## USE OF E-VERIFY TO DOCUMENT EMPLOYMENT ELIGIBILITY

**Scope:**      All campuses served by Louisiana State University (LSU) Office of Accounting Services.

**Effective:**      September 8, 2009.

**Purpose:**      E-Verify is an internet based system used to confirm United States employment authorization that is operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA).  Federal contractors and subcontractors are required to use the E-Verify process for employees, regardless of citizenship, who are assigned to a federal contract that includes the Federal Acquisition Regulation (FAR) E-Verify clause, is greater than $100,000 in value, and longer than 120 days in duration.  For higher education institutions, only new hires and existing employees actually assigned to a federal contract meeting E-Verify criteria must be verified.  A detailed description of the E-Verify system can be found in the E-Verify User Manual located at www.dhs.gov/E-Verify.  The required notice indicating LSU's participation in the E-Verify program and the Right to Work Poster issued by the Office of Special Counsel for Immigration-Related Unfair Employment Practices must be posted by each HRM Office in both English and Spanish.

**Procedures:**

The Office of Sponsored Programs (OSP) for each campus will inform Sponsored Program Accounting (SPA) when a contract meeting the E-Verify criteria is awarded to a Baton Rouge paid campus or when an existing contract is amended to include the E-Verify clause.  The account number assigned to the contract will be flagged on the Chart of Accounts (COA).  This flag will be used to match against account numbers on Personnel Action Forms (PAFs) to identify any individuals employed on the contract.  The procedures outlined below should be followed in order to comply with the requirements of E-Verify:

A.  User roles must be defined within HRM offices of each Baton Rouge paid campus and the LSU Payroll Office. The HRM offices will be responsible for the verification of faculty, professional, classified and transient employees.  The LSU Payroll Office will be responsible for the verification of student employees and Graduate Assistants (GAs) who are performing substantial duties on the contract.

    1.  Program Administrator – creates user accounts at their site for other Program Administrators; can view reports, perform queries, update profile information and unlock user accounts.

    2.  General User – performs verification queries, views reports and can update their user account.

B.  An E-Verify case will be created using the information from the I-9 form completed by the employee upon employment.  New employees must be verified in the E-Verify system no later than 30 days after their hire date; however, the I-9 form must still be completed within three (3) workdays.  Existing employees working on a sponsored project with the FAR E-Verify clause in the contract must be enrolled in E-Verify within thirty (30) days of the notification of the initial contractor award date or amended contract date.  Once the I-9 information is entered into E-Verify, a case result is provided which ultimately determines an employee's eligibility to work.

The E-Verify system determines case results based on information compared with SSA and DHS databases. If the information matches, a result is received immediately. If there is a discrepancy, the user will be prompted to review the information for accuracy. Once the review is complete, one of the following responses will be received:

| E-Verify Response | Code |
|---|---|
| Employment Authorized | Y |
| SSA Tentative Nonconfirmation (SSA TNC) | S |
| SSA Final Nonconfirmation | F |
| SSA Case in Continuance | C |
| DHS Tentative Nonconfirmation (DHS TNC) | D |
| DHS Final Nonconfirmation | H |
| DHS Case in Continuance | T |
| Name Different – Referred to DHS Analyst | N |
| Photo Non-Match – Referred to DHS | P |

1. Employment Authorized – This response indicates that employment authorization is verified and the case may be resolved. This response should be coded as Y on the Demographic screen and no further action is required.

2. SSA Tentative Nonconfirmation (SSA TNC) – This response indicates that the employee's Social Security information could not be verified. The employee must be notified of the TNC response and referred to SSA if the SSA TNC is contested. This response should be coded as S (referred to SSA) on the Demographic screen. This response will require daily follow-up in the E-Verify system until the case is resolved. Once the case is resolved satisfactorily, the response should be coded as Y. If the case is not satisfactorily resolved, the response should be coded as F.

3. DHS Tentative Nonconfirmation (DHS TNC) – This response indicates that the non-citizen's information matches the information contained in SSA records, but did not match DHS records. The case is automatically referred to DHS for further verification. The employee must be notified of the TNC response and referred to DHS if the DHS TNC is contested. This response should be coded as D (referred to DHS) on the Demographic screen. This response will require daily follow-up in the E-Verify system until the case is resolved. Once the case is resolved satisfactorily, the response should be coded as Y. If the case is not satisfactorily resolved, the response should be coded as H.

4. SSA or DHS Case in Continuance – This response indicates that the agency requires additional time to confirm employment authorization. The Demographic screen should be coded C or T as appropriate. This response will require daily follow-up in the E-Verify system until the case is resolved. Once the case is resolved satisfactorily, the response should be coded as Y. If the case is not satisfactorily resolved, the response should be coded as either F or H as appropriate.

5. If the name displayed by the E-Verify system is different from the name submitted to E-Verify, additional verification should be requested. E-Verify will forward the case to a DHS management program analyst (MPA). A response from DHS could take up to three (3) workdays. This response should be coded as N (requested additional information from DHS) until the case is satisfactorily resolved. This response will

require daily follow-up in the E-Verify system until the case is resolved.  Once the case is resolved satisfactorily, the response should be coded as Y.  If the case is not satisfactorily resolved, the response should be coded as H.

6. Photo matching is an automatic part of the E-Verify process that ensures the IDs provided are valid. When an employee presents a Permanent Resident Card (I-551) or an Employment Authorization Document (I-766) for their I-9 documentation, the employee's photo automatically displays on the E-Verify screen.  The two photos should be identical.  Employers should be able to reasonably determine if the photographs match, but may account for minor variances in shading and detail based on age and wear of the document and quality of computer monitor.  If there is a photo non-match, the employee must be referred to DHS to resolve the discrepancy.  This response should be coded as P (photos did not match) until the case is satisfactorily resolved.  This response will require daily follow-up in the E-Verify system until the case is resolved.  Once the case is resolved satisfactorily, the response should be coded as Y.  If the case is not satisfactorily resolved, the response should be coded as H.

The E-Verify date field on the Demographic screen should be updated for each option above as the case progresses.

C. Employees whose case result is TNC (SSA or DHS) must be notified and provided the opportunity to contest the TNC and resolve the discrepancy.  Employees must be allowed to continue to work without penalty during the verification process, while a TNC is pending.  If an employee does not contest the TNC, employment must be terminated.  The HRM office of each campus will handle termination of employees with the respective departments.  If an employee chooses to contest the TNC, the employee must be electronically referred to the appropriate agency following instructions included in the E-Verify User Manual.  The employee must visit the appropriate agency within eight (8) workdays of referral in an effort to resolve the TNC.

D. Employees whose case result is either SSA Final Nonconfirmation (F) or DHS Final Nonconfirmation (H) must be terminated.  The HRM office of each campus will handle termination of employees with the respective departments.

E. The final step in the E-Verify process is to close (resolve) a case.  Cases must be reviewed periodically to insure the cases have been closed after final resolution.

F. Two reports will be generated daily to assist in the E-Verify process:

1. "Employees Requiring E-Verify Confirmation" – this report will inform the General User identified for each campus and the Payroll Office of the need to use E-Verify to authorize employment for a new hire or an existing employee.  The report will include the employee name and LSU ID.

2. "E-Verify Status Report" – this report will inform the General User identified for each campus and the Payroll Office of the status of an employee's case after submitting verification.  The report will include the employee name, LSU ID, account number, date verified and the E-Verify status coded on the Demographic screen.  This report is the tool to be used to know which cases are still unresolved in the E-Verify system or have not had final status updates in the HRM system.