Have you heard of “E-Verify?”
It’s a flawed, costly program that’s supposed to electronically check whether new hires are authorized to work under the US’ outdated and unfair immigration rules. The truth is, E-Verify might cost you your job - whether you’re documented or undocumented. And right now, there are almost no measures in place to hold unscrupulous companies accountable for abusing the system.

A BUREAUCRATIC NIGHTMARE
Each step of the process is rife with potential abuse. Learn what to look for and how you can protect yourself.

STEPS

1. Employee is hired
   Under federal regulations, E-Verify should not be used on applicants or current workers. Yet troubling reports - including stories from workers at a northern California grocery store - show that employers are abusing E-Verify to target current workers who are standing up for their rights.

2. Hired employee fills out an I-9 form
   An employer should never ask you to present specific documents when completing the I-9 form. You have the choice of which document or documents you present. But again, there is currently no process to hold unscrupulous employers accountable.

3. If the employer uses E-Verify, the employer submits I-9 information into the E-Verify online system.
   E-Verify is not mandatory for most businesses in California. If your employer does participate, do they have “notice of participation” posters displayed in English and Spanish? If not, they’re violating the regulations.

4. The E-Verify system checks I-9 information with the SSA and the DHS databases.

5. Employer receives results of employee’s eligibility to work
   Your employer must notify you of your result “as soon as possible.” This language is vague and there are currently no accountability measures in place to ensure that employers tell workers in a timely manner of their result or rights.

6. Results can either be an immediate confirmation or a tentative non-confirmation (TNC) result, meaning the information on the I-9 form did not match the databases.
   Errors in the flawed database mean millions with work authorization will be flagged. And since our country has failed to create a common-sense immigration process, E-Verify also puts millions of undocumented workers who are contributing to our communities at risk.

7. Employers must notify the employee of a TNC result as soon as possible and the steps to be taken to appeal it.
   During the TNC appeal process, your employer cannot terminate employment, withhold or lower wages, delay your training or start date, or take any adverse action against you based on your decision to contest the result.

8. Employees must appeal the TNC result within 8 working days with the respective office (SSA or DHS).
   NO WORKER PROTECTIONS: Workers remain unable to appeal final non-confirmation results and have no right to sue employers or the government over lost wages as a result of user or system errors.

9. If the worker is unable to appeal the TNC result within the short timeframe, the employee receives a final non-confirmation, meaning the worker is not eligible to work in the United States and will be at severe risk of losing their job.

Learn more about how we can fight the harmful effects of E-Verify at www.caimmigrant.org
E-VERIFY: A THREAT TO ALL WORKERS

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What is E-Verify “verifying?”
The system checks whether the new employee’s name, birth date, and social security number match the SSA (Social Security) databases. A-numbers are checked through the DHS (Dept. of Homeland Security) database to see whether workers are authorized to work in the U.S. under their visa.

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   LOST WAGES: For workers to fix a TNC result, almost half, 49.5%, of workers reported losing partial or complete days of work (Source: NILC).

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