

FAQs



Beginning October 1, 2010, UT-Battelle will begin implementing electronic employment verification on all new hires through E-Verify in compliance with Tennessee state law.

Employee Frequently Asked Questions (FAQs)

What is E-Verify?

E-Verify is a free, internet based system for U.S. employment eligibility verification. It is administered by the U.S. Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) office.

Is E-Verify required?

Federal Acquisition Regulation (FAR) final rule requires that contractors with contracts containing the FAR E-Verify clause must now use E-Verify as a condition of our contract.

How does E-Verify work?

E-Verify works by comparing information provided on the I-9 Form to records in the SSA, DHS and USCIS databases. The result of the search is instantly returned. One of 3 results will be returned:

- Employment Authorized
- SSA Tentative Nonconfirmation (TNC)
- DHS Verification in Progress

What if I do not have a Social Security Number (SSN)?

There is no exception. All employees being verified in the E-Verify tool must possess a valid SSN. If you do not have one, you need to apply for a SSN as soon as possible. You are still required to complete the Form I-9 paperwork on your hire date but your U.S. employment eligibility cannot be initiated in E-Verify until the SSN has been obtained. As a result of completing the Form I-9 paperwork, you will be allowed to work temporarily. As soon as you have received your SSN, it is imperative that you contact your HR representative so that the E-Verify process can be initiated.

What do the E-Verify results mean?

- Employment Authorized: The employee is authorized to work.
- SSA Tentative Nonconfirmation (TNC): There is an information mismatch with SSA.
- DHS Tentative Nonconfirmation (TNC): There is an information mismatch with DHS.
- DHS Verification in Progress: DHS will usually respond within 24 hours with either an Employment Authorization or DHS Tentative Nonconfirmation.

What happens if my results return a TNC?

Receipt of a TNC means that the information entered into E-Verify does not match the information in the SSA or DHS databases. You will be contacted by Human Resources with the needed information and instructions on how to contest the mismatched information with the appropriate agency. You have eight (8) federal working days to contact the appropriate agency. During this time, UT-Battelle cannot take any adverse action against you. This includes, but is not limited to, denying pay or benefits, termination, or

delaying training. If you do not contact the appropriate agency within the 8 days or after contesting the mismatch you receive a Final Nonconfirmation, you will be considered ineligible to work and terminated by UT-Battelle.

What do I do after I receive a SSA or DHS TNC?

If you think that the TNC is in error, please take the following actions:

1. Indicate on the notice that you receive from HR that you wish to contest the Tentative Nonconfirmation. Sign and date the form.
2. You will then be given a Referral letter. It is important that you thoroughly review this letter to understand what actions you must take to clear up the information discrepancy. Details on how to contact SSA or DHS are included on this referral letter.
3. You may continue to work but you MUST contact the appropriate office (SSA or DHS) within eight (8) federal government work days to resolve the matter.
4. After you have contacted the appropriate agency, UT-Battelle will receive a response to your contesting of the Tentative Nonconfirmation within 10 federal government work days. HR will notify you of the final E-Verify result.

Is time off from work available to resolve a TNC?

Employee requests for time off to resolve a Tentative Nonconfirmation must adhere to policies for approved absence, paid time off or unpaid time off. Employee must request time off through his/her supervisor. Please contact your HR support person if you have any questions.

Will everybody be run through E-Verify?

All new hires entering into paid positions for UT-Battelle will be run through E-Verify beginning October 1, 2010. This includes, but is not limited to: Regular Full-time, Temporary Full-Time, Part-Time (regular) and Casual employees. Employees hired after November 6, 1986 and before October 1, 2010 will also be run through E-Verify unless they possess an active confidential, secret, or top secret security clearance in accordance with the National Industrial Security Operating Manual (NISPOM) or Homeland Security Presidential Directive-12 (HSPD-12) credential; a back ground check is not enough to qualify for this exemption (holders also exempt if a new hire).

Members of the HRCS group will review paper Form I-9s and where possible, use those as the basis for E-Verify submission. In some cases instances, the Form I-9 will need to be updated or revised. If this should be needed, a HRCS representative will contact the employee for assistance.

Is anyone employee exempt from the E-Verify requirement?

Employees hired on or before November 6, 1986, who have remained in continuous employment since that time will not be required to have their U.S. employment eligibility verified. The Immigration Reform and Control Act (IRCA) was implemented on November 7, 1986 and initiated the use of the Form I-9 to confirm an individuals' identity and eligibility to work in the U.S. Therefore, if a Form I-9 was not completed because an employee was hired before November 7, 1986m then the employee cannot be verified in the tool.

If my previous employer verified my information in E-Verify, must it be done again?

Yes. Under the Federal Acquisition Regulation (FAR) rule with the E-Verify clause, all federal contractors are required to enter the new employee's identity and employment information from the Form I-9 into the E-Verify tool within 3 days of the hire date.

What are my rights as an employee under E-Verify?

You have the right to provide the document(s) of your choice from the authorized list on the Form I-9 in order to establish identity and eligibility of work. However, if you choose a List B document, it must include a photograph. You also have the right to contest a TNC without adverse action being taken against you by UT-Battelle.

Who do I contact if I think I have been unfairly treated and discriminated against?

Employees who believe that they have been subjected to discrimination based upon their national origin, citizenship, or immigration status with respect to hiring, firing, or recruitment, through UT-Battelle's use of

E-Verify, or when completing the Form I-9 should call the Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration Related Unfair Employment Practices at 1-800-255-7688 (TDD: 1-800-237-2515) for assistance.

Where can I find additional information about E-Verify?

For additional information regarding E-Verify, please go to:

<http://www.dhs.gov/E-Verify>

[E-Verify Employee Brochure - English \[needs hyperlink\]](#)

[E-Verify Employee Brochure – Spanish \[needs hyperlink\]](#)