

OMB #:
Exp.:



**Department of Homeland Security
E-Verify Evaluation in Arizona
Employer Interview Protocol**

**General Employers
Revised February 13, 2009**

Conducted by:
Westat

LABEL

INTERVIEWER: _____

DATE OF INTERVIEW: |__| |__| |__| |__| |__| |__|
MONTH DAY YEAR

START TIME: |__:__| a.m. or p.m. (circle one)

END TIME: |__:__| a.m. or p.m. (circle one)

RESULT CODE: |__|

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Introduction

SAY TO EMPLOYER:

(Welcome.) Thank you for agreeing to take the time to talk with me today. This interview is part of a study of E-Verify, a program sponsored by the US Citizenship and Immigration Services (USCIS) that is now required for all Arizona employers.

(Goal of interview) The goals of the evaluation are to understand how well E-Verify is working in Arizona and to make recommendations to USCIS about how it could be improved. Your answers will be used to help us achieve this goal.

(Confirm confidentiality of responses.) Your answers will be kept strictly confidential to the extent permitted by law and no individual responses or your establishment's name will be disclosed to anyone not on the evaluation team. We will report the interview findings in group summaries. Additionally, we will not give your answers to your supervisor, other co-workers at your establishment, USCIS, or anyone else.

(Time.) We anticipate that it will take about two hours to complete this interview and we may have to talk to more than one person at your establishment to obtain the information for some questions. In addition, during the process of our site visit, we may have other questions to clarify with you from time to time.

Introduction

(Interview questions.) I'd like to ask you questions about the use of the E-Verify Electronic Employment Verification system at your establishment. In answering the questions, please consider only this establishment. By that, I mean the business location, branch or division at this address. Please do not include information about other offices or sites of this company unless we explicitly ask about them.

- **(Format for this week's activities.)** In addition to interviewing you and other staff members who are involved in the verification of new employees' work authorization, I'd like to have a chance to talk to the actual data entry person(s) for E-Verify and I'd also like to see the system in use. Would it be OK to do this after we finish talking or is there a more convenient time to perform the observation during our visit?

We will also be reviewing the I-9 records for some of the verifications performed at this establishment. These employees were listed in the information we provided to you prior to our visit today.

- In addition to interviewing employers, we will be interviewing some people you have verified using E-Verify. These interviews are planned to be conducted off-site during nonbusiness hours.

Do you have any questions before we start the interview?

I. GENERAL EXPERIENCE WITH USING E-VERIFY INCLUDING PROBLEMS

SAY TO EMPLOYER: This first set of questions is about your experience with the operation of E-Verify at your establishment.

1. How did you learn about the new law requiring Arizona employers to use E-Verify?

[SELECT ALL THAT APPLY]

- 1 Letter from the state
- 2 Newspaper
- 3 Radio/TV
- 4 State of Arizona website
- 5 E-mails/letters from professional organizations
- 6 USCIS outreach/marketing/webinars
- 7 Other (Specify _____)

1a. When you first heard about the law, was it clear to you that it was a State law?

- 1 Yes
- 2 No
- 3 Don't know

1b. When you first heard about the law, did you understand that E-Verify is a program run by the Federal government?

- 1 Yes
- 2 No
- 3 Don't know

1c. What was your initial reaction to the law?

[SELECT ALL THAT APPLY]

- 1 Agreed with the law
- 2 Disagreed with the law
- 3 Thought the state law was inconsistent with federal law
- 4 Wondered how it would be enforced
- 5 Small family businesses should be exempt
- 6 Takes a lot of time to use E-Verify
- 7 Costly
- 8 More difficult to find people to hire
- 9 Other (specify _____)

1d. Did you attempt to find out information about the law from USCIS?

- 1 Yes
- 2 No SKIP TO QUESTION 1h
- 3 Don't know SKIP TO QUESTION 1h

1e. Which of the following did you do?

[SELECT ALL THAT APPLY]

- 1 Go to the USCIS website
- 2 Call the USCIS helpline
- 3 Other (specify) _____

1f. How helpful did you find the information from USCIS in understanding the law?

- 1 Very helpful SKIP TO QUESTION 1h
- 2 Helpful
- 3 Somewhat helpful
- 4 Slightly helpful
- 5 Not at all helpful

1g. What could USCIS have done better to help you to understand the law?

1h. What did you initially hear about E-Verify from other employers, professional organizations, or the media? [CLEARLY IDENTIFY EACH SOURCE AND WHAT THEY HEARD FROM EACH]

2. When did your company sign up to use the E-Verify program?

Year _____ Month _____

3. When did your company begin entering verifications?

Year _____ Month _____

[IF QUESTION 2 IS JANUARY 2008 OR LATER, SKIP TO QUESTION 4c]

4. Why did your company decide to use E-Verify before it was required?

[SELECT ALL THAT APPLY]

- 1 Started a few months before it was required so we'd be ready
- 2 Easy and/or inexpensive way to check on work authorization
- 3 To ensure our workforce was legal
- 4 Other (specify) _____

4a. Have you changed any of your E-Verify procedures since the program has been mandated in Arizona?

- 1 Yes
- 2 No SKIP TO QUESTION 5

4b. How have your procedures changed?

- 1 Reviewed or audited I-9 procedures to make sure they are accurate
- 2 Rearranged personnel files to ensure all E-Verify paperwork is maintained
- 3 Other (specify) _____

[SKIP TO QUESTION 5]

4c. Why didn't your company decide to use E-Verify before it was required?

- 1 Didn't know about E-Verify
- 2 Other (specify) _____

5. What have you found to be the most challenging aspects in implementing the law?

[SELECT ONLY ONE]

- 1 Handling TNCs
- 2 Training staff
- 3 Following the 3-day rule for using E-Verify
- 4 Conducting verifications in remote locations
- 5 Other (specify) _____

6. Have you used any computerized programs other than E-Verify (or the Web Basic Pilot) for verifying employment eligibility?

- 1 Yes
- 2 No SKIP TO QUESTION 7

6a. What other computerized program did you use to verify employment eligibility?

[SELECT ALL THAT APPLY]

- 1 Social Security Number Verification Service (SSNVS)
- 2 Earlier **non**-web-based versions of E-Verify (Basic Pilot, MRDP, or CAVP)
- 3 Commercial database such as Choicepoint
- 4 Other (please specify) _____

Sometimes companies have problems in registering for or setting up E-Verify (or the Web Basic Pilot) or using the program. I will mention a series of potential problems. If your company experienced any of them, I will ask you to describe the problem and how you handled it.

7. Did you need to do any of the following in order to set up E-Verify?

[SELECT ALL THAT APPLY]

- 1 Purchase computers
- 2 Add or update internet access
- 3 Purchase a copier or fax machine for the area where hiring or verifications are done
- 4 Hire new staff

8. Did you have any problem registering to participate in E-Verify?

- 1 Yes
- 2 No SKIP TO QUESTION 8c

8a. Please describe the problem.

- 1 Determining the type of access our company needs (e.g., DA, User of DA, general employer)
- 2 Identifying our industry type based on the industry codes (NAICS) provided
- 3 Other (specify) _____

8b. How did you handle the problem of registering to participate in E-Verify?

8c. Did you have any problem setting up individual accounts for your staff performing E-Verify evaluations?

- 1 Yes
- 2 No SKIP TO QUESTION 9

8d. Please describe the problem.

8e. How did you handle the problem of setting up individual accounts?

9. Have you completed the E-Verify tutorial?

- 1 Yes
- 2 No SKIP TO QUESTION 10

9a. Did you have any problems completing the tutorial?

- 1 Yes
- 2 No SKIP TO QUESTION 10

9b. Please describe the problem(s).

9c. How did you handle the problem(s) with taking the tutorial?

10. Have you taken and passed the E-Verify Mastery test?

- 1 Yes
- 2 No SKIP TO QUESTION 11

10a. Did you have any problems with the Mastery Test?

- 1 Yes
- 2 No SKIP TO QUESTION 11

10b. Please describe the problem(s).

10c. How did you handle the problem(s) with taking the Mastery Test?

[SELECT ALL THAT APPLY]

- 1 Took the test again/took part of the test again
- 2 Contacted USCIS
- 3 Asked a co-worker for help
- 4 Other (specify) _____

11. Have you had any problems connecting to the E-Verify system?

- 1 Yes
- 2 No SKIP TO QUESTION 12

11a. Please describe the problem.

11b. Has the problem continued?

- 1 Yes
- 2 No SKIP TO QUESTION 12

11c. How do you handle the problem of connecting to the E-Verify system?

12. Do you have any problems with slow response time in using the E-Verify system? (Response times from SSA or USCIS during the TNC process will be handled elsewhere, so please do not include them, in the response to this question.)

- 1 Yes
- 2 No SKIP TO QUESTION 13

12a. Please describe the problem.

12b. Has the problem continued?

1 Yes

2 No SKIP TO QUESTION 13

12c. How do you handle the problem of slow response time?

13. Have you experienced any problems with data entry errors?

1 Yes

2 No SKIP TO QUESTION 14

13a. Please describe the problem.

13b. Has the problem continued?

1 Yes

2 No SKIP TO QUESTION 14

13c. How do you handle the problem of data entry errors?

14. Does the program have sufficient edit checks to help prevent you from making mistakes?

1 Yes SKIP TO QUESTION 15

2 No

14a. Please describe the problem.

14b. Has the problem continued?

1 Yes

2 No SKIP TO QUESTION 15

15. How do you handle tentative nonconfirmation findings that occur as a result of data entry errors?

16. What closure code do you use to close data entry errors?

[SELECT ALL THAT APPLY]

- 1 Invalid Query
- 2 Self Terminated
- 3 Resolved Unauthorized/Terminated
- 4 Employee Not Terminated
- 5 Resolved Authorized
- 6 Other (specify) _____
- 7 Don't know/not sure

The next set of questions will ask about general communications with and from USCIS and their communication to employers when changes are made to E-Verify.

17. Did you have problems with the USCIS helpline when you needed technical help?

- 1 Yes
- 2 No
- 3 Not used

[IF RESPONSE IS 2 OR 3, SKIP TO QUESTION 18]

17a. Please describe the problem.

18. Did you have problems with the USCIS helpline when you had program questions?

- 1 Yes
- 2 No
- 3 Not used

[IF RESPONSE IS 2 OR 3, SKIP TO QUESTION 19]

18a. Please describe the problem.

19. Have you emailed USCIS about problems?

- 1 Yes
- 2 No SKIP TO QUESTION 20

19a. Did you receive a prompt response from USCIS?

- 1 Yes
- 2 No
- 3 Did not receive a response SKIP TO QUESTION 20

- 19b. Were your questions adequately addressed in the response from USCIS?
- 1 Yes
 - 2 No
20. Has USCIS adequately communicated changes to E-Verify (such as the Photo-Tool or EV-STAR)?
- 1 Yes
 - 2 No
 - 3 Don't know
21. On a scale of 1 to 5 with 1 being not satisfied at all and 5 being very satisfied, how satisfied are you with the communications from USCIS when changes are made to E-Verify?
- 1 Not satisfied at all
 - 2 Somewhat unsatisfied
 - 3 Neutral
 - 4 Somewhat satisfied
 - 5 Very satisfied
22. How many weeks/months notice do you need when there is a major change to the system such as the Photo Tool?
- _____
- 1 Weeks
 - 2 Months
 - 3 Depends on the type of change
 - 4 Don't know
23. How would you like E-Verify to communicate changes and notices to you?
- [SELECT ALL THAT APPLY]
- 1 Internet alerts/banners
 - 2 Email
 - 3 Mail
 - 4 Phone
 - 5 Other (specify)_____

24. Have you had any other types of problems communicating with USCIS about E-Verify?

1 Yes

2 No SKIP TO INTRODUCTION PRIOR QUESTION 25

24a. Please describe the problems.

24b. Do you have any suggestions for ways that these communications problems could be addressed in the future?

Now, we'll talk about your communication with SSA about E-Verify cases.

25. Have you communicated with **SSA** about E-Verify cases?

1 Yes

2 No SKIP TO INTRODUCTION PRIOR TO QUESTION 26

25a. Why did you need to communicate with SSA?

25b. Was the SSA field office staff you communicated with familiar with E-Verify and able to help you?

1 Yes

2 No SKIP TO INTRODUCTION PRIOR TO QUESTION 26

25c. Please describe the problems.

25d. Do you have any suggestions for ways that communication with SSA could be improved in the future?

The next set of questions will ask about training.

26. Did you review the E-Verify User's Manual?

1 Yes

2 No

27. Did you participate in the webinars or other training provided by the Chambers of Commerce?

1 Yes

2 No

28. Did you participate in any E-Verify-related training provided by a contractor or outside vendor?

- 1 Yes
- 2 No SKIP TO QUESTION 30

29. What topics/issues were covered in the training provided by a contractor or outside vendor?

30. Were there any topics/issues you would like to see covered that were not included or adequately covered in the training you received?

- 1 Yes
- 2 No SKIP TO QUESTION 32

31. What topics/issues would you like to see covered?

32. On a scale of 1 to 5 with 1 being not satisfied at all and 5 being very satisfied, how satisfied are you with the training you received about E-Verify **that was provided by USCIS** (i.e., tutorial, Mastery test, Webinars)

- 1 Not satisfied at all
- 2 Somewhat dissatisfied
- 3 Neutral
- 4 Somewhat satisfied
- 5 Very satisfied

[IF RESPONSE TO QUESTION 30 = 1 (YES), GO TO QUESTION 33

IF RESPONSE TO QUESTION 30 = 2 (NO). SKIP TO QUESTION 34]

33. On a scale of 1 to 5 with 1 being not satisfied at all and 5 being very satisfied, how satisfied are you with the training you received about E-Verify that was provided by an **outside vendor or contractor?**

- 1 Not satisfied at all
- 2 Somewhat dissatisfied
- 3 Neutral
- 4 Somewhat satisfied
- 5 Very satisfied

34. Which other staff at your company received training on how to use E-Verify?

[SELECT ALL THAT APPLY] [INTERVIEWER SHOULD READ ALL RESPONSE CATEGORIES]

- 1 All HR staff in the company
- 2 HR staff in the company headquarters only
- 3 Some HR staff in the headquarters and the branch offices
- 4 Other (specify) _____
- 5 No other staff

35. Approximately what is the total number of people in your company that have been trained to use E-Verify?

35a. Approximately, how many of these people were trained since E-Verify became mandatory?

36. Approximately how much time was spent on training each individual?

37. What are the approximate total training costs?

38. How many people currently run E-Verify queries at this establishment?

39. How much time does it take to run an E-Verify query for a case that does not receive a TNC?

- 1 Minutes
- 2 Hours

39a. How much time does it take to handle a case with a TNC? [PLEASE INCLUDE ONLY THE ACTUAL TIME YOU SPEND MANAGING THE CASE.]

- 1 Minutes
- 2 Hours

General Instructions for the Next Questions

SAY TO EMPLOYER:

Next I am interested in finding out more about the various procedures required by the E-Verify program.

We'd also like to find out if some of the requirements are burdensome from the employers' perspective, so that we can suggest that USCIS consider modifying some of the procedures.

Finally, I'll be asking you for any specific changes you would recommend that USCIS make in the program procedures.

II. USE OF E-VERIFY

40. Is your company a temporary help and/or employment agency?

[SELECT ONLY ONE]

- 1 Temporary help agency
- 2 Employment agency
- 3 Both
- 4 Neither

41. For what types of individuals does your company currently use the E-Verify program?

[SELECT ALL THAT APPLY] [INTERVIEWER SHOULD READ ALL RESPONSE CATEGORIES]

- 1 Job applicants
- 2 Newly hired employees
- 3 Existing/current employees
- 4 Other (please specify) _____

[IF 1 (JOB APPLICANTS) IS SELECTED IN QUESTION 41, GO TO QUESTION 41a.
IF 1 (JOB APPLICANTS) IS NOT SELECTED IN QUESTION 41, SKIP TO QUESTION 42]

41a. For what types of job applicants does your company currently use the E-Verify program?

[SELECT ALL THAT APPLY]

- 1 All
- 2 Those saying they are citizens
- 3 Those saying they are noncitizens
- 4 Applicants for hourly positions
- 5 Applicants for salaried positions
- 6 Those we suspect may not be work-authorized
- 7 Those who will be working on Federal contracts
- 8 Other (please specify) _____

IF RESPONSE TO QUESTION 40 = 1 OR 3, SKIP TO QUESTION 42a

IF RESPONSE TO QUESTION 40 = 2, SKIP TO QUESTION 42b

42. At what point in the hiring process do you use E-Verify?

[SELECT ALL CATEGORIES MENTIONED BY THE RESPONDENT]

- 1 When the person applies for the job
- 2 When we decide that we would like to make a job offer
- 3 After the employee accepts our job offer but before the employee starts work
- 4 On the first day of paid work
- 5 Within the first 3 days of paid work
- 6 At the end of the first week after hiring/paid work
- 7 Other (please specify) _____

[SKIP TO QUESTION 43]

42a. For your temporary help employees, at what point in the hiring process do you use E-Verify?

[SELECT ONLY ONE]

- 1 Before a job offer
- 2 After job offer is accepted, but before employee is placed with a client
- 3 After the first placement offer that the employee accepts
- 4 After first accepted placement, but before the employee's first day of paid work
- 5 On the first day of paid work
- 6 Within the first 3 days of paid work
- 7 More than 3 days after starting paid work
- 8 Other (specify) _____

[IF QUESTION 40 = 1, SKIP TO QUESTION 43]

42b. For your employees for whom you try to find employment, at what point in the hiring process do you use E-Verify?

[INTERVIEWER SHOULD READ ALL RESPONSE CATEGORIES]

- 1 Don't use E-Verify for these employees
- 2 After a client has offered the employee a job
- 3 Before referring the employee to a client
- 4 Within the first 3 days of paid work for a client
- 5 More than 3 days after starting paid work for a client
- 6 Other (specify) _____

[IF RESPONSE IS 1 OR 2, SKIP TO QUESTION 43]

42c. If an employee receives a tentative nonconfirmation (TNC), when during the TNC process do you refer the employee for employment?

[INTERVIEWER SHOULD READ ALL RESPONSE CATEGORIES]

- 1 Don't refer employee
- 2 Only refer employee if the employee resolves the TNC
- 3 Refer employee and notify the employer upon referral and later if the employee does not successfully resolve the TNC
- 4 Refer employee and notify the employer later if the employee does not successfully resolve the TNC
- 5 Hasn't happened yet

43. Are there ever times when you find it difficult to use E-Verify within the first 3 days of paid work?

- 1 Yes
- 2 No SKIP TO QUESTION 44

43a. Please explain the circumstances under which you find it difficult to use E-Verify within the first 3 days of paid work.

44. E-Verify frequently uses the term "newly hired employee" or "new hire." What is your understanding of who is considered a new hire for verification purposes?

[SELECT ALL THAT APPLY]

A person who has [been]:

- 1 Received a pre-job offer
- 2 Offered (but has not accepted) a job
- 3 Offered and has accepted a job
- 4 Started job training
- 5 Begun the first day of paid work
- 6 New to the company (e.g., has never been employed there before)
- 7 Rehired
- 8 Other (specify) _____

45. Do you use E-Verify to verify the work authorization of rehired employees?

- 1 Yes
- 2 No SKIP TO QUESTION 46b
- 3 Sometimes

45a. Under what circumstances do you use E-Verify to verify the work authorization of rehired employees?

[SELECT ALL THAT APPLY]

- 1 More than 3 years since they completed the I-9/were hired the previous time
- 2 Any time they return to work after having previously worked for us (no time limit)
- 3 Previous work authorization has expired
- 4 Other (specify) _____

45b. Do you ever use E-Verify to verify the work authorization of employees whose documents have expired?

- 1 Yes
- 2 No

46. Do you use the same date in E-Verify that you use on your other HR records?

- 1 Yes SKIP TO QUESTION 47
- 2 No

46a. How may the date you enter in E-Verify be different from the hire date entered on your other HR records?

47. The term "prescreening" refers to using E-Verify to find out about the work authorization status of prospective employees before they are offered and accept a job. Do you think prescreening should be permitted?

- 1 Yes
- 2 No SKIP TO QUESTION 47b

47a. Why do you think it should be permitted?

SKIP TO QUESTION 48

47b. Why don't you think it should be permitted?

48. Does your establishment do "seasonal" hiring, or are there times when you have had to hire large numbers of employees at the same time?

- 1 Yes
- 2 No SKIP TO QUESTION 49

48a. Do you find it difficult to verify employees' work authorization during seasonal hiring or when you are hiring large numbers of employees at the same time?

- 1 Yes
- 2 No SKIP TO QUESTION 49

48b. What challenges does this type of hiring pose in terms of following the regulations and requirements of E-Verify?

49. Do you conduct verifications for any other branches of your company or for other companies?

- 1 Yes, both for other branches and other companies
- 2 Yes, for other branches, but not for other companies
- 3 Yes, for other companies, but not for other branches
- 4 No SKIP TO QUESTION 50

49a. Approximately what percent of the verifications you conduct are for this branch?
_____ %

49b. How does your agency verify employees when the hiring is done for another establishment?

49c. Have you encountered any difficulties in verifying employees' work authorization for another branch or company?

- 1 Yes
- 2 No SKIP TO QUESTION 50

49d. What difficulties have you encountered in verifying employees' work authorization for another branch or company?

[SELECT ALL THAT APPLY]

- 1 Accessing the E-Verify website
- 2 Making photocopies
- 3 Reviewing or transferring I-9 documents
- 4 Using the Photo Tool and/or transferring photographs
- 5 Explaining TNCs to employees
- 6 Providing/transferring TNC notices to employees
- 7 Providing/transferring SSA or USCIS referral forms to employees

50. Where do you keep the instructions for using the E-Verify system?

- 1 Secure location/locked drawer
- 2 Next to/near the computer(s) used for E-Verify queries
- 3 Only use online instructions
- 4 Other (specify) _____

51. Where do you keep the password for using the E-Verify system?

- 1 Secure location/locked drawer
- 2 Next to/near the computer(s) used for E-Verify queries
- 3 Memorized
- 4 Other (specify) _____

52. What do you do with the E-Verify participation notice?

[SELECT ALL THAT APPLY]

- 1 Post it on a wall/bulletin board at the entry to our establishment
- 2 Post it on a wall/bulletin board in the reception area of our HR department/area
- 3 Post it on a wall/bulletin board on our employee notice board with other Federal HR requirements
- 4 Attach it to the application form
- 5 Explain it verbally to applicants
- 6 Other (specify) _____
- 7 Nothing
- 8 We do not use it since all employers must participate.

III. PROCESS OF DELIVERING A NOTICE OF TENTATIVE NONCONFIRMATION

SAY TO EMPLOYER:

Next I would like to talk about what happens when your company receives a tentative nonconfirmation finding about an employee/job applicant.

53. Are you the person responsible for telling the employee about the tentative nonconfirmation finding?

- 1 Yes SKIP TO QUESTION 54
- 2 No

53a. Who is primarily responsible for telling the employee about the TNC finding?

[SELECT ONLY ONE]

- 1 HR representative
- 2 Employee's supervisor
- 3 Supervisor at the client company (if temp/employment agency)
- 4 Secretary/receptionist]
- 5 Other (specify) _____

53b. Is this person trained in the E-Verify program requirements?

- 1 Yes
- 2 No

54. What is the location of the person responsible for telling the employee about the TNC finding?

[SELECT ONLY ONE] [INTERVIEWER SHOULD READ RESPONSE CATEGORIES]

- 1 In the same office or building as the respondent SKIP TO QUESTION 55
- 2 In another building/location

54a. How do you transfer documents (e.g., the TNC notice) back and forth?

54b. Are there problems in transferring documents?

- 1 Yes
- 2 No SKIP TO QUESTION 55

54c. What problems do you have in transferring documents?

[SELECT ALL THAT APPLY]

- 1 Documents lost
- 2 Documents take a long time to transfer
- 3 Other (specify) _____

55. How often do you tell the employee when you receive a TNC finding?

- 1 Always
- 2 Almost always
- 3 Sometimes
- 4 Seldom
- 5 Never

[IF RESPONSE IS 1, 2, 3, OR 4, SKIP TO QUESTION 56]

55a. Why don't you ever notify employees when you receive TNC findings about them?

[SKIP TO QUESTION 89]

56. How soon after receiving a TNC do you normally notify the employee?

- 1 Within 1 work day
- 2 Within 2-3 work days
- 3 Within 4-5 work days
- 4 Within 6-10 work days
- 5 More than 10 work days

56a. Do you encounter problems notifying the employee promptly?

- 1 Yes
- 2 No SKIP TO QUESTION 57

56b. What problems do you encounter in notifying the employee promptly?

57. How do you notify the employee when you receive a TNC finding?

[SELECT ALL THAT APPLY]

- 1 In person
- 2 E-mail, letter, or phone call
- 3 Post a list
- 4 Other (please specify) _____

57a. Do you notify the person privately?

- 1 Yes
- 2 No

58. Do you give the employee a copy of the TNC notice?

- 1 Yes SKIP TO QUESTION 59
- 2 No
- 3 Sometimes

58a. What is the main reason you do not give the employee a copy of the TNC notice?

[SELECT ONLY ONE]

- 1 Employee works in a different location from where the E-Verify queries are done
- 2 Employee cannot read English or Spanish
- 3 Explained the contents and they signed
- 4 Suspected employee was not authorized to work in the U.S.
- 5 Did not know I had to
- 6 Other (specify) _____

59. Do you explain the contents of the TNC notice to the employee?

- 1 Yes SKIP TO QUESTION 59b
- 2 No

59a. What is the main reason you don't explain the contents of the TNC notice?

[SELECT ONLY ONE]

- 1 Employee works in a different location from where the E-Verify queries are done
- 2 Employee speaks a language that I do not speak
- 3 Suspected employee was not authorized to work in the U.S.
- 4 Did not know I had to
- 5 Other (specify) _____

59b. Do you explain to the employee that the finding can be contested?

- 1 Yes SKIP TO QUESTION 60
- 2 No

59c. What is the main reason you don't explain to the employee that the finding can be contested?

[SELECT ONLY ONE]

- 1 Employee works in a different location from where the E-Verify queries are done
- 2 Employee speaks a language that I do not speak
- 3 Suspected employee was not authorized to work in the U.S.
- 4 Did not know that I had to
- 5 Other (specify) _____

60. Are there any circumstances under which you would not notify a person that [he/she] has received a TNC?

- 1 Yes
- 2 No SKIP TO QUESTION 61

60a. Under what circumstances would you not notify a person that [he/she] has received a TNC?

[SELECT ALL THAT APPLY]

- 1 Employee quit/left before the employer had a chance to notify them
- 2 Input error
- 3 Other (please specify) _____

60b. About how many times per year does this happen?

[PROGRAMMER: ONLY DISPLAY THE CATEGORIES MENTIONED IN QUESTION 60a]

- 1 _____ Employee quit/left before the employer had a chance to notify them
- 2 _____ Input error
- 3 _____ Other (please specify) _____

61. Have you ever tried to correct the problems with a person's record yourself by contacting SSA or USCIS?

- 1 Yes
- 2 No SKIP TO QUESTION 62

61a. Under what circumstances did you try to correct the problems with a person's record yourself by contacting SSA or USCIS?

[SELECT ALL THAT APPLY]

- 1 Felt sorry for them
- 2 Had no understanding the problem and what to do
- 3 Afraid to contact SSA or USCIS
- 4 Could not speak English or Spanish well enough to contact SSA or USCIS
- 5 Other (specify) _____

61b. Please explain what happened (including which agency you tried to contact).

62. Does following the E-Verify procedures for notifying employees of a TNC cause any particular problems?

- 1 Yes
- 2 No SKIP TO QUESTION 63

62a. Which of the following problems do you experience in following the E-Verify procedures for notifying employees of a TNC? [READ LIST TO RESPONDENT]

[SELECT ALL THAT APPLY]

- 1 Time-consuming
- 2 Additional work for staff
- 3 Procedures unclear or confusing
- 4 Multiple sites involved
- 5 Communication problems with employee after hired
- 6 Other (explain) _____

63. Do you think that the procedures for notifying employees of TNCs should be changed in any way?

- 1 Yes
- 2 No SKIP TO QUESTION 64

63a. How do you think that the procedures for notifying employees of TNCs should be changed?

63b. What are the reasons you think that the procedures for notifying employees of TNCs should be changed?

64. Have you ever received an SSA no-match letter for an employee **who had been found work-authorized by E-Verify**? An SSA no-match letter is sent when the Social Security number an employer provides on a W-2 Form does not match SSA's records.

- 1 Yes - found work-authorized initially
- 2 Yes - found work-authorized after contesting a TNC
- 2 No SKIP TO QUESTION 64b

64a. How many times per year has this happened?

_____ times

64b. Have you ever received an SSA no-match letter for an employee who was not found work authorized by E-Verify?

- 1 Yes
- 2 No

IV. EMPLOYEE REACTIONS TO RECEIVING A TENTATIVE NONCONFIRMATION

65. How often do your employees quit or simply not return to work once you notify them they have received a tentative nonconfirmation?

- 1 All the time
- 2 Most of the time
- 3 Some of the time
- 4 Occasionally
- 5 Never SKIP TO QUESTION 66

65a. Do they tell you why they are quitting?

- 1 Yes
- 2 No SKIP TO QUESTION 66

65b. What is the most frequently mentioned reason they say they are quitting?

[SELECT ONLY ONE]

- 1 Not work authorized
- 2 Found another job
- 3 Job was not what they had expected
- 4 Other (specify) _____

66. Do you encourage persons to contest the TNC finding if they indicate that the finding is incorrect?

- 1 Yes
- 2 No
- 3 Sometimes (or depends on the case)
- 4 Neutral (does not encourage or discourage)

67. Do you think that employees understand the content of the TNC notice?

- 1 Yes
- 2 No

68. Do you provide the Spanish version of the TNC notice to Spanish speaking employees?

- 1 Yes
- 2 No
- 3 Never had a TNC for a Spanish-speaking employee

- 68a. Do you try to provide a translator for employees who don't speak English?
- 1 Yes
 - 2 No SKIP TO QUESTION 68c
 - 3 Depends on the language and whether we have someone who speaks it
 - 4 Haven't had this problem SKIP TO QUESTION 69
- 68b. For what languages have you provided a translator?
- [SELECT ALL THAT APPLY]
- 1 Spanish
 - 2 Vietnamese
 - 3 Chinese
 - 4 Other (specify) _____
- 68c. Do you allow employees to bring in a family member or friend that can translate for them?
- 1 Yes
 - 2 No
- 68d. Are there any services other than a translator that you provide for employees who cannot understand the languages that the notices are available in?
- 1 Yes
 - 2 No SKIP TO QUESTION 68f
- 68e. What other services do you provide?
- 68f. Do you think that employees who receive a TNC finding and do not speak much English/Spanish understand what they are being told?
- 1 Yes
 - 2 No
 - 3 Don't know
69. Do you have any recommendations for revising the wording in the TNC notice?
- 1 Yes
 - 2 No IF QUESTION 40 = 1, 2, OR 3, SKIP TO QUESTION 70a

69a. What changes would you make to the TNC notice?

[IF QUESTION 40 = 1, 2, OR 3, SKIP TO QUESTION 70a]

70. If a person decides not to contest, what do you do?

[SELECT ONLY ONE]

- 1 Fire the person immediately SKIP TO QUESTION 72
- 2 Fire the person as of the end of the current pay period SKIP TO QUESTION 71
- 3 Fire the person when the work/project they were hired to do is completed SKIP TO QUESTION 71
- 4 Allow them to work if I think they are probably legal anyway SKIP TO QUESTION 72
- 5 Allow them to work if we will have trouble replacing them SKIP TO QUESTION 72
- 6 Other (specify) _____ SKIP TO QUESTION 71

70a. If a person decides not to contest, what do you do?

[SELECT ALL THAT APPLY]

- 1 Keep the person's paperwork for future reference if the person returns
- 2 Other (specify) _____

71. How long typically elapses from the time the employee tells you that [he/she] is not contesting and the final day the employee works?

72. As far as you know, have you ever had a work-authorized employee who chose not to go to SSA or call USCIS to correct their records?

- 1 Yes
- 2 No SKIP TO INTRODUCTION PRIOR TO QUESTION 73
- 3 Don't know

72a. Why do you think these persons did not try to correct their records?

V. EMPLOYEES CONTESTING TENTATIVE NONCONFIRMATION FINDINGS

SAY TO EMPLOYER:

Next I am interested in hearing about what happens when employees decide to contest their tentative nonconfirmation findings.

73. Have any of your employees decided to contest their tentative confirmation findings?

- 1 Yes
- 2 No SKIP TO QUESTION 89

73a. When employees decide to contest their TNC findings, do you refer the case to SSA or USCIS through E-Verify?

- 1 Yes
- 2 No SKIP TO QUESTION 75

74. Do you give the referral letter provided by the system to the employee?

- 1 Yes
- 2 No SKIP TO QUESTION 75
- 3 Sometimes

74a. Do you explain the content of the referral letter to the employee?

- 1 Yes
- 2 No SKIP TO QUESTION 75

74b. What do you tell them?

75. When do you provide the employee with information about the referral?

[SELECT ALL THAT APPLY]

- 1 When the employee indicates he/she wants to contest
- 2 At the same time the employee is given the TNC notice
- 3 Other (specify) _____

76. Do you tell your employees how many days they have to contact SSA/USCIS?

- 1 Yes
- 2 No SKIP TO QUESTION 77

- 76a. What number of days do you usually tell them?
 _____ days
77. Do you tell your employees that they will [lose the job/not get the job] if they don't correct their records?
- 1 Yes SKIP TO QUESTION 78
 2 No
- 77a. What is the main reason you do not inform your employees that they will [lose the job/not get the job] if they don't correct their records?
- [SELECT ONLY ONE]
- 1 Need them to work on the project until it's over
 2 Don't think there is a serious problem with their records
 3 Did not know I had to tell them
 4 Other (specify) _____
78. Are there ever any times when you do not or cannot follow the procedures for referring employees to SSA or USCIS?
- 1 Yes
 2 No SKIP TO QUESTION 79
- 78a. Under what circumstances would you not follow the procedures for referring employees to SSA or USCIS?
- 78b. How frequently does this happen?
79. Do you think the procedures for referring employees to SSA or USCIS should be changed?
- 1 Yes
 2 No SKIP TO QUESTION 80
- 79a. In what ways do you think the procedures for referring employees to SSA or USCIS should be changed?
80. Do you think that the [employees/job applicants] understand how to correct their SSA/USCIS records?
- 1 Yes
 2 No

81. Do you think that your [employees/job applicants] understand what the referral letter is and what it says?

1 Yes

2 No

82. What percentage of your [employees/job applicants] ask you questions if they do not understand?

1 0 SKIP TO QUESTION 83

2 1-25%

3 26-50%

4 51-75%

5 76-100%

82a. What are the most common questions they ask and how do you respond?

83. Have you provided the Spanish version of the referral letter to Spanish-speaking employees?

1 Yes

2 No

3 Never had a TNC for a Spanish-speaking employee

83a. Have you provided a translator for employees who don't speak English?

1 Yes

2 No

3 Haven't had this problem

VI. IMPACT ON EMPLOYER WHEN AN EMPLOYEE DECIDES TO CONTEST A TENTATIVE NONCONFIRMATION FINDING

84. Are employees allowed to take time off of work to contest?

- 1 Yes
- 2 No SKIP TO QUESTION 85

84a. Is this paid or unpaid time off?

- 1 Paid
- 2 Unpaid

85. Do your employees] continue to work for you while resolving their tentative nonconfirmations?

- 1 Yes
- 2 No SKIP TO QUESTION 85e

85a. Do these employees receive different work assignments than other employees do?

- 1 Yes
- 2 No SKIP TO QUESTION 85c

85b. How are the work assignments different?

85c. Are the employees paid for work completed during this time?

- 1 Yes
- 2 No SKIP TO QUESTION 86

85d. Are they paid the same wage/salary they would be paid had they not received a TNC?

- 1 Yes
- 2 No

[SKIP TO QUESTION 86]

85e. Are you short-staffed because your employees/ are unavailable to work because they are contesting a TNC?

- 1 Yes
- 2 No

86. Do you postponed training until the employees have finished contesting?

- 1 Yes
- 2 No
- 3 Have not had to do that yet
- 4 Depends on the position or circumstances
- 5 Don't know

87. Does the employee contesting process cause problems for you, the employer?

- 1 Yes
- 2 No SKIP TO QUESTION 88

87a. What problems has the employee contesting process caused for you?

88. Do you think any of the E-Verify program guidelines about how employers must treat employees during the time they are contesting should be changed?

- 1 Yes
- 2 No SKIP TO QUESTION 89

88a. What, if any, changes are needed in the E-Verify program guidelines about how employers must treat employees during the time they are contesting?

VII. DHS VERIFICATION IN PROCESS

89. Have you had cases that received a “DHS verification in process” response?

- 1 Yes
- 2 No SKIP TO QUESTION 94

90. What is your understanding of what it means when the initial response of “DHS verification in process” is returned?

90a. What do you do when you receive a preliminary finding of “DHS verification in process”?

90b. Do you do anything different for these cases compared to what you do for tentative nonconfirmation cases?

- 1 Yes
- 2 No SKIP TO QUESTION 91

90c. What do you do differently for “DHS verification in process” cases compared to TNC cases?

91. Were you able to follow the procedures for these cases based on your understanding of them?

- 1 Yes SKIP TO QUESTION 92
- 2 No

91a. Why weren’t you able to follow the procedures for these cases?

92. What is the average time between the time you receive a “DHS verification in process” response and you receive a finding of work-authorized or tentative nonconfirmation?

_____ days

93. Does a “DHS verification in process” response create any problems for you?

- 1 Yes
- 2 No SKIP TO QUESTION 94

93a. What problems does such a finding create for you?

VIII. CASES PLACED 'IN CONTINUANCE' BY SSA OR USCIS

94. Have you ever had a tentative nonconfirmation case where the employee contested, and SSA or USCIS placed it "in continuance", that is, the employee has to request a birth certificate, marriage license or other document from a government agency to straighten out their record?

- 1 Yes
- 2 No SKIP TO INTRODUCTION PRIOR TO QUESTION 98

95. About how many such cases have you had?

95a. About how many of these cases were from SSA?

95b. About how many of these cases were from USCIS?

95c. Did you ever receive a final case resolution for [this case/ these cases]?

- 1 Yes
- 2 No SKIP TO QUESTION 96

95d. On average, how long was it from the time SSA placed the case(s) "in continuance" until you received the final case resolution?

- _____
- 1 Days
 - 2 Weeks
 - 3 Months
 - 4 Never was notified
 - 5 Don't know
 - 6 Not applicable

95e. On average, how long was it from the time USCIS placed the case(s) "in continuance" until you received the final case resolution?

- _____
- 1 Days
 - 2 Weeks
 - 3 Months
 - 4 Never was notified
 - 5 Don't know
 - 6 Not applicable

96. Do these cases cause any problems for the employer?

1 Yes

2 No SKIP TO INTRODUCTION PRIOR TO QUESTION 98

97. How do these cases cause problems for the employer?

[SELECT ALL THAT APPLY]

1 Delay training

2 Withhold pay

3 Increases concern that the employee may not be work authorized

4 Other (specify) _____

IX. PHOTO TOOL

SAY TO EMPLOYER:

In September 2007, the E-Verify program introduced a new photo screening tool. These next questions will ask about your experiences using this tool.

98. Have you used the Photo Tool?

- 1 Yes SKIP TO QUESTION 98b
- 2 No

98a. Why not?

[SELECT ALL THAT APPLY]

- 1 Have not had anyone present the documents to use with Photo Tool
- 2 It is not available to us
- 3 Never heard of it
- 4 Other (specify) _____ SKIP TO INTRODUCTION PRIOR TO QUESTION 102

98b. Did you already have a photocopier available at the hiring site to use Photo Tool or did you have to purchase one?

- 1 Already had photocopier
- 2 Had to purchase one

98c. Have you found any employees where the photos did not match?

- 1 Yes
- 2 No SKIP TO QUESTION 99

98d. When the photos did not match, what happened next?

- 1 Employee contested
- 2 Employee was fired
- 3 Other (specify) _____

99. To what do you compare the photo that is returned on the screen as part of the E-Verify response?

[SELECT ALL THAT APPLY]

- 1 Photo on the employee's document
- 2 Current appearance of the employee
- 3 Neither

100. Do you believe that under the Photo Tool it is less important, as important, or more important to compare the employee's appearance to the photo in the document presented?
- 1 Less important
 - 2 As important
 - 3 More important
101. As a result of the Photo Screening Tool, have your policies changed about the type of documents you ask immigrants to provide?
- 1 Yes
 - 2 No SKIP TO QUESTION 102
- 101a. What kind of changes have you made regarding the type of documents you ask immigrants to provide?
- 1 Suggest or require noncitizens to provide documents that will enable you to use the Photo Tool
 - 2 Suggest that they provide documents not requiring the use the Photo Tool?
 - 3 Other (please specify) _____)

X. WHEN EMPLOYEES DECIDE NOT TO CONTEST OR ARE NOT FOUND TO BE WORK AUTHORIZED

SAY TO EMPLOYER:

Finally, I would like to hear about what happens when an employee receives a final nonconfirmation or is found not to be work-authorized.

102. When you are notified by SSA or USCIS that an employee has received a final nonconfirmation or is not work-authorized, do you terminate their employment?

- 1 Yes SKIP TO QUESTION 103
- 2 No

102a. What are the reasons you don't terminate them? SKIP TO QUESTION 107

[SELECT ALL THAT APPLY]

- 1 Already left job by the time final nonconfirmation received
- 2 Need them to work here
- 3 Cannot afford to replace them
- 4 Thought the final nonconfirmation was a mistake
- 5 Did not know this was a requirement
- 6 Other (specify) _____

103. When do you normally terminate employees if they are not work-authorized?

[SELECT ONLY ONE]

- 1 Immediately/within 1-2 hours of receiving the finding
- 2 At the end of the day that the finding is received
- 3 At the end of the week that the finding is received
- 4 At the end of the pay period
- 5 At the end of the assignment or project
- 6 After giving the employee a certain number of days notice
- 7 Other (please specify) _____

[IF RESPONSE IS 1, 2, 3, OR 7, SKIP TO QUESTION 104; IF 4 SKIP TO 103A AND IF 5 SKIP TO 103B; IF RESPONSE IS 6, SKIP TO QUESTION 103c.]

103a. How long is your pay period?

SKIP TO QUESTION 107

103b. What is the average length of an assignment or project?

SKIP TO QUESTION 107

103c. Typically, how many days notice do you provide?

_____ days [CODE 0 IF EMPLOYEE IS IMMEDIATELY TERMINATED]

104. Who is responsible for terminating employees who are not work authorized?

[SELECT ONLY ONE]

- 1 Respondent SKIP TO QUESTION 105
- 2 HR representative other than the respondent
- 3 Employee's supervisor [or Supervisor at the client company (if temp/employment agency)]
- 4 Other (Specify _____)

104a. Is this person trained in the E-Verify program requirements?

- 1 Yes
- 2 No

105. What reasons do you give employees for being fired?

106. Do you run into any situations when it is difficult to follow the termination procedures?

- 1 Yes
- 2 No SKIP TO QUESTION 107

106a. Please describe the situations when it is difficult to follow these procedures.

107. Have you ever had USCIS or SSA call you to tell you not to fire an employee that has been issued a final nonconfirmation?

- 1 Yes
- 2 No SKIP TO QUESTION 108

107a. Was the employee still working for you at the time?

- 1 Yes
- 2 No

108. Have you ever had a situation in which you or your employee contacted SSA or USCIS about a final nonconfirmation or not work-authorized finding that you or they believed was in error?

- 1 Yes
- 2 No SKIP TO QUESTION 109

108a. What circumstances led up to this situation

- 1 The employee had been unable to contact SSA/USCIS because of illness or a family or other problem
- 2 The employee insisted an error was made
- 3 I was certain the worker was work authorized
- 4 Other (specify) _____

108b. Who started the process of contacting SSA or USCIS?

- 1 Employer
- 2 Employee

108c. What was the final result?

108d. How long did it take to correct the situation?

108e. Did the employee continue to work during this time?

- 1 Yes
- 2 No

XI. IMPACT ON THE EMPLOYER OF LOSING THE SERVICES OF EMPLOYEES WHO QUIT OR ARE FIRED BECAUSE OF E-VERIFY

109. Have you ever had to fire an employee, had an employee who could not be hired, or had an employee quit because of an E-Verify finding?

- 1 Yes
- 2 No SKIP TO QUESTION 116

110. Have you had costs associated with having already trained these employees?

- 1 Yes
- 2 No

110a. Has additional turnover due to E-Verify findings been a problem for your company?

- 1 Yes
- 2 No

110b. Were there any other ways it was burdensome to your company to lose the services of employees who quit or are fired because of E-Verify?

111. Have your hiring costs changed because of the need to hire replacements for employees terminated because of E-Verify findings?

- 1 Yes
- 2 No

111a. How much do you estimate it costs you for each new employee you must hire and train to replace those terminated because of E-Verify findings?

112. Have you had to pay other employees to work over-time while you were short handed because employees not found to be work-authorized had stopped working for you?

- 1 Yes
- 2 No SKIP TO QUESTION 113

112a. How much more did paying over-time rather than paying regular rates cost you to get the job done?

113. Have any of these financial costs associated with using E-Verify made you change any of your hiring policies?

- 1 Yes
- 2 No SKIP TO QUESTION 114

113a. How have your hiring policies changed?

- 1 Hiring only citizens and green card holders vs. other non-citizens
- 2 Using E-Verify to check job applicants
- 3 Other (Specify _____)

114. Have you experienced any other problems or disruptions to your operations because you have lost employees due to E-Verify checks?

- 1 Yes
- 2 No SKIP TO QUESTION 115

114a. What were the disruptions?

114b. What were the costs of these disruptions?

115. Do you have any suggestions for ways that E-Verify could be changed to reduce the costs of losing non-verified employees, while still protecting employee rights?

- 1 Yes
- 2 No SKIP TO QUESTION 116

115a. What are your suggestions?

XII. OFF SITE HIRING/TEMPORARY HELP AGENCIES

116. Do you do some of your hiring off site?

1 Yes

2 No [IF QUESTION 40 = 1, 2, OR 3, SKIP TO QUESTION 119;
IF QUESTION 40 =4, SKIP TO QUESTION 121]

116a. Do you experience any problems accessing the E-Verify website off site?

1 Yes

2 No SKIP TO QUESTION 117

116b. What problem(s) do you experience in accessing the E-Verify website off site?

116c. How do you handle the problem(s)?

117. Do you experience any problem(s) making photocopies when you hire off site?
Photocopies are only needed if the information is being entered centrally.

1 Yes

2 No SKIP TO QUESTION 118

117a. What problem(s) do you experience in making photocopies when you hire off site?

117b. How do you handle the problem(s)?

118. Do you experience any additional problems in using E-Verify at off-site locations?

1 Yes

2 No [IF QUESTION 40 = 1, 2, OR 3, SKIP TO QUESTION 119;
IF QUESTION 40 =4, SKIP TO QUESTION 121]

118a. What additional problems do you experience in using E-Verify at off-site locations?

118b. How do you handle the problem(s)?

[IF QUESTION 40 = 1, 2, OR 3, GO TO QUESTION 119; IF QUESTION 40 =4, SKIP TO
QUESTION 121]

119. When a worker is found to be not authorized to work, how does this affect your
relationship with your clients?

120. Do you have clients who request that you do not send employees who receive a
tentative nonconfirmation finding until after it is cleared up?

1 Yes

2 No SKIP TO QUESTION 121

120a. How do you handle this situation?

120b. Do you think you have lost business because your clients choose to use another agency that offers only work-authorized employees?

1 Yes

2 No

XIII. CONCLUDING QUESTIONS

121. Have you had to change the way you recruit or hire workers as a result of E-Verify?

- 1 Yes
- 2 No SKIP TO QUESTION 122

121a. How have you changed the way you recruit or hire workers as a result of E-Verify?

122. Has E-Verify had any other impact on your company that we haven't yet discussed?

- 1 Yes
- 2 No SKIP TO QUESTION 123

122a. How has E-Verify had additional impacts on your company?

123. Do you think E-Verify has had any impact on your industry overall?

- 1 Yes
- 2 No SKIP TO QUESTION 124

123a. How has E-Verify had an impact on your industry?

124. Do you think E-Verify has had any impacts on unauthorized employment in Arizona?

- 1 Yes
- 2 No SKIP TO QUESTION 125

124a. What impacts do you think E-Verify has had on unauthorized employment in Arizona?

125. What advice would you give to employers in other states that might be considering making E-Verify mandatory?

126. Would you continue using E-Verify if Arizona repealed the mandatory law?

- 1 Yes
- 2 No SKIP TO QUESTION 126b

126a. What are the main reasons you would continue using it?

[SKIP TO QUESTION 127]

126b. What are the main reasons you would not continue using it?

127. Do you have any suggestions about how to improve E-Verify?

- 1 Yes
- 2 No SKIP TO QUESTION 128

127a. What do you suggest?

128. How concerned are you about losing your business license to operate if you don't participate in E-Verify?

- 1 Very concerned
- 2 Concerned
- 3 Somewhat concerned
- 4 Slightly concerned
- 5 Not at all concerned

129. How concerned are you about losing your business license to operate if you are found to hire unauthorized workers?

- 1 Very concerned
- 2 Concerned
- 3 Somewhat concerned
- 4 Slightly concerned
- 5 Not at all concerned

130. How likely is it that you will get a visit from one of the enforcement groups such as the U.S. Immigration and Customs Enforcement (ICE)?

- 1 Very likely
- 2 Likely
- 3 Somewhat likely
- 4 Slightly likely
- 5 Not at all likely

131. Is there anything else about the E-Verify program that you think I should know or should be included in our report to USCIS?

- 1 Yes
- 2 No END

131a. Please tell me what else I should know.

Observation of E-Verify System Application and E-Verify Participation Poster

INSTRUCTIONS TO INTERVIEWERS:

Your answers to the following questions should be based on your observations, not on what the employer tells you during the interview. You must observe the following items in order to record something as observed.

- 1. Where is the E-Verify notice/poster located? (select more than one if the notice is displayed in more than one place) *If you are unable to find the poster yourself, you can ask the employer if they could show you the poster.***

[SELECT ONLY ONE]

- 1 Where it can be easily noticed by applicants (e.g., by itself on a wall next to the reception desk)
- 2 Where some applicants may be able to notice (e.g., on a bulletin board next to the reception desk with three or four other notices).
- 3 Where it is unlikely to be noticed by applicants (e.g., far from the reception desk or with a large number of other notices).
- 4 Placed in another location not listed above (specify):
- 5 There is no notice/poster displayed
- 6 I was not able to observe the area where the notice/poster is located

[IF RESPONSE 5 OR 6 IS SELECTED, SKIP TO QUESTION 3]

- 2. Is the E-Verify notice/poster displayed in both English and Spanish?**

- 1 Yes
- 2 No

You will need to observe the verification process in order to answer the following questions. If the E-Verify user is already logged into the E-Verify system, ask them if they would please log out of the system so that you can observe the E-Verify process from the very beginning - including the login procedure.

3. Were you able to observe verification in process?

- 1 Yes
- 2 No SKIP TO LOGISTICAL QUESTIONS FOR EMPLOYEE INTERVIEWS

4. Where is the password for using E-Verify located?

[SELECT ONLY ONE]

- 1 Not seen – user had password memorized.
- 2 In a locked drawer or other secure location.
- 3 Out of sight, but not in a secure location (e.g., unlocked drawer).
- 4 In plain sight, but not next to a computer (e.g., in book case).
- 5 In plain sight, next to the computer
- 6 Other (specify):_____

5. How many attempts did the user make to connect to E-Verify?

- 1 The user was able to connect to the system on the first attempt SKIP TO QUESTION 6
- 2 The user made more than one attempt to connect to the system

5a. How many attempts did it take to connect to the system?

6. Which, if any, of the following activities did you observe? (Select more than one if you observed more than one of the activities)

[SELECT ALL THAT APPLY]

- 1 The user made verification inquiries for employees who had been hired more than three work days earlier
- 2 The user prescreened applicant(s) for employment
- 3 The user verified an employee before his/her Form I-9 was completed
- 4 Did not observe any of the above activities

Comments:

Logistical Questions for Employee Interviews

This is the last section of the interview with the employer. ASK THE QUESTIONS IN THIS SECTION ONLY IF THE EMPLOYER SEEMS VERY COOPERATIVE, PREFERABLY AFTER REVIEWING THE EMPLOYEE FILES.

***Instructions to interviewers:** If the employer has a suitable place for conducting employee interviews, it would simplify the task of interviewing employees if the interviews could be performed on site for employees who still work at the establishment. However, this should not be explored unless you are confident that it won't create rapport problems with the employer. If you think the employer might be willing to do this:*

- *Explain that we are planning to interview with [insert number of employees sampled that we have provided] employees whose records we are looking at and that we are prepared to contact them at their homes.*
 - *Tell the employer, for employees who are still employed here, it would be helpful if you could do some of the interviews during non-work hours at the employer's establishment.*
 - *Ask:*
1. Do you have a room/office that you would be willing to let us use to conduct interviews with current employees where others will not be able to overhear the interview?
 2. (IF YES) When is the best time to interview the person? [PROBE: BEFORE WORK, LUNCH HOUR, RIGHT AFTER THE WORK. NOTE: THE EMPLOYER MAY VOLUNTEER TO LET YOU DO THE INTERVIEWS DURING REGULAR WORK HOURS, BUT **DON'T** ASK IF THIS IS POSSIBLE IF THE EMPLOYER DOES NOT VOLUNTEER THIS.]

Closure

Instructions to interviewers: *At the end of the interview,*

- a. Ask if the employer has any questions about the interview or anything [he/she] wants to share with you related to the e-verify process or issues;
- b. Answer the questions as best you can;
- c. Thank the employer again for [his/her] time and for agreeing to talk with you;
- d. Tell the employer that you may want to [consult/interview] [him/her] again later during your visit if any other questions arise; and
- e. Give the employer the \$100 check.

~ END OF INTERVIEW ~

Questions to be completed by interviewer following each interview

FROM EMPLOYER INTERVIEWS

Right after you finish the interview you need to complete an evaluation about the interview when your impression is still fresh. The evaluation includes the following five questions:

1. How many staff members did you speak with to complete the interview? _____

2. What were the roles/titles of the staff members who completed the interview?

[CHECK ALL THAT APPLY]

1. Clerk (non-supervisor) who works in human resources

2. Supervisor who works in human resources

3. Head or VP of human resources

4. Line supervisor (not in human resources)

5. Project manager (not in human resources)

6. Other _____ (Please _____ specify: _____)

3. In your opinion, how well does the employer follow the E-Verify procedures in hiring and verifying their employees?

[SELECT ONLY ONE]

1. Very well (followed almost all of the requirements)

2. Well (followed most of the requirements)

3. Mediocre (followed about half of the requirements)

4. Poor (followed less than half of the requirements)

4. How confident are you of your answer to Q3?

[SELECT ONLY ONE]

1. Very sure
 2. Somewhat sure
 3. Somewhat unsure
 4. Very unsure
5. Describe any other circumstances surrounding the interview or information about the respondent that you think have affected the quality of the interview. Please provide information about the interview that helps describe unusual response patterns, the respondent's state of mind, the interview setting, and/or the respondent's understanding of the interview.