

E-Verify

All employees who work for the Marketing and Regulatory Programs (MRP) must be eligible to work in the United States. The Office of Management and Budget has directed all Federal agencies to verify that eligibility for employees new to the Federal government via E-Verify.

E-Verify is an electronic system which checks employee information obtained from the Employment Eligibility Verification form (I-9 form) against records maintained by both the Department of Homeland Security (DHS) and the Social Security Administration (SSA). If the information input matches the DHS and SSA records, an 'employment authorized' message will be received. However, any discrepancy between the information input and the records at DHS and SSA will result in an alert being issued. The alert is called a *Notice of Tentative Non-Confirmation (TNC)* and further action is required.

The Human Resources Division will be verifying employment eligibility of all new hires starting December 10, 2007. The HRD will submit information from the I-9 form into the E-Verify system. If there is a discrepancy identified, the employee's supervisor – or another person designated by the program - will be contacted. The situation will be explained and a copy of a '*Notice to Employee of Tentative Non-Confirmation*' will be faxed or e-mailed to the either the supervisor or their designee, along with a copy of an SSA Referral Letter or a DHS Referral Letter.

The program representative will meet with the employee and follow up as indicated below:

- Instruct the employee to check the space on the *Notice of Tentative Non-Confirmation* indicating whether they wish to **CONTEST** or **NOT CONTEST** the finding;
- Instruct the employee to sign and date the *Notice*;
- Sign and date the *Notice* in the **Signature of Employer Representative** block;
- Give of a copy of the *Notice* to the employee;
- Fax (or e-mail) a copy of the signed *Notice* to the HRO-Minneapolis office. The original should be mailed to HRO in Minneapolis, Attn: E-Verify

If the employee contests the TNC response, the supervisor or designee must provide the employee with the appropriate referral letter (either the SSA letter or the DHS letter or both). The referral letters provide employees with specific instructions on how to contact the SSA or the DHS to resolve discrepancies.

The employee has 8 Federal work days from the date of the referral to resolve any discrepancies with the SSA or the DHS. The Human Resources Division will conduct a follow-up verification 10 work days after the date the employee is referred to the SSA or the DHS. If the discrepancy has not been resolved within that 10 work day time period, a Final Non-Confirmation will be returned. **Employees who receive Final Non-Confirmations are not eligible to be employed and will be terminated.** Human Resources will follow-up with the program on appropriate procedures to initiate the termination.

Similarly, employees who do not contest TNC responses are not eligible to remain employed by the Federal Government and will be terminated. Again, Human Resources will follow-up with the program on appropriate procedures to initiate the termination