

Procedures for I-9

Part-time, Full-time, and student workers

Within three days following the first day of employment but preferably in advance of employment, all employees/potential employees on the NTCC payroll must complete a federal verification of employment, also called an I-9 Employment Eligibility Verification, and must submit to Human Resources acceptable verification documents (Listed on List of Acceptable Documents attached),. The Immigration Reform and Control Act requires all U.S. employers to verify the employment eligibility and identity of all employees as of November 6, 1986. This includes the verification of the individual's identity and work eligibility and also includes citizens and non-citizens.

There are stiff penalties for not being able to provide Form I-9 for all employees upon request. The employer has the right to refuse their job if they are unable to furnish the required documents. There are certain exceptions as to who Form I-9 is applicable for, such as independent contractors, employees hired from employment agencies, and employees hired before November 7, 1986.

Penalties for non-compliance with Form I-9:

- **Employers who fail to properly complete, retain or make I-9 Forms available for inspection, face fines ranging from \$100 to \$1,100 per individual I-9.**
- **For employers who knowingly hire or knowingly continue to employ unauthorized workers, civil penalties range from \$250 to \$11,000 per violation.**
- **For employers engaging in a pattern or practice of knowingly hiring or continuing to employ unauthorized workers, criminal penalties can be as much as \$3,000 per unauthorized employee and/or 6 months of imprisonment.**

Even though the employer is responsible for providing a newly hired employee with Form I-9, the new employee must still complete Section 1 of Form I-9 by the end of the first day of work to be in compliance with the Immigration Reform and Control Act. In the event that the company is not aware of this legal requirement, it is strongly recommended that any new employee provide the employer with Form I-9 to ensure that his or her new workplace is in compliance with federal regulations.

The employer must review the authenticity of the documents provided by the employee. Employers may encounter the following two scenarios: a document accepted is not genuine or the document accepted is genuine but does not belong to the person that provided it.

The employer can refuse to accept a document that does not appear to be genuine. If the prospective new employee cannot provide an acceptable document, he or she should not be allowed to continue to work. The Immigration Reform and Control Act of 1986 (IRCA) makes it unlawful for U.S. employers to knowingly hire or continue to employ unauthorized workers. Whether the illegal employment is intentional or merely due to oversight or lack of knowledge, the employer may still be subject to fines as defined by the Department of Homeland Security.

The following process for completion of the I-9 Employment Eligibility Verification:

1. Prior to first day worked, NTCC will require an I-9 Employment Eligibility Verification to be completed with acceptable documents presented for review.
2. If I-9 submission cannot occur prior to the first day of employment, NTCC will accept Section I of the form to be completed by the end of the first day of employment and all acceptable documents presented for review no later than the third day of employment. Copies of the acceptable documents, including faxed copies, are not allowed and will not be accepted. Documents must be original and authentic. Social Security cards must be signed.
3. Employees/potential employees will bring acceptable documents to the Human Resources office on the scheduled day to complete new employee paperwork. (This day and time is scheduled in advance by Human Resources.)
4. After the employee/potential employee completes Section I, they will provide an acceptable document from List A or a combination of one selection from List B and one selection from List C. (See details concerning documents in #2)
5. Human Resources will examine the document(s) to determine their authenticity. If the documents are reasonably determined to be acceptable, copies may be made of the documents to attach to the Form I-9.
6. The Spanish version of Form I-9 may be filled out by employers and employees in Puerto Rico only. Spanish-speaking employers and employees in the 50 states and other U.S. territories may print the Spanish version of the form for their reference, but may only complete the form in English to meet employment eligibility verification requirements.
7. Upon completion and verification of the I-9 and acceptable documents, the Form I-9 will be placed in the Form I-9 notebook for either three years after the date of hire or for one year after employment is terminated, whichever is later. This form must be

available for inspection by authorized U.S. Government officials from the Department of Homeland Security, Department of Labor or Department of Justice.

8. For complete details and guidance in completing Form I-9, Employment Eligibility Verification Form, please review Handbook for Employers M-274 publication by the U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security attached.
9. NTCC will not waiver from the requirements established by the U.S. Department of Homeland Security and will not make any exceptions to the requirements established by this agency.