

No-Match Letters Are Back: Ignore Them At Your Peril

When it comes in the mail, it will appear innocuous enough – a simple [letter](#) from the Social Security Administration (SSA). Even its official name is non-threatening – Employer Correction Request (aka No-Match Letter). Some employers may never have seen this letter before, while others may vaguely recall them. Although the SSA began sending out no-match letters back in 1993, the [letters](#) were suspended in 2012. And now they are back again.

What are No-Match Letters?

No-match letters notify an employer that the SSA received a specified number of W-2 forms where an employee's name and social security number do not match. The letter is not an accusation that the employer or employee intentionally submitted incorrect information.

The reasoning behind these correction requests is that if the Social Security Administration cannot match a name and SSN reported on Form W-2 to their records, they will not be able to reconcile an employer's wage reports with the credit earnings of the employee.

The ICE Wants Employers to Pay Attention to No Match Letters.

The Immigration and Naturalization Service (INS), now combined with U.S. Custom Services to become Immigrant and Customs Enforcement (ICE), previously warned employers that the receipt of one of these no-match letters creates an affirmative duty to investigate the reason for the discrepancy.

When ICE pursues enforcement [actions](#) against employers, no match letters often are a prominent piece of evidence. Simply put, the government does not want employers to ignore an indication that one of their employees may not be authorized to work.

What Should Employers Do to Protect Themselves?

The more important question is what an employer should NOT do. Employers should not terminate the identified employee. By taking an adverse action such as termination an employer runs the risk of discrimination based on citizenship, national origin or immigration status. However, an employer should not ignore the letter or wait for an employee to solve his or her own W-2 problem.

Rather, the SSA recommends that employers use its free Business Services Online (BSO) tool to look up the specific names and social security numbers in question. The SSA also provides employers with a letter [template](#) to provide to a 'no-match' identified employee.

The letter instructs the employee to confirm whether the name and SSN that the SSA has on file matches what is on the employee's social security card.

Don't Overreact There Are Other Possible Reasons for Receiving a No-Match Letter.

There are several legitimate reasons why an employee's name does not match the SSN on file with the SSA. For example, it could be a simple misspelling of the employee's name or an SSN with a transposed number. In addition, upon getting married a spouse may take the other spouse's name and use the name in everyday life including the completion of employment

paperwork. However, that individual who began using his or her married name may not have remembered to provide the Social Security Administration with the name change.

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