



# County of San Bernardino

## I-9 EMPLOYMENT ELIGIBILITY VERIFICATION AND E-VERIFY

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The Employment Eligibility Verification (I-9) form is used to record information that verifies the identity of a new employee and their work authorization documents, as required by the U.S. Department of Justice, Immigration and Naturalization Services (INS). Individuals eligible to work in the United States are:

- ◆ A citizen or national of the United States
- ◆ A Lawful Permanent Resident
- ◆ An alien authorized to work with an unexpired INS approved document

### REFERENCES

Immigration Reform and Control Act of 1986

### FORMS REQUIRED

Employment Eligibility Verification (I-9) 

### MANDATORY FIELDS

Refer to instructions on form

### GENERAL INFORMATION

Effective November 6, 1986, all new employees **must** provide either original documents or temporary receipts showing they have requested original documents (i.e., Social Security Card, Birth Certificate, Driver License, etc.) **no later than three days** from date of hire. Employees that submit temporary receipts must provide original document(s) **within 90 days** from date of hire. If an employee fails to meet the above deadline(s), they must be terminated. Fines and penalties may be levied against the County for failing to comply with the INS law.

### ACCEPTABLE DOCUMENTS

- ◆ Refer to I-9 form

### UNACCEPTABLE DOCUMENTS FOR INS PURPOSES

- ◆ Certificate of U.S. Citizenship (Form N-560 or N-561)
- ◆ Certificate of Naturalization (Form N-550 or N-570)
- ◆ Expired Foreign Passport
- ◆ Laminated Social Security Cards that contain the statement "Not Valid If Laminated"
- ◆ Metal or plastic reproductions of a Social Security Card
- ◆ Unexpired Reentry Permit (Form I-327)
- ◆ Unexpired Refugee Travel Document
- ◆ Social Security Cards without a seal on the front and no printing on the reverse side or marked "not valid for employment"

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## PAYROLL SPECIALIST RESPONSIBILITIES


- ◆ Instruct new employees to bring proper identification on or before their first day of employment for verification. *Refer to department guidelines for individual procedures*
- ◆ Ensure the I-9 has been completed in accordance with INS regulations
- ◆ Examine original documents presented by the individual establishing identity and employment eligibility
- ◆ Verify that the first name, last name and middle initial (if included) on all supporting documents match. If not, refer employee to the appropriate agency to obtain acceptable documents within the specified time frames.
- ◆ Complete Section 2 – Employer Review and Verification
- ◆ Enter the first day worked (not the effective date of hire) in Section 2 - Certification
- ◆ Copy front and back of original documents. Attach to the I-9 and include with the appropriate JAR packet
- ◆ If an individual is not hired or is subsequently terminated for questionable documents, copies of those documents and an appropriate explanation are to be sent immediately to Employee Benefits & Services-Human Resources (EBSH-HR) (0440)
- ◆ Retain copies for department file
- ◆ Forward Originals to EMACS-HR (0030)


**Note:** Payroll Specialist and employee must sign within three (3) business days of the first day of work, in accordance with INS regulations

## RELATED FORMS/PROCEDURES

Checklist for New Hire-Contract 

Checklist for New Hire-Exempt 

Checklist for New Hire-Extra-Help/Recurrent 

Checklist for New Hire-Regular/Part-Time/Reemployment (Rehire) 

Hiring Transactions

Immigration Reform and Control Act of 1986 Memo 

## E-VERIFY

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E-Verify is an internet-based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) designed to help employers determine the eligibility of an employee to work in the United States. Effective May 27, 2010, an E-Verify query must be run once the I-9 process has been completed for each new hire.

### REFERENCES

[HTTPS://E-VERIFY.USCIS.GOV/EMP/VISLOGIN.ASPX?JS=YES](https://E-VERIFY.USCIS.GOV/EMP/VISLOGIN.ASPX?JS=YES)

### PAYROLL SPECIALIST RESPONSIBILITIES

- ◆ Contact EMACS-HR for E-Verify website log-in information, and for any subsequent questions regarding the system
- ◆ Post mandatory notices to inform potential employees of our use of the E-Verify system and Photo Screening Tool
- ◆ All Payroll Specialists must agree to MOU, complete online tutorial and pass mastery test prior to being able use the system
- ◆ Run query for each new hire. Query deadlines:
  - ◆ No earlier than the date the employee has accepted an offer of employment and has completed an I-9
  - ◆ No later than three (3) federal government workdays after the employee begins working for pay
- ◆ One of three query results will determine the appropriate action:
  - ◆ Employment Authorized - attach confirmation page displaying case result and Case Verification Number to I-9
  - ◆ Tentative Nonconfirmation (TNC) – Payroll Specialist and employee must sign and date TNC notice. Provide employee with the opportunity and forms to contest TNC. Refer to E-Verify Tutorial, User Manual, or Quick Reference Guide for required forms. Retain original TNC notice and attach to I-9.
  - ◆ Final Nonconfirmation – inform Human Resources Business Partner (HRBP), employee must be terminated
- ◆ Make sure to close case by answering follow up questions after initial query result received