

Immigration issues



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Immigration Issues (E-Verify) BY tikki80 Issues Overview Every year, American businesses fill millions of temporary and permanent job openings. While each new hire requires verification of the candidate's eligibility for employment, no system exists that can guarantee the accuracy of this verification process. The HR Initiative for a Legal Workforce believes that U. S. employers, employees and the government share responsibility for a reliable, efficient, accurate system to verify employment eligibility.

Currently, efforts to address this challenge are being undertaken at all levels of government. In this section, you can read more about the current electronic employment eligibility verification system, E-Verify, as well as biometrics. E-Verify What is E-Verify? (formerly known as Basic Pilot) In 1996, Congress authorized the development of several employment verification systems as a way to improve upon the paper-based " I-9" system in place since 1986.

The " Basic Pilot" is a voluntary electronic employment verification system that developed from the 1996 law. The U. S. Citizenship and Immigration Services (USCIS) administers the Basic Pilot program, which verifies employment eligibility by cross-checking information with the Social Security Administration's (SSA) database and its own immigration records. In 2007, DHS changed the name of Basic Pilot to " E-Verify" - although E-Verify remains a voluntary pilot program.

How does E-Verify work? In addition to examining the employee's work authorization and identification documents and recording this information on Form I-9, employers participating in E-Verify must also electronically submit

certain information about the employee through E-Verify within three working days of hire. Through E-Verify, an employer can enter the name and either the Social Security number or the I-94 card number (issued when seeking admission into the U. S. into a web-based system. The system checks either the Social Security or U. S. Department of Homeland Security (DHS) databases to verify whether the employee's name and Social Security or immigration number match each other in the government's database, and whether that person is authorized to work in the United States. ? Employers participating in E-Verify receive either a confirmation or a tentative non-confirmation of the individual's work eligibility through the E-Verify system.

However, if the individual receives a tentative non-confirmation, he or she is eligible to contest that tentative non-confirmation through a 10-day secondary verification process. Employers are not permitted to terminate individuals who have received a tentative non-confirmation until the employer receives a final non-verification from this system or the 10-day time period has elapsed. Who Uses E-Verify?