E-Verify Frequently Asked Questions
by Applicants or Employees

1. I was E-Verified by a previous employer. Do I need to be run through E-Verify again with NMSU?
   Yes. Under the rule, federal contractors are required to enter the worker’s identity and employment eligibility information into the E-Verify system following completion of the Form I-9 at the time of hire or at the time of transfer onto an E-Verifiable contract.

2. I was run through E-Verify by NMSU and now I’ve changed departments or updated my I-9. Do I need to be run through E-Verify again?
   No. Once an employee has been run through E-Verify they should not be re-verified through E-Verify by the same employer.

3. I don’t need an SSN for I-9 purposes. Why must I provide my SSN on the Form I-9 for E-Verify?
   The employee must provide his or her SSN to an E-Verify employer if the employee has one. If the employee has applied for one and is waiting to receive an SSN, the employer should make a notation on their Form I-9 and proceed with E-Verify upon receipt of the SSN.

4. I was told that I have a Tentative Nonconfirmation (TNC). This sounds serious, what does it mean?
   Must I stop working?
   Once the information has been submitted, E-Verify will compare it against millions of government records. If the information entered matches, E-Verify will return an “Employment Authorized” result. This confirms you are authorized to work in the United States. Your employer then simply closes the case to complete the E-Verify process.

   If there’s a mismatch, E-Verify will return a “Tentative Nonconfirmation” (TNC) result to HRS. HRS will notify your hiring department and who will print and review a notice with you that explains the cause of the mismatch and what it means for you. The TNC can come from either the Dept. of Homeland Security (DHS-TNC) or Social Security Administration (SSA-TNC).

   You have the right to contest the mismatch. If you wish to do so, you must schedule a meeting with a HRS Processing representative. For SSA-TNCs, the HRS representative will provide you with a Referral Letter to present to the local SSA office. The letter contains important instructions and contact information that you will need in order to resolve the mismatch.

   Regardless of whether you receive a DHS-TNC or SSA-TNC, you then have eight federal government work days from the date the case was referred in E-Verify to initiate contact with the appropriate government agency to start resolving the problem. During this time, you are allowed to continue working. NMSU will not delay your training, reduce your work hours or take any other adverse actions against you.

   E-Verify will provide an electronic update after you have taken steps to resolve the TNC. If you successfully resolve the mismatch, E-Verify will return a result of “Employment Authorized.” If the mismatch is not resolved, E-Verify will return a “Final Nonconfirmation” (FNC) result and NMSU must terminate you.

   In rare cases, the Department of Homeland Security or Social Security Administration might need more time to verify your employment eligibility. When this happens, E-Verify will return a “Case in Continuance” result. When your case is in continuance NMSU will allow you to continue to work until E-Verify gives a final result of “Employment Authorized” or a “Final Nonconfirmation.”
5. **What can employees do who feel they have been subject to discrimination?**

Employers may not take any adverse action against an employee because the employee contests the information mismatch. This would include firing, suspending, withholding pay or training, or otherwise infringing on the employee’s employment. Employees who think they have been subject to discrimination because of their national origin or citizenship or immigration status with respect to hiring, firing, recruitment or referral for a fee, through an employer’s use of E-Verify, or when completing Form I-9, should call OSC at 1-800-225-7688 for assistance.