

1. Why does my agency have to use E-Verify?

Senate Bill 2988 of the 2008 Legislative Session, known as the Mississippi Employment Protection Act (MEPA), requires **all Mississippi employers** to register with and use the Federal Government's E-Verify System to determine that individuals hired as employees are legal citizens or legally authorized to work in the United States. There is a phased approach for compliance based on number of employees. Mississippi state agencies and political subdivisions (cities, counties, school districts, etc.) must comply as of July 1, 2008. In addition, contractors and sub-contractors that engage with a public entity contractually must also comply as of July 1, 2008.

2. How can I register my agency for E-Verify?

To register your agency, go to the following Employer Registration website:

<https://e-verify.uscis.gov/enroll/>

- Select "yes" for question 1, *Employer Access Method*, and "no" to questions 2-4.
- During registration, you must specify your Corporate/Parent Company.
- The Corporate/Parent Company for ALL state agencies should be "**State of Mississippi Corporate Administrator.**"

3. How long does it take to complete the E-Verify registration process and tutorial?

The registration process for E-Verify can be completed fairly quickly. The length of time required to complete the E-Verify tutorial varies. The system will allow users to save information and resume later. Users will not be able to begin using E-Verify until this tutorial is completed.

4. My agency is already registered with E-Verify, but "State of Mississippi Corporate Administrator" is not listed as the Corporate / Parent Company. How can I change this information?

The program administrator should log into the employer's E-verify account via the following website:

<https://e-verify.uscis.gov/emp/>

- Click on Maintain Company Profile/Information to edit company information.
- Update the Corporate/Parent Company field by typing: State of Mississippi Corporate Administrator.
- Click on Search.
- Click on the circle beside State of Mississippi Corporate Administrator (Jackson, MS, 501 N West Street).
- Click next and save.

5. What is the procedure if the date of hire is not the same day the employee actually begins work?

The earliest the employer may initiate a query is after an individual accepts an offer of employment and after the employee and employer complete the Form I-9. The employer must initiate the query no later than the end of three business days after the new hire's actual start date. See www.uscis.gov E-Verify frequently asked questions for more details.

6. What rules will apply to agencies that hire employees referred from the Mississippi Department of Employment Security?

Agencies should contact MDES for information on hiring procedures of employee referrals sent from MDES.

7. If an employee has a break in service with the State of Mississippi, should the hiring agency submit an inquiry to E-Verify?

Yes. A break in service ends an employee's employment with the State of Mississippi. If an employee is rehired to work for the State of Mississippi, all new hire procedures will apply. If you need more information relating to Form I-9 procedures, please refer to the online resource, *Handbook for Employers*; or you may call the E-Verify Program at 1-888-464-4218.

8. Do I have to use E-Verify for contract workers?

Yes. For the purposes of Mississippi Employment Protection Act (MEPA), state agency contract workers are defined as employees and receive an IRS form W-2. Newly hired contract workers should be treated in the same manner as employees including the completion of the Form I-9 and the validation of employment eligibility via the E-Verify procedures. More information can be found at www.mspb.ms.gov/ under publications.

9. Do I have to run the E-Verify verification on student employees?

Yes. The legislation does not exclude students. Therefore, if a student is employed while he or she is attending school, his or her legal eligibility to be employed must be confirmed by the E-Verify program.

10. If an employee is tentatively not confirmed, should that person remain employed if he or she contests the tentative non-confirmation?

Yes. Employers must provide employees with an opportunity to challenge Tentative Non-confirmation responses and agree, by signing the E-Verify Memo of Understanding (MOU), not to take any adverse action against an employee based upon the employee's employment eligibility status while SSA or DHS is processing the verification request.

11. Do I have to run E-Verify verification on everyone, or is it only for foreign employees?

An employer may not use E-Verify selectively, and agrees by signing the MOU to use the E-Verify program for ALL new hires.

12. What should I do if the E-Verify website is down?

Users should wait a while and continue to attempt to access the E-Verify system again until the system becomes available and the E-Verify verification has been completed.

13. Where can I find more information and forms relating to the Form I-9 and E-Verify?

To order forms or handbooks, call the U.S. Citizenship and Immigration Service (USCIS) toll-free number at 1-800-870-3676 or download PDF versions from www.uscis.gov.

14. Who should I contact if I've forgotten my User ID or Password?

If you forget your password and you have not set up your password challenge questions, contact your agency's Program Administrator in order to obtain a temporary password. If the Program Administrator cannot update or unlock your password, contact the E-Verify Technical Help Desk at 1-800-741-5023.