

Completing the Form I-9 Employment Eligibility Verification Form

August 2008

1

Why do we need a Form I-9?

- The Immigration Reform and Control Act of 1986
- U.S. employers are responsible to verify
 - Employment eligibility
 - Identity of all employees

2

Who needs to fill out a Form I-9?

- All new employees hired to perform labor or services in return for wages or other remuneration.
- Remuneration is anything of value given in exchange for labor or services rendered by an employee, including food and lodging.

3

Who needs to fill out a Form I-9 (Cont.)?

- Executive, faculty, APT, civil service, casual, 89-day and exempt employees
- Non-compensated employees
- Post-doctoral fellows
- Interns
- Cooperating Teachers/Counselors and Observation/Participation Teachers
- Visiting Professional Colleagues
- Affiliate Graduate Faculty
- Student Assistants
- Graduate Assistants

4

Who does not need to fill out a Form I-9?

- Employees hired before 11/07/86, who are continuing in their employment and have a reasonable expectation of employment at all times
- Independent Contractors
- Individuals employed by a contractor providing contract services (e.g., employee leasing or temporary agencies)
- Volunteers
- Exchange Appointments
- Visiting Colleague

5

Form I-9

- The Form I-9 (Rev. 06/05/07) N is the only valid version that may be used
- All unused Form I-9 documents dated prior to 06/05/07 should be discarded

6

When do you complete a Form I-9?

- Section 1: At the time of hire
- Section 2: Within 3 business days of the hire date
- Section 3: Should initially be left blank
Is used when an employee's work authorization expires; the employer shall re-verify the employee's employment eligibility.

7

Section 1. Employee Information and Verification

- Employee completes Section 1 at the time of hire
- Signs and dates the form

8

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-9, Employment Eligibility Verification

Please read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the document(s) have a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification. To be completed and signed by employee at the time employment begins.

Print Name: Last First Middle Initial Maiden Name

Address (Street Name and Number) Apt. # Date of Birth (month/day/year)

City State Zip Code Social Security #

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):
 A citizen or national of the United States
 A lawful permanent resident (alien #) A _____
 An alien authorized to work in the U.S. (Alien # or Admission #) _____

Employee's Signature _____ Date (month/day/year) _____

TIPS
Do not complete Section 1 for employees. Employee must sign and date Section 1. Do not ask for any documentation for Section 1. Make sure all information is provided. Corrections to Section 1 can only be made by the employee.

Employee completes personal information

Read, sign and date the form.

Check appropriate box for work eligibility and fills in other information, if applicable

Section 1. Employee Information & Verification (Cont.)

- Use typewriter or print in ink
- Do not use white-out
- Cross out any errors, insert the correct information, and initial and date
- Social Security Number is optional; however, it will be required when E-Verify is used

10

Section 1. Employee Information & Verification (Cont.)

- Employer is responsible for reviewing Section 1 for completeness
- Employer completes Section 2 within 3 business days of hire
- Employee must present an original document(s) to:
 - Establish identity
 - Employment eligibility

11

LIST A
Establishes both identity and employment eligibility

LIST B
Establishes only identity

LIST C
Establishes only employment

Section 2. Employer Review and Verification. To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

	List A	OR	List B	AND	List C
Document title:	_____		_____		_____
Issuing authority:	_____		_____		_____
Document #:	_____		_____		_____
Expiration Date (if any):	_____		_____		_____
Document #:	_____		_____		_____
Expiration Date (if any):	_____		_____		_____

Provide employee a list of acceptable documents.
Record one document from List A
OR one each from List B and C, not all three

Section 2. Employer Review and Verification

- Employee chooses which document(s) to present
- Employer examines the document(s) and ensures that the document(s) are originals, appear to be genuine and relate to the employee
- Employer fills in the document title, issuing authority, document number and expiration date in a month/day/year format (if any) in the space provided.

13

LISTS OF ACCEPTABLE DOCUMENTS				
LIST A Documents that Establish Both Identity and Employment Eligibility	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Eligibility
1. U.S. Passport (unexpired or expired)		1. Driver's license or ID card issued by a state or certified jurisdiction of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.		1. U.S. Social Security card issued by the Social Security Administration (rather than a card stamping it is not valid for employment)
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.		2. Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1359)
3. An unexpired foreign passport with a temporary I-551 stamp		3. School ID card with a photograph		3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or military government of the United States, bearing an official seal
4. An unexpired Employment Authorization Document that contains a photograph		4. Voter's registration card		4. Native American tribal document
5. An unexpired foreign passport with an unexpired Return/Departure Record, Form I-94, bearing the visa stamp or the proper seal containing an endorsement of the alien's nonimmigrant status if that status substantiates the alien's work for the employer		5. U.S. Military card or death record		5. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card		6. ID Card for use of Resident Aliens in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card		7. Unexpired employment authorization document issued by DHS (rather than those listed under List A)
		8. Native American tribal document		
		9. Driver's license issued by a Canadian government authority		
		For persons under age 18 who are unable to present a document listed above:		
		10. School record or report card		
		11. Clinic, doctor or hospital record		
		12. Diploma or nursery school record		

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Employee chooses one from List A

or one each from List B and List C

Section 2. Employer Review and Verification (Cont.)

- Do not use white-out
- Cross out the error, insert the correct information, and initial and date
- Employer is responsible for making any corrections to Section 2

15

Section 2. Employer Review and Verification (Cont.)

- When documents are not readily available:
 - Employee shall present a receipt for the application of the document(s)
 - Employee shall present document(s) within ninety (90) days from the date of hire

16

Section 2. Employer Review and Verification (Cont.)

- If the document is not produced within 90 days from the date of hire, the employer shall meet with the employee to find out the status/reason for the delay
- Appropriate action shall be taken based on the reason (termination, extension etc.)

17

Certification Section

- Employer enters the date of hire
- Employer signs and dates the form

18

Read and enter the employment date

CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

Fill in the information, sign and date

19

Section 2. Employer Review and Verification

- For new hires on the mainland, a notary public may assist the university in completing Section 2 on a timely basis
 - The University's Notary Form is under review by the University General Counsel's Office

20

Federal Law

- Individuals unable to complete a Form I-9 within 3 business days from the date of hire shall not be placed on payroll
- Foreigners abroad are not authorized to work in the United States until they enter the states
- New hires may be placed on payroll 3 business days prior to the completion of the Form I-9

21

Section 3. Updating and Re-verification

- Section 3 is used for current employees (not used for new hires)
- Use when employee's work authorization is about to expire
- Must re-verify employment eligibility on or before the expiration date

22

RE-VERIFICATION

Fill in the new name (if applicable) Do not specify which document(s)

Section 3. Updating and Reverification. To be completed and signed by employer.

A. New Name (if applicable) B. Date of Expiry (month/day/year) (if applicable)

C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility.

Document Title: _____ Document #: _____ Expiration Date (if any): _____

I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative Date (month/day/year)

Examine the document and fill in the document title, document number and expiration date in month/day/year format (if any).
(List A or C)

Read, sign and date

23

Section 3. Updating and Re-verification (Cont.)

- How do I **update or reverify** an employee's work authorization that was completed on a Form I-9 predated 06/05/07?
 - Complete Section 3 on the new version of the Form I-9 (Rev. 06/05/07) N
 - Write the employee's name in Section 1 of the new Form I-9
 - Retain the new Form I-9 with the original Form I-9

24

Section 3. Updating and Re-verification (Cont.)

- When rehiring an employee, employers may complete either
 - Section 3 of the original Form I-9, or
 - A new Form I-9
 - Completes Section 1 and 2

25

REHIRE

Fill in the new name (if applicable)

Date of rehire (if applicable)

Section 3. Updating and Reverification. To be completed and signed by employer.

A. New Name (if applicable) _____ B. Date of Rehire (month/day/year) (if applicable) _____

C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility.

Document Title _____	Document # _____	Expiration Date (if any) _____
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I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative _____ Date (month/day/year) _____

Examine the document and fill in the document title, document number and expiration date in month/day/year format (if any).
(List A or C)

Read, sign and date

26

Section 3. Updating and Re-verification (Cont.)

- What do I do if I **rehire a person** who has completed an earlier version of the Form I-9?
 - Complete a new Form I-9 (Rev. 06/05/07)
 - Retain the new Form I-9 with the original Form I-9

27

Filing of Form I-9s

- Retain Form I-9 originals in a separate folder
 - For audit purposes Form I-9 for each employee must be produced within 72 hours of request.

28

Retention of Form I-9

- Forms I-9 must be stored for 3 years after the date of hire
- or**
- 1 year after the date of termination of employment, whichever is later.

29

Questions

- If you have other issues or questions, please refer to the I-9 Employer Handbook.
- U.S. Citizenship and Immigration Security (USCIS) website
<http://www.uscis.gov/portal/site/uscis>
- Handbook website
<http://www.uscis.gov/files/natedocument/s/m-274.pdf>

30