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Sent: Monday, November 2, 2020 10:06 AM

To:

Subject: The E-Verify TNC Series - The Employee's Role



E-Verify Employers: Ensure Your Employees Know How to Process a TNC



Employers whose employees receive a Tentative Nonconfirmation (TNC) must give them the Further Action Notice from E-Verify and discuss it with them privately.

The employee should then:

Step 1:

- **READ** the Further Action Notice within 10 federal government working days after E-Verify issued the TNC.
- **ENSURE** that his or her name, date of birth, and Social Security number are correct.
- **TELL** his or her employer immediately if any information is incorrect. The Further Action Notice explains what a TNC is, how to visit a Social Security Administration (SSA) field office or contact the U.S. Department of Homeland Security (DHS) and how to contest the TNC.

Step 2:

- **DECIDE** if he or she is going to contest (take action) or not contest (do not take action) the DHS or SSA TNC case result.
- **NOTIFY** the employer of his or her decision to contest or not contest the TNC within 10 federal government working days after E-Verify issued the TNC.

If the employee decides to contest the TNC (take action): The employer must refer the case to DHS or SSA through E-Verify. The employer will also give the employee a Referral Date Confirmation, which provides the date by which the employee must visit SSA or contact DHS. Continue to Step 3.

If the employee decides not to contest the TNC (not take action): The employer may terminate the employee's employment because of the TNC and there are no additional steps for the employee to take. The employer should then close the case in E-Verify.

If the employee does not tell the employer whether he or she will or will not contest the TNC within 10 federal government working days after E-Verify issued the TNC, the employer should close the case. The employer may terminate the employee's employment and there are no additional steps for the employee to take.

Step 3:

- **VISIT** an [SSA field office](#); or
- **CONTACT** DHS within 8 federal government working days to contest the TNC.

Note: Employers may not terminate, suspend, delay training, withhold or lower pay, or take any other adverse action against an employee because of the TNC or because the E-Verify case is still pending with DHS or SSA, until the TNC becomes an E-Verify Final Nonconfirmation.

Step 4:

- **WAIT** for the employer to inform the employee of the final E-Verify case result.

E-Verify will automatically update the case with the DHS or SSA result. The final case result will indicate whether E-Verify confirmed the employee's work authorization.

Employees who believe their employer misused E-Verify or discriminated against them can [Report Violations](#). To learn more about the TNC process, employees can also visit [Tentative Nonconfirmations](#).

*Visit our [Temporary Policy related to COVID-19](#) page for E-Verify and Form I-9 changes due to the coronavirus. Stay tuned for more! Follow us [@EVerify](#) on Twitter.

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