Policy 4.117

Employment Eligibility Verification

Responsible Official: VP for Human Resources
Administering Division/Department: Data Services
Effective Date: August 14, 2012
Last Revision: August 14, 2012

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Overview

The Immigration Reform and Control Act of 1986 (IRCA) requires that US employers hire only people who are authorized to work in the United States. All Emory University employees must complete a Form I-9 Employment Eligibility Verification on or before their first day of work for pay.

Applicability

All Emory University faculty, staff and student employees who work for pay or anything of value given in exchange for labor or services, including food and lodging must complete a Form I-9. University employees who do not work on US soil or work without compensation (WOC) are not required to complete a Form I-9 until they are in the United States and/or are working for remuneration. Independent contractors are not employees and do not have to complete I-9s for their work at Emory, although their employer may require this form's completion.

Policy Details

Completing a Form I-9:

All newly-hired regular and temporary, part-time and full-time employees must complete section 1 of a Form I-9 after an offer of employment has been made, BUT NO LATER THAN the first day of work for pay. The employee must attest under penalty of perjury that he or she is either a U.S. citizen, a noncitizen national of the United States, lawful permanent resident (providing an alien number), or an alien authorized to work (providing an alien number or an admission number).

WITHIN 3 DAYS of the new employee's first day of work, the Human Resources Representative must complete section 2 of the I-9, attesting under penalty of perjury to the employment start date, that he or she physically examined the documents presented to verify work authorization in the United States, and that the documents appear to pertain to that employee. A list of acceptable I9 documents is available on the reverse side of the Form I-9 and in the electronic I-9 application. Suggesting which documents an employee presents for verification is prohibited.

Re-verification/Expiration of Work Authorization:

When an employee's employment authorization document expires, his or her employment authorization must be re-verified no later than the date employment authorization expires.
Termination and Rehire

Faculty and staff who terminate and are rehired less than 60 (and students who terminate and are rehired less than 365 days) later may not be required to complete a new Form I-9 if his or her authorization to work in the United States is still valid. If the employment authorization has expired, a new I-9 must be completed.

Failure to Comply within Time Limits

An I-9 submitted outside of the prescribed time frames violates the Immigration Reform and Control Act of 1986 and could subject the University, its subsets and/or individuals to civil and criminal liability. Therefore, no individual, department, division or school should allow faculty, staff or students who are working for pay, to work without completion of an I-9. It is the sole responsibility of the hiring supervisor to notify the appropriate Human Resources Office (within the school, department or division) of a new hire and to have the employee complete a Form I-9 on or before the first day of work.

Related Links

- Current Version of This Policy: http://policies.emory.edu/4.117

Contact Information

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<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Services Manager</td>
<td>Susan Newborn</td>
<td>404.727.7563</td>
<td><a href="mailto:sjacks2@emory.edu">sjacks2@emory.edu</a></td>
</tr>
</tbody>
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Revision History

No previous versions of this policy were found.

Emory University policies are subject to change at any time. If you are reading this policy in paper or PDF format, you are strongly encouraged to visit policies.emory.edu to ensure that you are relying on the current version.