●
	U.S.Coast Guard Merchant Mariner Card	●	●	●	●
	Native American tribal document	●	●	●	●
	Driver's license issued by a Canadian government authority	●	●	●	●
	School record or report card (under age 18)	●	●	●	●
	Clinic, doctor, or hospital record (under age 18)	●	●	●	●
	Daycare or nursery school record (under age 18)	●	●	●	●

➤ List B Documents That Establish Identity Only – Must Be Unexpired

The I.D. Checking Guide is a great resource for checking state IDs and Drivers licenses.

www.idcheckingguide.com



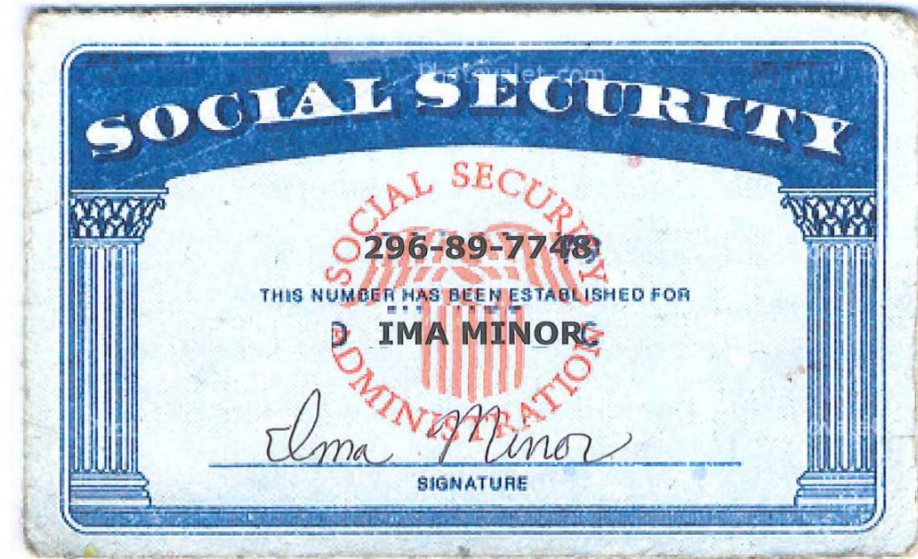
➤ I-9 Matrix List C

	Document Type	A Citizen of the U.S.	A Noncitizen National of the U.S.	A Lawful Permanent Resident	An Alien Authorized to Work
LIST C	Social Security Card*	●	●	●	●
	Certification of Birth Abroad (Form FS-545)	●	●		
	Certification of Report of Birth (Form DS-1350)	●	●		
	Consular Report of Birth Abroad (Form FS-240)	●	●		
	U.S. birth certificate (original or certified copy)	●	●		
	Native American tribal document	●	●	●	●
	U.S. Citizen ID Card (Form I-197)	●	●		
	ID Card for Use of Resident Citizen in the United States (Form I-179)	●	●		
	Employment authorization document issued by the U.S. Department of Homeland Security	●	●	●	●

***Watch for restricted SSCs – some Aliens Authorized to Work will have restricted, some will have unrestricted cards.**

➤ List C Documents that Establish Work Authorization

Social Security Card



➤ Restricted Social Security Card

LIST C:



DO NOT ACCEPT!

➤ Birth Certificate

STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH		DEPARTMENT OF HEALTH	
		FILE NUMBER 151		61 10641	
1a. Child's First Name (Type or print)		1b. Middle Name		1c. Last Name	
BARACK		HUSSEIN		OBAMA, II	
2. Sex	3. This Birth	4. If Twin or Triplet, Was Child Born		5a. Birth Date	5b. Hour
Male	Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/>	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>		Month Day Year August 4, 1961	7:24 P.M.
6a. Place of Birth: City, Town or Rural Location				6b. Island	
Honolulu				Oahu	
6c. Name of Hospital or Institution (If not in hospital or institution, give street address)				6d. Is Place of Birth Inside City or Town Limits?	
Kapiolani Maternity & Gynecological Hospital				If no, give judicial district Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
7a. Usual Residence of Mother: City, Town or Rural Location			7b. Island	7c. County and State or Foreign Country	
Honolulu			Oahu	Honolulu, Hawaii	
7d. Street Address				7e. Is Residence Inside City or Town Limits?	
6085 Kalaniana'ole Highway				If no, give judicial district Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
7f. Mother's Mailing Address				7g. Is Residence on a Farm or Plantation?	
				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
8. Full Name of Father			9. Race of Father		
BARACK HUSSEIN OBAMA			African		
10. Age of Father	11. Birthplace (Island, State or Foreign Country)	12a. Usual Occupation		12b. Kind of Business or Industry	
25	Kenya, East Africa	Student		University	
13. Full Maiden Name of Mother			14. Race of Mother		
STANLEY ANN DUNHAM			Caucasian		
15. Age of Mother	16. Birthplace (Island, State or Foreign Country)	17a. Type of Occupation Outside Home During Pregnancy		17b. Date Last Worked	
18	Wichita, Kansas	None			
I certify that the above stated information is true and correct to the best of my knowledge.		18a. Signature of Parent or Other Informant		Parent <input checked="" type="checkbox"/>	18b. Date of Signature
		<i>Stanley Ann Dunham Obama</i>		Other <input type="checkbox"/>	8-7-61
I hereby certify that this child was born alive on the date and hour stated above.		19a. Signature of Attendant		M.D. <input checked="" type="checkbox"/>	19b. Date of Signature
		<i>David A. Similan</i>		D.O. <input type="checkbox"/>	8-8-61
20. Date Accepted by Local Reg.		21. Signature of Local Registrar		Midwife <input type="checkbox"/>	Other <input type="checkbox"/>
AUG - 8 1961		<i>U. Lee</i>			
22. Date Accepted by Reg. General					
AUG - 8 1961					
23. Evidence for Delayed Filing or Alteration					

➤ Beware of the Hospital Certificate! It is not a valid List C document.

Birth Certificate
American Fork Community Hospital
American Fork, Utah

This Certifies that, Ernest Wesley Fowlke
was born to Pearl Jolley & Darmont H. Fowlke
in this Hospital at 10¹⁶ 4^m, Thursday
the 9th day of October 1947

In Witness Whereof the attending Physician has hereunto set his hand and the said Hospital has caused this Certificate to be signed by its duly authorized officer and its Official Seal to be hereunto affixed.

Grant J. Anderson ATTENDING PHYSICIAN Maude Humphries SUPERINTENDENT



➤ List (c)(7) “Other”

U.S. Citizenship Certificates

Expired I-551 + I-797 receipt for extension

I-20 endorsed for CPT + I-94

DS-2019 endorsed for work + I-94

Other possibilities

➤ Lawful Permanent Resident (“Green Card”) (I-551)

“Alien Authorized to Work”

Non-immigrant or Temporary Status

- B (Visitor)
- E1/E2 (Investor/Treaty Trade)
- E-3 (Australia)
- F (Student)
- H-1B (Specialty Worker)
- J-1 (Trainee)
- L (Intracompany Transfer)
- O (Extraordinary)
- TN (USMCA)
- TPS*
- Employment Authorization Document I-766
- Asylee/Refugee*

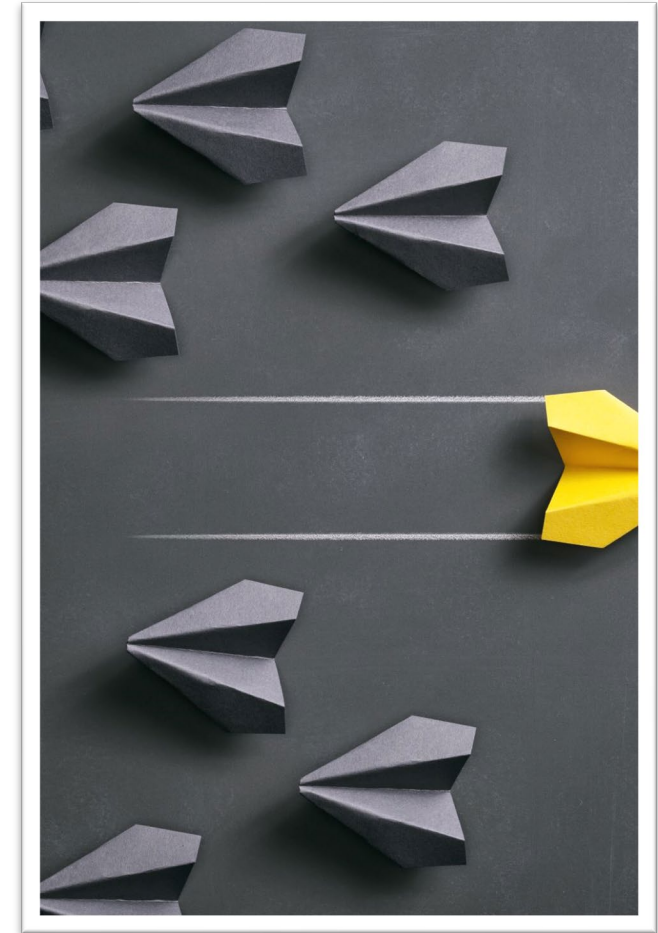
* Specific Rules Apply

➤ I-766 Employment Authorization Cards - Temporary



➤ Automatic 180 Day Revalidation for Certain EADs

- Starting January 17, 2017, USCIS started to automatically extend certain expiring EADs for up to 180 days for applicants who:
 - (1) Properly filed for a renewal EAD before their current EAD expired, and
 - (2) The EAD renewal is under a category that is eligible for an automatic 180-day extension and
 - (3) The Category on the current EAD matches the “Class Requested” listed on this Notice of Action.
 - Note: If the employee is a TPS beneficiary or pending applicant, the EAD and this Notice must contain either the A12 or C19 category, but the categories do not need to match each other.



➤ Class of EADs Eligible for 180 Day Revalidation

The eligibility category	Description
(a)(3)	Refugee
(a)(5)	Asylee
(a)(7)	N-8 or N-9
(a)(8)	Citizen of Micronesia, Marshall Islands, or Palau
(a)(10)	Withholding of Deportation or Removal Granted
(a)(12)	Temporary Protected Status (TPS) Granted
(c)(8)	Asylum Application Pending
(c)(9)	Pending Adjustment of Status under Section 245 of the Act
(c)(10)	Suspension of Deportation Applicants (filed before April 1, 1997) Cancellation of Removal Applicants Special Rule Cancellation of Removal Applicants Under NACARA
(c)(16)	Creation of Record (Adjustment Based on Continuous Residence Since January 1, 1972)
(c)(19)	Pending initial application for TPS where USCIS determines applicant is prima facie eligible for TPS and can receive an EAD as a "temporary treatment benefit".
(c)(20)	Section 210 Legalization (pending I-700)
(c)(22)	Section 245A Legalization (pending I-687)
(c)(24)	LIFE Legalization
(c)(31)	VAWA Self-Petitioners

➤ Onboarding Practices

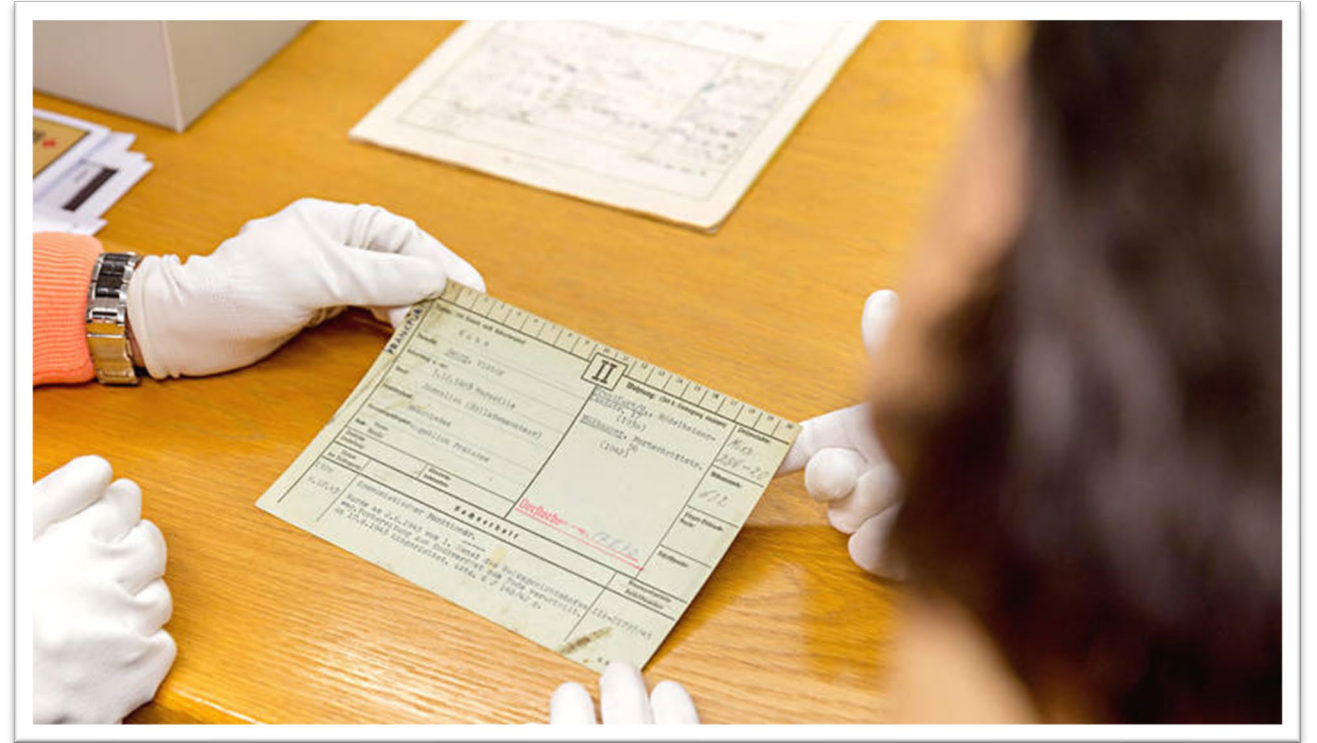
- To complete Section 2, the employee must bring acceptable documents from List A, B or C as indicated in the Form I-9 instructions. You cannot direct the employee to present specific documents.



A common error by I-9 completers is to ask an employee to bring “two forms of ID” or “a driver’s license and social security card.” The correct method is to request the employee to bring “employment eligibility verification” and hand him/her the list of acceptable documents.

➤ Onboarding Continued

- Must review ORIGINAL documents. No scans, emails, photos, texts, facetime or skype.
- Able to use an “agent” for remote hires. Can be a notary in some states.
- If remote hire, develop remote protocols.



➤ Completing Forms on Time

- **Section 1 = On or before the first day of work for pay**
- **Section 2 = Within three days of the date of hire. Monday-Thursday rule.**
- **DON'T SHARE SECTION 2.** It has been confirmed that the person who reviews the documents must complete all of Section 2.



➤ Recording Name Changes For Current Employees

1. You are not required to update Form I-9 when an employee changes his/her name.
2. USCIS “recommends” that you maintain correct information and note any changes in Section 3.
3. The regulations do not require that an employee present documentation to prove the name change.
4. You may “ask” the employee for the basis of the name change to be reasonably assured of the truth.
5. You can require proof of the name change for payroll purposes, in order to avoid SSA mismatches or E-verify problems (for E-verify employers have special rules).

➤ Advanced Documentation Issues



➤ Receipts

Table 1: Receipts

Receipt	Who may present this receipt?	Is this receipt proof of employment authorization and/or identity?	How long is this receipt valid?	What must the employee present at the end of the receipt validity period?
A receipt for a replacement of a lost, stolen, or damaged document	All employees	A receipt fulfills the verification requirements of the document for which the receipt was issued (can be List A, List B, or List C)	90 days from date of hire or, for reverification, the date employment authorization expires	The actual document for which the receipt was issued
The arrival portion of the Form I-94 or I-94A containing a Temporary I-551 stamp and photograph	Lawful Permanent Residents	Employment authorization and identity (List A)	Until the expiration date of the Temporary I-551 stamp or, if no expiration date, one year from date of issue	The actual Form I-551 (Permanent Resident Card, or "green card")
The departure portion of Form I-94 or I-94A with an unexpired refugee admission stamp	Refugees	Employment authorization and identity (List A)	90 days from date of hire or, for reverification, the date employment authorization expires	An unexpired EAD (Form I-766) or a combination of a valid List B document and an unrestricted Social Security card

➤ TPS

- TPS –Temporary Protected Status <https://www.uscis.gov/humanitarian/temporary-protected-status>
- Individuals with TPS generally choose to present a Form I-766, Employment Authorization Document (EAD), issued under category A12 (TPS granted) or C19 (TPS applicant). Employers can find the EAD category printed on the face of the EAD card. An unexpired EAD is acceptable proof of identify and employment authorization, and can be recorded in List A of Section 2 of the Form I-9.
- In some cases, a worker with TPS will present an expired EAD card. A Form I-797, Notice of Action (receipt notice), presented by the TPS worker, may be evidence of a timely filed renewal application, and it may be acceptable evidence of continued employment authorization. DHS may also issue blanket automatic extensions of employment authorization, regardless of when the TPS worker applied for renewal. In this latter case there may be no documentation needed by the employee. Always check the website above.

➤ Introduction to Deferred Enforced Departure

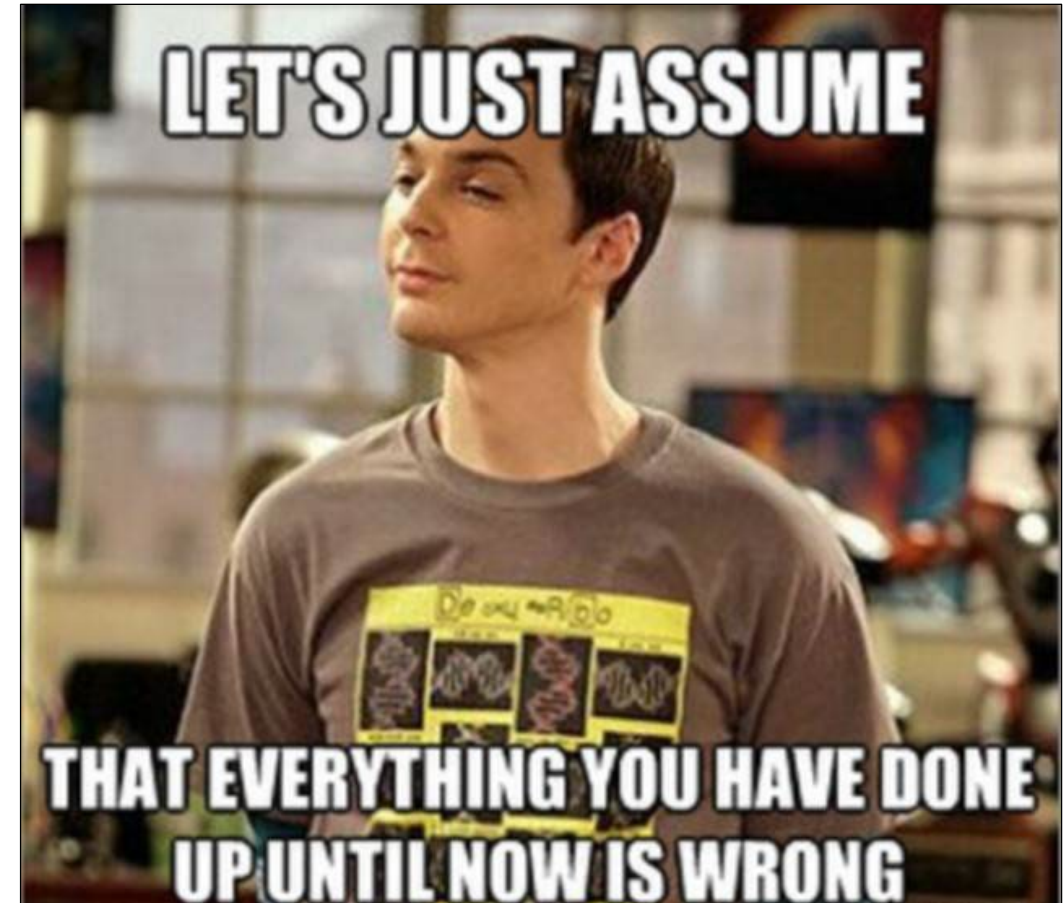
- Like TPS, DED allows individuals of designated countries to remain and work in the United States. Presidents use their discretionary power in managing foreign relations in designate DED for specific countries. At this time, only Liberia and Venezuela are designated for DED, with U.S. officials granting EADs for work authorization during approved DED periods.

DED and the Form I-9

- Completing Forms I-9 for workers with DED is similar to completing Sections 1 and 2 for TPS workers, but the category listed on the employee's EAD card will be A11. As with TPS, individuals with DED are frequently granted automatic extensions on EAD expiration dates. The procedures outlined above for TPS workers also apply to recording these automatic extension dates on the Form I-9.

➤ Purging Rules

- Never purge the I-9 of an active employee.
- Purge I-9's one year after date of termination or three years after date of hire, whichever is later.
- Equifax calculates this and notifies you. Always double check to ensure accuracy.



➤ Basic Training



➤ E-Verify Results



Employment Authorized

The employee is authorized to work.



Tentative Nonconfirmation (TNC)

There is a mismatch between information submitted and the government databases.



Final Nonconfirmation (FNC)

Employer is instructed to terminate employee.

➤ E-Verify Misuse

Pre-screening
employment
applications

Using the program
selectively based on a
suspicion of
unauthorized status or
based on national origin

Firing an employee
during the TNC process

Submitting current
(existing) employees to
E-Verify when the
employee is not a
qualifying federal
contractor

Not properly referring
the employee to the
SSA or DHS to resolve
a TNC

Completing new I-9s for
employees when it is
not warranted

➤ E-Verify Monitoring

- USCIS uses algorithms to detect patterns of potential program misuse based upon certain “behaviors”
- E-Verify produces monthly non-compliance reports, communicate with employers principally via e-mail, then conducts a 90-day look-back to see if corrective steps have been taken
- E-Verify may also conduct a desk review or onsite visit and refer cases directly to other government agencies in the event of issues

TNC Referral Process - 10 days

TNC Referred Process - 8 days

E-Verify issued the TNC Result



1

Employer and employee must take action as soon as possible within 10 federal government working days after E-Verify issued the TNC result



2

Employer notifies employee of TNC



3

Employee notifies employer whether he/she will take action to begin resolving the TNC



4

If employee contests TNC, employer refers case to SSA and/or DHS



5

Employee visits SSA and/or calls DHS within 8 federal government working days



6

Employer receives updated results



7

Employer closes the case

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Easing of COVID-19 Travel Restrictions Expected in May

By Amy L. Peck on March 25, 2021

POSTED IN BIDEN ADMINISTRATION, COVID-19, TRAVEL (GENERAL), TRAVEL BAN

Some of the inbound international travel restrictions that have bedeviled U.S. employers reportedly are expected to be lifted by mid-May.

This will include restrictions on travel from the UK, Europe, and Brazil, as well as the travel restrictions at the Northern and Southern borders, which were recently continued until April 21, 2021. An [anonymous senior administration official said](#) there would be a “sea-change in mid-May when vaccines are more widely available to everyone.”

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Before Q&A



HRCI/SHRM
certificate is in
the handout
section



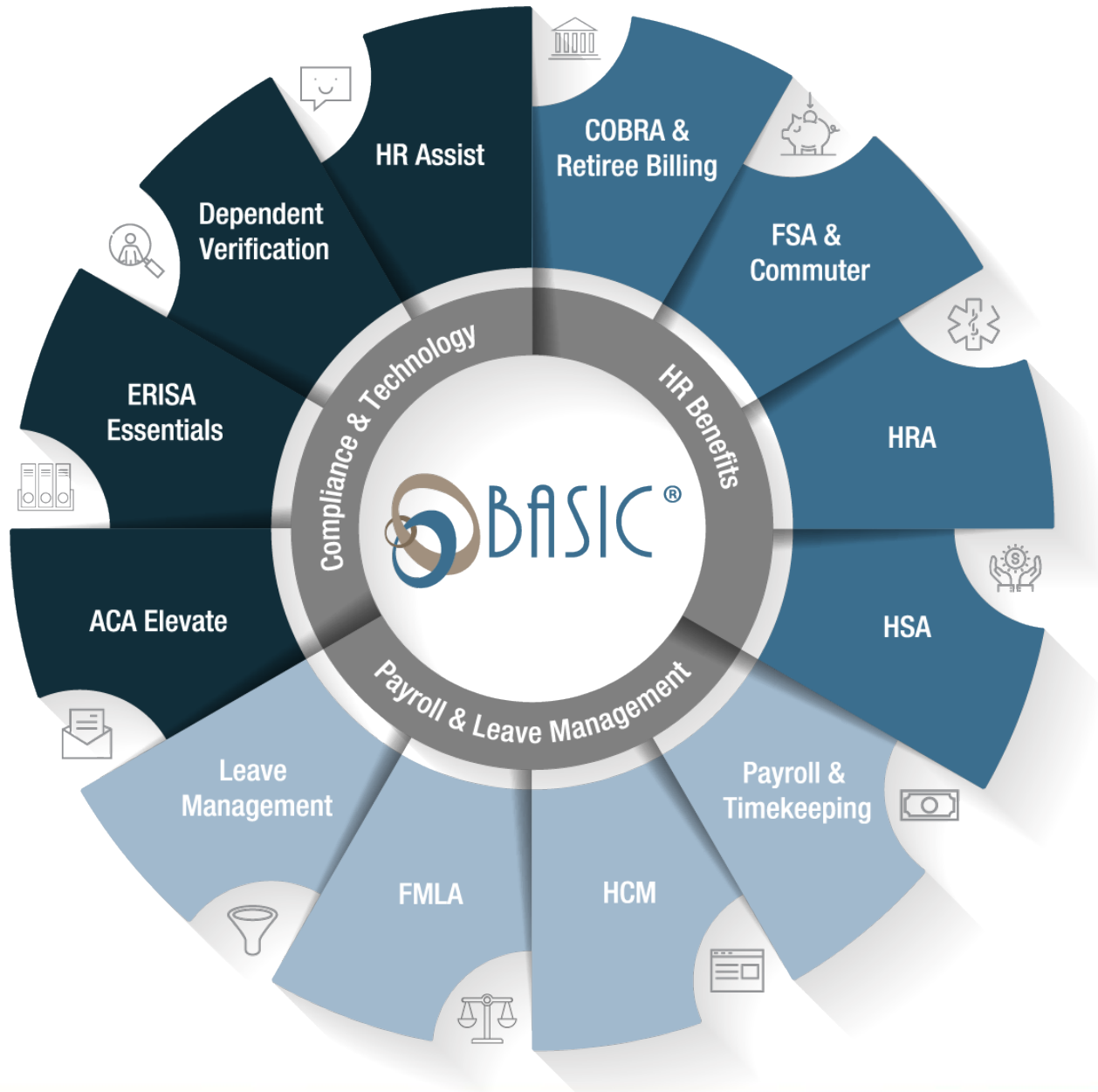
Receive an email
tomorrow with
the certificate &
recording



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