



Home | Calendar | Academic Affairs | Student Affairs | President's Office | Directory | JOBS | Giving to PVAMU

Business Affairs

- ▶ Contact Information
- ▶ Organization Chart
- ▶ Staff Directory
- ▶ Forms Library
- ▶ Policy Library
- ▶ Reports Library
- ▶ Business Affairs Calendar
- ▶ Send us your comments

Business Affairs Services

▶ HR Systems

- JOBS at PVAMU
- PV PATH
- PV PAWS
- Single Sign On

▶ HR Functions

- ▶ Benefits Services
- ▶ Compensation & Classification Services
- ▶ Employee Relations Services

▼ Employment Services

- **E-Verify**
- Foreign Education Evaluation
- ▶ Getting Hired
- ▶ Immigration Services
- ▶ Leave Services
- ▶ Training Services
- Employee Clearance
- Longevity / State Service
- New Employees
- Performance Evaluations
- Workers' Compensation

▶ HR Resources

- Human Resources Forms
- Human Resources Calendar
- ▶ Frequently Asked Questions
- Human Resources Staff
- Locating HR
- Send Us Your Comments
- Annual Enrollment
- Current Employees
- Health & Financial Fair
- HR Services
- ▶ Managers/Supervisors
- Prospective Employees
- Resources
- Retirees
- Self-Serve
- University Faculty Positions Listing
- What's New in HR

Office of Human Resources

Home Student Portal Panther Email Printable Version

Home » Business Affairs » Business Affairs Services » Human Resources » Employment Services » E-Verify

E-Verify

E-Verify is an internet based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees.

How Does E-Verify Affect me as an employee?

Federal law requires that all employers verify the identity and employment eligibility of all new employees (including U.S. citizens) within three days of hire. Employees are required to complete the Form I-9, and employees must provide employers with documentation establishing both identity and eligibility to work in the United States.

Through E-Verify, employers send information about you from your Form I-9 to Social Security Administration and Department of Homeland Security to ensure that you are authorized to work in the United States and that your name, Social Security Number, date of birth, citizenship status, and any other non-citizen information you choose to provide your employer on the Form I-9 match government records.

Know Your Rights

- Employers must post a notice informing employees of their use of E-verify.
- E-Verify must be used for new hires only. It cannot be used to verify the employment eligibility of current employees.
- E-Verify must be used for all new hires regardless of national origin or citizenship status. It may not be used selectively.
- E-Verify must be used only after hire and after completion of the Form I-9. Employers may not pre-screen applicants through E-Verify.
- If an employee receives an information mismatch from their Form I-9 and Social Security Administration and Department of Homeland Security databases, the employer must promptly provide the employee with information about how to challenge the information mismatch, including a written notice generated by E-Verify.
- If an employee decides to challenge the information mismatch, the employer must provide the person with a referral letter issued by E-Verify that contains specific instructions and contact information.
- Employers may not take any adverse action against an employee because he/she contests the information mismatch. This includes firing, suspending, withholding pay or training, or otherwise infringing upon his/her employment.
- The employee must be given eight federal government work days to contact the appropriate federal agency to contest the information mismatch.
- If an employee receives a Social Security Administration Tentative Non-Confirmation (TNC), they have the option of visiting a Social Security Administration field office to update their record or if the employee is a naturalized citizen, the employee may choose to call USCIS directly to resolve the TNC. The phone number can be found on the Social Security Administration referral letter.

[You Should Know Your Rights and Responsibilities under E-Verify](#)

[Debe Conocer sus Derechos y Responsabilidades de Conformidad con E-Verify](#)

[OSC Employee Rights Poster](#)

[OSC Employee Rights Poster in Spanish](#)

More information can be found at the [U.S. Citizenship and Immigration Services](#) website.

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