



		Policy Section:	Institutional Support
Policy Number:	5521-16	Policy Title:	I-9 Forms
Original Effective Date:	4/1/08	Department:	Human Resources
Date Last Revised:	March 18, 2013		

Policy Statement:

It is the policy of Cairn University to comply with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 which requires proper completion and retention of I-9 forms (also called Employment Eligibility Verification) issued by the Department of Homeland Security’s U.S. Citizenship and Immigration Services (USCIS).

Purpose:

To insure that employees provide documents for review which are deemed acceptable by the Department of Homeland Security in order to prove they are authorized to work in the United States, and to set forth procedures to insure provision, timely review, verification, certification, reverification, retention and destruction of I-9 forms in compliance with USCIS regulations.

Procedures:

1. Provision of the I-9 Form

An I-9 form shall be provided to every new employee. A current I-9 form and instructions are available on the K drive under Forms in pdf format and may be printed and photocopied as needed.

1.1 Format of the Form - The most recent version of the I-9 form, released 3/8/13, is available on the K drive in two formats. Either format may be provided. Suggested use:

- 1.1.1 K:\Forms\I-9 Form rev3-8-13, print 2-sided.pdf is best used by departments who wish to have a hard-copy supply of I-9s for use. This format is designed to print the Employee section and the Employer section back-to-back using a single sheet of paper. The List of Acceptable Documents will also print on p. 2 of this format.
- 1.1.2 K:\Forms\I-9 Form rev3-8-13, 3pages for emailing.pdf is best used when providing the form electronically to a new employee. When printed, this will create a 3-page document. The first two pages must be stapled together when the employer verification is done. The third page, the Lists of Acceptable Documents, may be discarded at that time.
- 1.1.3 K:\Forms\I-9 Instructions rev3-8-13.pdf Instructions must be available whether providing the forms in hard-copy or electronically. If providing a hard-copy I-9, departments should have a printed version of the Instructions available for review. If providing the I-9 electronically, the instructions must also be emailed.

1.2 Responsibilities to Provide the Form

- 1.2.1 **Regular Employees:** Candidates for regular part-time and full-time staff and faculty positions shall be provided with an I-9 form and instructions for completion by the Department of Human Resources (staff) or the Office of the Provost (faculty) at the time an employment offer is made.
- 1.2.2 **Student Workers:** Supervisors of student workers shall provide an I-9 form and instructions

for completion to a student worker in the first semester s/he works. I-9 forms do not need to be completed in subsequent semesters.

- 1.2.3 Temporary Employees: Candidates for temporary staff positions (including coaches and seasonal employees) shall be provided with an I-9 form and instructions for completion by the Department of Human Resources (HR). Candidates for temporary faculty positions (including adjuncts, teaching assistants and lab leaders) shall be provided with an I-9 form and instructions for completion by the Office of the Provost at the time an employment offer is made.

2. I-9 Log

The upkeep of a log of I-9s on file minimizes the need for student workers and temporary employees who frequently reactivate employment to complete multiple I-9 forms unnecessarily. A student worker or temporary employee resuming employment does not need to complete a new I-9 unless three or more years have passed since his/her original date of employment.

- 2.1 The I-9 log will be maintained by the Department of Human Resources and the Department of Business Services.
- 2.2 Authorized representatives (see Section 4 for definition) of each department shall check the log to make sure an employee resuming employment has a valid I-9. This may be checked as follows:
 - 2.2.1.1 Go to the K drive and open the I-9 Log folder.
 - 2.2.1.2 An I-9 need NOT be completed if:
 - The employee's name is listed AND
 - The expiration dates are future for IDs that must remain current (such as those for most non-citizens)
 - 2.2.1.3 A new I-9 DOES need to be completed if:
 - The employee's name is not listed.
 - 2.2.1.4 A new I-9 shall be completed OR the current I-9 must be reverified if:
 - The expiration dates (for IDs that must be current) are past. (See Section 6 for information on reverification.)

3. Timely Review

- 3.1 Newly-hired individuals shall complete their I-9 form and present acceptable, valid forms of ID within three business days of the date employment begins. Individuals who fail to do this shall be prohibited from working until the I-9 obligations have been satisfactorily met. Exceptions are as follows:
 - 3.1.1 When employment is for less than three days, the I-9 form must be completed on the date employment begins.
 - 3.1.2 When an employee does not possess the required document(s) within three business days, they must, within the three-day period, contact the appropriate government agency to apply for the necessary document and present a receipt for the application of the document(s) they intend to produce for verification purposes. The actual documents must then be presented within 90 days of date of hire.
- 3.2 Several individuals and departments share responsibility for insuring that employees complete the I-9 form in a timely manner:
 - 3.2.1 Vice President of Human Resources - for regular employees.
 - 3.2.2 The Office of the Provost - for adjunct faculty
 - 3.2.3 School/department deans/chairs or directors – for student workers and temporary employees.

4. Verification

Departments may designate an authorized representative to insure proper completion of the I-9 form and to verify and certify the authenticity of acceptable documents. Authorized representatives may be deans, directors, assistant directors, supervisors, or academic or administrative assistants. Each department shall insure that authorized representatives are fully aware of this policy and the responsibilities associated with the I-9 process.

4.1 To verify the I-9 form, the authorized representative shall:

- 4.1.1 Check Section 1 to insure the employee has completed the section correctly and thoroughly.
- 4.1.2 Examine the documents provided by the employee to insure that they are included on the List of Acceptable Documents. Special attention should be paid to make sure that the IDs satisfy the requirements on List A OR include one form from List B AND one form from List C. Forms presented shall be legible originals; photocopies are not acceptable.
- 4.1.3 Acceptable Documents that have an expiration date must be unexpired when presented in order to be acceptable.
- 4.1.4 Do NOT make photocopies of the IDs. While I-9 regulations do permit photocopies to be retained, if made, they must be made for every employee.

5. Certification

5.1 To certify the I-9 form, the authorized representative shall:

- 5.1.1 Record specific information regarding the documents presented, as indicated under Section 2 of the form.
- 5.1.2 Complete the certification area, including signature, title, and date, and the employee's date of hire.
- 5.1.3 Insure that the employee has signed the form, then sign the form as the Authorized Representative.

6. Reverification

In certain cases, form(s) presented for employment authorization purposes at time of hire must be reverified prior to the date on which such form expires.

6.1 Reverification does *not* need to be done for:

- 6.1.1 Expired Acceptable Documents used to establish identity only (those listed in List B)
- 6.1.2 Documents provided by U.S. citizens and noncitizen nationals. These documents include:
 - 6.1.2.1 U.S. Passport or Passport Card
 - 6.1.2.2 Alien Registration Receipt Card / Permanent Resident Card (Form I-551)

6.2 HR will place the I-9s requiring recertification in a tickler file, and will notify the employee to provide recertification prior to the expiration date of the originally-provided document(s).

6.3 I-9s that will NOT require recertification are to be retained as described below.

7. Retention

7.1 I-9 forms shall be retained:

- 7.1.1 For the duration of an employee's period of employment.
- 7.1.2 Following termination, for the later date of either
 - three years following date of hire or
 - one year following date of termination

7.2 I-9 forms for current employees are retained by the Department of Human Resources. They are to be provided to HR as follows:

- 7.2.1 Regular Employees: I-9s for regular part-time and full-time employees, and temporary employees are kept within HR.
- 7.2.2 Student Workers: I-9s shall be submitted by hiring departments to Business Services along

with other new-hire paperwork and payroll-related information. Business Services shall then forward the I-9s to HR.

- 7.2.3 Temporary Employees: I-9s for adjuncts, coaches, lab leaders, other temporary employees whose pay is processed through the Office of the Provost, shall be submitted to the Office of the Provost along with other required employment and/or payroll-related information. The Office of the Provost shall then forward the I-9s to HR.

8. Termination of Employment

8.1 Notification of terminating employees shall be provided to Human Resources as follows:

- 8.1.1 Following May graduation, a list of student workers who have graduated or will not be returning as students shall be forwarded by Business Services to the Department of Human Resources.
- 8.1.2 Deans of Schools and directors of departments employing temporary employees shall provide names of temporary employees who are unlikely to return to active employment in the following academic year, or who have been inactive for at least one full academic year. The Department of Human Resources will provide periodic reminders to deans and directors and to the Office of the Provost to provide this information.

8.2 I-9s for terminating employees shall be pulled from active employee files and moved to a tickler file following termination until date of destruction. The I-9 Log on the K drive shall also be updated. Human Resources will perform these functions.

9. Destruction

The Department of Human Resources will insure destruction, by shredding, of I-9 forms following the required retention period.

Mary W. Boyer
President's Cabinet Representative

March 18, 2013
Date