HR COMPLIANCE SNAPSHOT

E-Verify vs. Form I-9

E-Verify is a free web-based system that allows enrolled employers to verify the identity and employment eligibility of their newly hired employees. Individuals may use E-Verify Self Check to confirm their own employment eligibility.

While E-Verify uses information from Form I-9, there are important differences between Form I-9 and E-Verify requirements. For example, all employers must complete Form I-9 for all employees, but E-Verify is voluntary for most employers. While a Social Security number and photographs of List B documents are not required to complete Form I-9, they are required for E-Verify. Furthermore, employers must use Form I-9 to reverify expired employment eligibility documents; employers may not use E-Verify to reverify expired employment eligibility.

How E-Verify Works

The E-Verify process begins with a completed Form I-9. Employers enter an employee's Form I-9 information into E-Verify, which verifies the employee's employment eligibility by comparing the employee's Form I-9 information with Social Security Administration and U.S. Department of Homeland Security records. E-Verify will either confirm the employee's employment eligibility or indicate that the employee needs to take further action to verify their employment eligibility. The process of verifying an individual's employment eligibility is referred to as a "case."

E-Verify does not change the timelines for complying with Form I-9 requirements. Employers must still create an E-Verify case no later than the third business day after a newly hired employee starts working for pay.

E-Verify allows employers to use an agent to act on their behalf to verify the employment eligibility of newly hired employees and employees assigned to a federal contract.

Important Dates

July 21, 2023
The U.S. Citizenship and Immigration Services agency (USCIS) announced a new Form I-9. The new form allows employers that are enrolled in E-Verify and in good standing to complete remote verification of Form I-9 documents.

Aug. 1, 2023
Employers may begin using the revised Form I-9. Employers must complete the transition to using the revised form by Nov. 1, 2023.

Highlights

Under current requirements, employers must physically inspect Form I-9 acceptable documents to certify their employees are authorized to work in the United States. However, the new form includes alternative remote verification procedures employers enrolled in E-Verify can use to comply with their Form I-9 obligations.

Provided to you by **ToughComp 212-390-8772/info@toughcomp.com**