

Procedure 20320C: I-9 Procedures

A. Introduction

The federal Immigration Reform and Control Act of 1986 (IRCA) prohibits the hiring of unauthorized aliens, and requires the eligibility of all employees to work to be documented; thus the federal requirement to obtain an Employment Eligibility Verification Form (Form I-9) for every employee.

The Immigration Reform and Control Act contains specific requirements:

- A general prohibition against knowingly hiring or continued employment of unauthorized individuals once the knowledge is obtained.
- A requirement to obtain work eligibility documents from all new employees (and some rehired employees).
- A requirement to retain a properly completed Form I-9 (Employment Eligibility Verification) for each employee in a central repository for specified time periods.
- Penalty provisions ranging from \$100 to \$1000 for each undocumented employee, even if the employee is legally eligible for work. Additional penalties may be levied for employing unauthorized alien workers.

B. Procedures

Responsibilities for conforming to the Immigration Reform and Control Act of 1986 are shared by the hiring authority (hiring department) and the Payroll Section of the University Controller's Office.

It is the responsibility of the departmental representative (or assigned designee) of the hiring authority:

- To ensure that Section 1 (employee Section) of the Form I-9 is correctly completed by each new employee on or before the first day of employment,
- To complete Section 2, (employer section) within the first three days of employment, or sooner if the length of employment is less than three days.

It is the responsibility of Payroll:

- To maintain a central file of all I-9 Forms for the entire University,
- To respond to any audit requests by federal compliance agencies,
- To provide guidance to hiring authorities in fulfilling their responsibilities.

C. Non-Compliance

Since a non-documented or improperly documented worker is not authorized to work, failure to comply with the provisions of this policy will result in an immediate suspension of the employee, without pay, until employment eligibility is determined and documented. Such suspensions will be initiated by Payroll in the University Controller's Office.