

## **I-9 Overview**

**PURPOSE:** To verify employment eligibility and identify all workers hired in the US after November 6, 1986.

### **CURRENT REVISION REQUIRED:**

Expiration date: 06/30/09

No previous versions will be accepted. The current form can be found on the following website: <http://www.uscis.gov/files/form/i-9.pdf>

### **EMPLOYEE'S RESPONSIBILITY:**

1. Complete Section 1 no later than the close of business the first working day.
2. Sign the form attesting to the accuracy of the information. If the employee refuses to sign the form, there is no need to complete Section 2 and the employer should not continue to employ the individual.

### **EMPLOYER'S RESPONSIBILITY:**

1. Ensure the employee completes section 1 in full. Employers are held responsible for deficiencies of information in Section 1.
  - a. The name, complete address, maiden name (if applicable) and date of birth are required, the SSN is optional.
  - b. If the employee checks "A Lawful Permanent Resident" the expiration date is not required.
  - c. If the employee checks "An alien authorized to work until \_\_\_\_\_", an end date and Alien # or Admissions # is required.
    - i. Admissions # is found on the I-94
    - ii. Alien # is found on the Work Authorization Card
    - iii. End Dates can be found on one of the following documents:
      1. F-1 visa – I-20
      2. J-1 visa – DS 2019
      3. F-1 on OPT – Work Authorization Card
      4. J-1 on CPT – Letter from Sponsor
      5. H1B visa – I-797
      6. TN visa – I-94

2. Supply the employee a list of acceptable documents.
  - a. The employee can choose from a list provided by the employer which documents to use to establish identity and work eligibility.
  - b. The employer cannot require certain documents but can reject documents that don't meet the requirements.
3. Examine the documents, originals not copies, presented by the employee and accept them if they appear to be genuine and relate to the individual. The Employer is not required to be document experts.
  - a. If an employee is unable to present the required documents within 3 business days of employment, employment must be terminated, unless the employee can produce a receipt showing the document has been applied for and present the document to you within 90 days of the hire.
4. Complete the entire form no later than the close of business on the 3<sup>rd</sup> working day. Submit the completed form for student employees to Student Employment. For all other employees, submit the form to HRS-Records.

### DOCUMENTS:

1. ACCEPTABLE DOCUMENTS to establish identity and work eligibility are listed on the form I-9. List A documents establish both identity and work eligibility. List B establishes identity and List C establishes work eligibility.
2. ACCEPTABLE RECEIPTS for I-9 purposes
  - a. A receipt for a replacement document when the document has been lost, stolen or damaged. The receipt is valid for 90 days, after which the individual must present the replacement document to complete the I-9. This rule does not apply for new documents following the expiration of their previous held document.
  - b. A Notice of Action, I-797C, for an H1B visa holder that is extending their visa or changing employers. This notice will be accompanied by a memo from International Programs and provides work authorization for 240 days from the date of notice.
3. LEGAL PERMANENT RESIDENT CARD (GREEN CARD):  
An expired Green Card does not affect current employment.

4. SOCIAL SECURITY CARD (SSN):
  - a. A card that contains the phrase “Valid for work only with DHS (INS) Authorization” on the card cannot be used to satisfy I-9 requirements.
  - b. You may not accept a laminated SSN as evidence of employment if the card states on the back, “not valid if laminated”.
  
5. WORK AUTHORIZATION DOCUMENT (EAD): Usually authorizes work for 1 year. The card can be extended but an extension request cannot be used to satisfy I-9 requirements. If the current card expires before the new card arrives the individual is not authorized to work until the new card is received.

#### UPDATING, REVERIFICATION AND REHIRE:

1. Employers are required to reverify employment when an employee’s employment authorization (indicated in Section 1) or evidence of employment recorded in Section 2 has expired.
  
2. Reverification must take place no later than the date the authorization or documents expire by completing a new I-9, Section 1 and 2 and Employment Verification Affirmation, indicating on the top of the form that it is an update. **Submit the reverifications and document copies for Foreign Nationals to the Foreign National Tax Administrator, 6003 Campus Delivery.** After processing, the forms and document copies will be forwarded to HRS-Records or Student employment, as applicable.

#### DISCOVERING UNAUTHORIZED EMPLOYEE:

Do Nothing! Contact the Director of Human Resources immediately.