

I-9 RECEIPT AND MAINTENANCE PROCEDURE

May 1, 2009

Policy Basis for procedure:

1004 Employment

Scope

This procedure applies to employees responsible for and/or involved in the receipt and maintenance of Immigration and Naturalization Form I-9, including Administrators and Personnel Action Form (PAF) Coordinators in each UNMC hiring unit as well as the employees in the Strategic Staffing and Compensation (SS&C) Division of the Human Resources Department at the University of Nebraska Medical Center.

Introduction

In accordance with the Immigration Reform and Control Act of 1986 along with the Immigration Act of 1990, the University of Nebraska Medical Center, is required to hire only persons who may legally work in the United States of America: citizens and permanent residents of the United States and aliens authorized to work. To comply with the law, UNMC must verify the identity and employment eligibility of anyone it hires (after November 6, 1986) and complete and retain a Form I-9.

Completion of the Form I-9 occurs within each UNMC hiring unit.

Retention of the Form I-9 occurs in the UNMC Human Resources (HR) Office.

It is the practice of UNMC to have the completed and verified Form I-9's forwarded to the HR Records. As in all new-hire paperwork this submission occurs at the earliest possible time, coinciding with the entry of the Form I-9 completion date field in SAP.

Basis for Procedure

Form I-9 completion and verification necessarily occurs in a distributed manner across the many campus hiring units. The process set forth below is suggested as an "early warning" system, to provide accurate, timely and relevant information to operating UNMC hiring units to facilitate UNMC's compliance obligations under the law.

UNMC must be able to produce accurately completed Form I-9's on every active employee hired after November 6, 1986. Form I-9s must be retained for three years after hire or twelve months following separation, whichever date is later. By law, these records are to be produced for inspection by the requesting agency(ies) within three working days of such a request.

The following process will assist all hiring units in supporting UNMC's compliance obligations under this important federal law.

Definitions

Form I-9 – Employment Eligibility Verification Form. The completed form must be on file for every employee hired after November 6, 1986; and, for all past employees the form must be retained for three years from hire date or for twelve months following separation, whichever date is later.

Form I-9 Documents – These include the Form I-9, as well as, the copy of the documents presented by the employee to validate their employment eligibility.

PAF Coordinator – Personnel Action Form (PAF) Coordinator is a position in hiring units responsible for the proper processing of employment related transactions.

Procedure

Employee’s Responsibility Regarding Form I-9

A new employee must complete Section 1 of Form I-9 no later than close of business on his/her first day of work. The employee’s signature holds him/her responsible for the accuracy of the information provided. The employer is responsible for ensuring that the employee completes Section 1 in full. No documentation from the employee is required to substantiate Section 1 information provided by the employee.

Section 1. Employee Information and Verification <i>(To be completed and signed by employee at the time employment begins.)</i>			
Print Name: Last	First	Middle Initial	Maiden Name
Address <i>(Street Name and Number)</i>		Apt. #	Date of Birth <i>(month/day/year)</i>
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): <input type="checkbox"/> A citizen of the United States <input type="checkbox"/> A noncitizen national of the United States (see instructions) <input type="checkbox"/> A lawful permanent resident (Alien #) _____ <input type="checkbox"/> An alien authorized to work (Alien # or Admission #) _____ until (expiration date, if applicable - month/day/year)	
Employee's Signature		Date <i>(month/day/year)</i>	
Preparer and/or Translator Certification <i>(To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.</i>			
Preparer's/Translator's Signature		Print Name	
Address <i>(Street Name and Number, City, State, Zip Code)</i>			Date <i>(month/day/year)</i>

Employer’s Responsibility regarding Form I-9

The employer is responsible for ensuring completion of the entire form. No later than close of business on the employee’s third day of employment services, the employer must complete section 2 of the Form I-9.

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): _____		_____		_____

FORM I-9 (Employment Eligibility form)

Human Resources monitors I-9 completion for new hires and follows up with departments as necessary if I-9's have not been submitted in a timely manner.

Human Resources is responsible for producing a quarterly report to the UNMC Compliance Committee summarizing UNMC's on-time completion rate.

Should the hiring unit not have the Form I-9 paperwork, the following actions are to be taken by the hiring unit(s).

The completion of a new Form I-9 must be requested from the employee with proper Form I-9 identification in accordance with the Form I-9 instructions and the completed Form I-9 documentation must be forwarded to HR records within two working days. The Form I-9 is to be signed and dated as of the actual date of completion and verification of the replacement document – DO NOT BACK-DATE THE I-9 FORM. To document UNMC's good faith effort, HR Records will attach an appropriate auditing note to identify UNMC recognition of correction and/or completion.

The PAF Coordinator/Administrator must immediately remove the employee from the payroll until such time as the documentation can be produced and verified. The hiring unit must notify the employee that he or she can not be employed until the Form I-9 is completed.

Name Changes

When an employee initiates a last name change in SAP, HR Records will receive notice from the SAP Change Register Report and update the Form I-9 with that change and will file the Form I-9 under the new name.

File Maintenance

All Form I-9's will be filed and locked in the filing cabinet located in Room AC 2020. Human Resources complies with Policy 6045, Privacy, Confidentiality and Security of Patient and Proprietary Information. As such, only those authorized may view I-9 forms and will be required to complete the viewing log. Request for viewing may be made at the HR Records Office.

Implementation and Administration of Procedure

HR Records is responsible for coordinating the proper training, education and communication related to Form I-9 administration.

Compliance Responsibility

Each Administrator and PAF Coordinator has the responsibility and will be held accountable for monitoring UNMC's compliance with this procedure. HR Records is responsible for maintaining the receipt and maintenance process, including the master Form I-9 files and notification of outstanding records to the hiring units.

Administrator Accountability

Should a violation of this procedure be identified, the Administrator must take affirmative steps to eliminate the violation. The following steps are to be taken:

- A. HR Records will notify the Administrator of the UNMC hiring unit, or PAF Coordinator.
- B. The Administrator/PAF Coordinator is to work with the affected employee to resolve the problem as soon as possible.

No exceptions will be made to this procedure at the University of Nebraska Medical Center. Questions or concerns regarding this procedure are to be addressed to the Division Director, Staffing, Compensation, Records, HRIT.