

May, 2015

I-9 Compliance Bulletin

E-Verify Monitoring and Compliance Continues to Expand Activity

The U.S. Citizens and Immigrations Services' Monitoring and Compliance group, more than doubled its compliance actions between fiscal year 2011 and 2014; increasing the number of calls, desk reviews, and on-site visits from [42,158 in FY11 to 87,843 in FY14](#). The current role of Monitoring and Compliance is to observe system use and assist employers in complying with E-Verify manuals, Form I-9 instructions, E-Verify Memorandum of Understanding, and applicable laws.

To date, Monitoring and Compliance does not fine employers, but reserves the right to refer deliberate abusers of the E-Verify system to other agencies. In FY14, Monitoring and Compliance [referred 909 such actions](#) to the Office of Special Counsel (OSC) or Immigration and Customs Enforcement (ICE). Monitoring and Compliance monitors employer usage for possible discriminatory practices and employer misuse and seeks to give guidance on the proper use of E-Verify. Typically this is accomplished through use of desk reviews, which take place via e-mail and telephone calls or site visits that take occur at the employer's place of business.

It is important to note that while this is primarily an outreach program, Monitoring and Compliance is extremely active and those who are using the system in a good faith manner generally have little to worry about. However, employers using the E-Verify system in a deliberate non-compliant way should beware.

myE-Verify Now Accessible Nationwide

myE-Verify was initially introduced, along with Self Lock, in 5 states and Washington, D.C. in October 2014. It quickly expanded to another 16 states in January 2015 and is now available to job-seekers and employees nationwide. While E-Verify is for employers, myE-Verify is available for job seekers and employees to check their information against the same records that E-Verify checks. If there are discrepancies, a party can go through the correction process prior to an employer inquiry and help eliminate headaches in the employment process.

A valuable feature available only to myE-Verify account holders is Self Lock, which takes aim at unauthorized or fraudulent use of social security numbers within E-Verify. This program allows myE-Verify users to lock their SSN to protect their identity from those seeking to procure illegal employment.

Additionally, a feature of myE-Verify, entitled myResources, provides a job-seeker with access to information regarding E-Verify privacy, rights, roles and employer responsibilities. This information is available in several formats and languages for maximum accessibility.

Given the expanding state role in E-Verify legislation, employees and job-seekers may wish to avail themselves of this program to ensure all information on the E-Verify database is accurate and secure.

Bottom line

Employers should continuously monitor the compliance landscape to keep abreast of regulations and enforcement positions that could affect their I-9 processes. Equifax Workforce Solutions can help simplify your best practices approach to I-9 management through an easily-managed technology platform that helps ensure compliance across the jurisdictions in which you do business. To receive more information on how Equifax Workforce Solutions can assist your company in creating a strong culture of compliance with your I-9 processes, please contact Pete Krieshok at pete.krieshok@equifax.com, with the subject line of "I-9 Compliance Bulletin."