



**Procedure for Emory
University Hires/Rehires
Effective November 19, 2007**

What is E-Verify?

- E-Verify is an Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS) in partnership with the Social Security Administration (SSA).
- E-Verify provides an automated link to Federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers.

Benefits of E-Verify

- Compliance with GA Security and Immigration Compliance Act of 2006
- Compliance with requirements for Emory University Sponsored Programs
- Improves the accuracy of wage and tax reporting
- Protects jobs for authorized workers, and helps U.S. employers maintain a legal workforce.
- Assists in prevention of fraud and identity theft

To Whom Does the E-Verify Process Apply?

- Applies to all Emory University and Emory Healthcare hires and rehires
 - includes student and temporary employees
- Does not apply to existing employees

When is Verification Done?

- The earliest the employer may initiate a query is after an individual accepts an offer of employment and after the employee and employer complete the Form I-9.
- The employer must initiate the query no later than the end of three business days after the new hire's actual start date.
- HR Data Services will submit data for verification upon receipt of the completed I-9 and supporting documents.

What Information is Verified?

- Employee Name
- Date of Birth
- Citizenship Status attested to on I-9
- Alien # or I-94 # (if applicable)
- Document Type(s) submitted for I-9
- Proof of identity and expiration date (if applicable)

What if the Data Provided Does Not Match SSA?

- The employee should continue to work
- The employee and supervisor will be notified by Data Services of a Tentative Non-Confirmation in E-Verify
- The employee will need to come in person to HR Services to discuss response
- Employee must indicate in writing on a E-Verify form whether or not they choose to contest the E-verify finding of a Tentative Non-Confirmation

Tentative Non-Confirmation Response

If the employee decides to **Not Contest**

- Employee will immediately be terminated from Emory University
- Data Services will contact Employee Relations who will contact the supervisor to discuss termination and the steps needed to complete the termination via HRAF or Emory HR Web
- The reason code to be used is FNC – Final Non-confirm E-Verify

Tentative Non-Confirmation Response

If the employee decision is **To Contest the employee:**

- **Should continue to work**
- Will be referred to either SSA or DHS to contest the finding within 8 Government workdays
- Data Services will re-submit query to E-Verify
- If verified, employee will return to work
- If result is a Final Non-Confirmation, Data Services will notify Employee Relations who will work with the employee and the department regarding termination from Emory.

Tentative Non-Confirmations

- Although an employer may initiate the query before a new hire's actual start date, it may not pre-screen applicants and may not delay training or an actual start date based upon a tentative non-confirmation or a delay in the receipt of a confirmation of employment authorization.
- In short, an employee should not face any adverse employment consequences based upon an employer's use of E-Verify unless a query results in a ***final non-confirmation at the time of the second query.***
- Emory University policy now allows for up to 8 hours of paid time to contest a Tentative Non-confirmation.
 - Must occur within allowable time frame to contest
 - Abuse of this policy may be grounds for dismissal

Form I-9: New Requirements w/ E-Verify

- Employers participating in E-Verify must limit List B documents for the Form I-9 to those bearing a photograph.
- Employers need to use a consistent form of the full legal name and the correct D.O.B. on all hire paperwork.

What if the employee does not have an SSN?

- HR Data Services will assign a “dummy SSN” per usual and enter the hire data.
- The employee is required by law to apply for a valid SSN
- The valid SSN should be reported as soon as possible to Carolynn Miller @ (404) 727-7563
- Once a valid SSN is available, HR Data Services will initiate an E-Verify query

Questions

- Questions about E-verify may be directed to:
 - Mary Smith, Sr. Director, Human Resources @ (404) 727-0423 or msmith@emory.edu
 - Carolynn Miller, Manager, Human Resources Data Services & Technical Services @ (404) 727-7563 or cmmille@emory.edu