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USCIS Launches Redesigned E-Verify System

On June 14, 2010, United States Citizenship and Immigration Services (USCIS) released a redesigned web interface for the E-Verify system. The new web interface should provide employers with more streamlined access to E-Verify services and enhanced user support. Improvements to the system include straightforward navigational tools, a real-time employer validation enrollment process, an updated home page, and step-by-step tutorials. Enhanced security features have also been implemented to mask Social Security numbers and ensure the validity of employer enrollment, minimizing the possibility of fraudulent access.

Important Changes to the E-Verify System You Should Know About

1. Case Alerts – Employers will now receive case alerts upon login to the E-Verify system. Only company representatives with access to case management will receive the case alerts. There are three types of case alerts included in the system:



- **Open Cases to be Closed** – This alert notifies an employer when to complete the verification process for a case. When a case receives a final result (for example, “employment authorized” or “final nonconfirmation”), the employer is directed to “close” the case in this alert. The previous terminology for this action was to “resolve” the case.
- **Cases with New Updates** – An employer receives this type of alert when the status of a case has changed. A case may appear in both this section and the Open Cases to be Closed section (for example, an employee whose work authorization has been approved will be listed as “employment authorized” in both sections, and once the case is closed the alert will be removed from both sections).
- **Work Authorization Docs Expiring** – These alerts can serve as a tickler system for employers to update an employee’s Form I-9 in Section 3.

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No action in E-Verify is required, as a new case cannot be created in the system for an employee based on continued work authorization. Cases appear in this section 90 days before work authorization ends, and remain in the folder until dismissed by the employer or until 30 days past the document's expiration.

Note: Employers cannot update E-Verify with an employee's extended work authorization data. Therefore, the system will not provide future case alerts for the employee.

2. Hire Date – A hire date must be included for all cases entered into E-Verify. The hire date is either the date the employee begins working *or* the date the case is created in E-Verify.

E-Verify does not allow employers to enter a future hire date into the system. For an employee who completes the Form I-9 but has not yet begun work at the time the employer enters the case into E-Verify, the hire date will be the date the case is created, not the future start date of employment.

When a federal contractor subject to the Federal Acquisition Regulation (FAR) E-Verify clause creates a case for an existing employee, the hire date will always be the date the employee first started work. The hire date is always the Section 2 certification date of the original Form I-9.

3. Three Day Rule – E-Verify requires employers to enter a new case by the third business day after the employee's first day on the job. If the system determines that the hire date provided is three or more business days before the date the case is created, the employer is required to provide an explanation by selecting one of the following options:

- Awaiting Social Security number;
- Technical problems;
- Audit revealed that new hire was not run;
- Federal contractor with FAR E-Verify clause verifying an existing employee; or
- Other (if selected, the employer is to state a reason that is 200 or fewer characters and does not include any personally identifiable or sensitive information, such as Social Security numbers).

The first day the employee actually begins working is not included in the three business day calculation. For example, if the employee begins working on a Monday, the third business day after the employee's start day is Thursday (assuming all days were business days for the employer).

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4. Tutorial – Upon the first login to the redesigned system, all E-Verify users will be required to complete an updated tutorial, which begins automatically and lasts approximately 20 minutes. USCIS has also released updated user manuals and quick reference guides, which may be downloaded by visiting the “What’s New” section of the E-Verify information web page at www.dhs.gov/E-Verify.

E-Verify Background

E-Verify is a free web-based system operated by USCIS in partnership with the Social Security Administration (SSA). E-Verify allows employers to confirm the employment eligibility of their workforce by comparing information collected on an employee’s Form I-9 to data stored by the Department of Homeland Security and SSA. While participation in E-Verify is voluntary for most employers, some companies may be required by state law or federal regulation to use E-Verify. Currently, the use of E-Verify is mandatory for most companies in Arizona and Mississippi, and for all companies with federal contracts or subcontracts that contain the FAR E-Verify clause.

Contact Us

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