I-9 Work Authorization Form
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  • Penalties
• Tracker Overview
  • Tour
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  • Remote Section 1
  • Remote Section 2
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  • Employee Search
  • Manage I-9
• International Documents
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  • Re-verification
  • Walk through Section 2 with international documents
Overview of Form I-9

- Established by the Immigration Reform and Control Act (IRCA) of 1986
- Who must complete a Form I-9?
  - Every employee hired after November 6, 1986
  - Full-time, part-time and temporary employees
  - All employees working in the United States
- Timing of I-9 Completion
  - Section 1- Must be completed on or before the first day worked.
  - Section 2- Must be completed within 3 business days of first day worked.
  - If the employee is working for less than 3 days, Section 1 and 2 and Everify must be complete on or before the first day worked.
  - Re-hire Section 3- Must be completed on or before the first day worked
  - Re-verification Section 3- Must be completed on or before the document expiration date.
Overview of Form I-9

- Prohibited conduct under the IRCA
  - Citizenship or immigration status discrimination
  - National origin discrimination
  - Unfair documentary practices during the I-9 process
  - Retaliation

- Document Abuse
  - Requiring non-U.S. Citizen employees who are employment – authorized to produce specific documents issued by the U.S. Department of Homeland Security
  - U.S. Citizens are permitted to present documents of their choosing. Must be presented with the Acceptable Documents List.
Overview of Form I-9

• Acceptable Documents:
  • List A Documents establish both Identity and Work Authorization
  • List B Documents establish Identity
  • List C Documents establish Work Authorization
## Overview of Form I-9

<table>
<thead>
<tr>
<th>Substantive Verification Violations</th>
<th>Fine per I-9</th>
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<tbody>
<tr>
<td>0%-9%</td>
<td>$220</td>
</tr>
<tr>
<td>10%-19%</td>
<td>$548</td>
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<tr>
<td>20%-29%</td>
<td>$876</td>
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<td>30%-39%</td>
<td>$1205</td>
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<td>40%-49%</td>
<td>$1534</td>
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<tr>
<td>50% or more</td>
<td>$1862</td>
</tr>
</tbody>
</table>

Factors that can aggravate (+5%) or Mitigate (-5%) Fines:
- Business Size
- Good Faith
- Seriousness
- Unauthorized Aliens
- History
Live Tour and Demonstration
Demonstration
In Office
Demonstration
Remote Section 1
Demonstration
Remote Section 2
Demonstration
Section 3
Demonstration Dashboard and Employee Management
International Students/Scholars

- **F-1 International Students**
  - Curricular Practical Training (CPT):
    - List A: Foreign Passport + I-94 + Endorsed I-20
    - I-20 will specify CPT validity dates
  - Optional Practical Training (OPT)
    - These employees will have an Employment Authorization Document (List A, Item 4)

- **J-1 Exchange Visitors**
  - List A: Foreign Passport + I-94 + DS-2019 specifically endorsed for USU
If the Admit Until Date is D/S, the employee must present the I-20 or DS-2019 form that will give the dates they are authorized to work.
International Documents

J-1 Exchange Visitors
Employment Authorization Document
Permanent Resident Card (Green Card)
Re-verification

• Employment documents that need to be re-verified:
  • F-1 International Student Visas
  • J-1 Exchange Visitor Visas
  • Employee Authorization Document Cards
  • Foreign Passport & I-94 with expiration date
  • Form I-797 Approval Notice

• Employment Documents that DO NOT need to be re-verified
  • Permanent Resident Card
  • Passport from Federated States of Micronesia or Republic of the Marshall Islands or Palau
  • US Passport or List B Documents
Re-verification

There are several types of I-797 Notice of Action Forms. If your employee presents you one of these documents please work with HR to determine how to fill out the Form I-9.
Demonstration I-9 with International Documents
Additional Resources

- I-9 Central: [www.uscis.gov/i-9-central](http://www.uscis.gov/i-9-central)
  - Form I-9 and Instructions
  - M-274, The Handbook for Employers
  - M-775, E-verify User Manual
  - Acceptable Documents
  - I-9 Central Questions & Answers