

<b>CITY OF APPLETON PERSONNEL POLICY</b>	<b>TITLE:</b> Employment Eligibility Verification (I-9 Form)	
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## I. PURPOSE

The Immigration and Nationality Act (INA), which the Immigration Reform and Control Act of 1986 (ICRA) amended, required that employers verify the identity and work eligibility of every employee hired after November 6, 1986. An I-9 form must be completed for all employees.

## II. POLICY

To ensure compliance with federal laws and regulations concerning verification of employment eligibility and associated record keeping for employees hired to work in the United States, an I-9 form must be completed for all employees. Human Resources or designated staff in other departments will complete the form for all newly hired benefited employees and outlying departments may complete them for seasonal, part-time and temporary employees. Employee violations of this City policy could lead to discipline up to and including termination of employment.

The most current I-9 form can be found on the U.S. Citizen and Immigration Services website at ([www.uscis.gov/i-9](http://www.uscis.gov/i-9)). Both sides of the I-9 must be copied and completed.

## III. DISCUSSION

The information collected is for the City of Appleton to verify the eligibility of an individual for employment and to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States. The information will be used by the City of Appleton as a record of the basis for determining eligibility of an employee to work in the United States.

## IV. DEFINITIONS

Employer: City of Appleton.

Employment Eligibility Verification Form (I-9): The most current form used to verify identity and work eligibility of everyone hired after November 6, 1986 in the United States. (Attachment 1)

INA: The Immigration and Nationality Act.

IRCA: Immigration Reform and control Act of 1986.

## V. PROCEDURES

**Section 1.** Employee Responsibilities. The employee must complete section 1 of the I-9 form no later than the close of business on his/her first day of employment. No documentation is required to substantiate Section 1 information provided by the employee. The City of Appleton is responsible for ensuring that Section 1 of the I-9 form is properly completed and on time. The employer is allowed to fill in any missing information. (However, the employer may not enter the information prior to the employee's first day of work.)

Preparer/Translator Certification. The Preparer/Translator Certification must be completed if Section 1 is prepared by a person other than the employee. A preparer/translator may be used only when the employee is unable to complete Section 1 on his/her own. The employee must still sign Section 1 personally.

**Section 2.** Employer Responsibilities. The employer must complete section 2 of the I-9 form. This must be done no later than the close of business on the employee's third day of employment. The employer must review documentation presented by the employee and record the information on the I-9 form. Proper documentation establishes both that the employee is authorized to work in the U.S. and that the employee who presents the document is the person to whom it was issued. The employer may accept any List A document, establishing both identity and work eligibility, or a combination of a List B document (establishing identity) and a List C document (establishing work eligibility) that the employee chooses from the list on the I-9 form. The employer must examine the documents and accept documents that appear to be genuine. The person examining the documents must attest under penalty of perjury that, to the best of their knowledge, the employee is eligible to work in the United States and, if the employee presented documents, the employee must sign and complete the entire certification section. The City of Appleton will not employ an employee who cannot present documentation that meets the requirements.

**Section 3.** Updating and Re-verification. If the City of Appleton hires a legal alien and that person is still working for the City when the employee's permit expires, the City of Appleton must re-verify his/her employment eligibility on or before the expiration date recorded in Section 1 of the I-9. If this does occur, refer to page 1 of the I-9 instructions for more details.

**Retention:** All completed I-9 forms shall be sent to Human Resources for retention. The Park and Recreation Department must also retain any I-9 forms completed by the Park and Recreation Department. All completed I-9 forms are to be kept in confidential files (separate from the employees Personnel File) for 3 years after the date of hire or (1) one year after the date the employee's employment is terminated, whichever is later.

**Fines:** The City of Appleton is subject to periodic audits by the US Federal Government and can be fined for incorrect or missing I-9 forms. Fines range from \$1,000-\$10,000 and could be warranted for issues like information omissions, completing an I-9 more than (3) three days after the date of hire, as well as offenses such as not having an I-9 on file for an employee or knowingly hiring an illegal immigrant. Pattern or practice violations could result in fines and up to six months in prison.

OMB No. 1615-0047; Expires 06/30/08

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**Form I-9, Employment Eligibility Verification**

Please read instructions carefully before completing this form. The instructions must be available during completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Verification.** To be completed and signed by employee at the time employment begins.

Print Name: Last		First	Middle Initial	Maiden Name
Address (Street Name and Number)			Apt. #	Date of Birth (month/day/year)
City		State	Zip Code	Social Security #
<b>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.</b>		I attest, under penalty of perjury, that I am (check one of the following):		
		<input type="checkbox"/> A citizen or national of the United States <input type="checkbox"/> A lawful permanent resident (Alien #) A _____ <input type="checkbox"/> An alien authorized to work until _____ (Alien # or Admission #) _____		
Employee's Signature				Date (month/day/year)

**Preparer and/or Translator Certification.** (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.

Preparer's/Translator's Signature	Print Name
Address (Street Name and Number, City, State, Zip Code)	
Date (month/day/year)	

**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): _____	_____	_____	_____	_____

**CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) \_\_\_\_\_ and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)**

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

**Section 3. Updating and Reverification.** To be completed and signed by employer.

A. New Name (if applicable)	B. Date of Rehire (month/day/year) (if applicable)	
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility.		
Document Title: _____	Document #: _____	Expiration Date (if any): _____
I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.		
Signature of Employer or Authorized Representative		Date (month/day/year)

Form I-9 (Rev. 06/05/07) N

**LISTS OF ACCEPTABLE DOCUMENTS**

<b>LIST A</b> Documents that Establish Both Identity and Employment Eligibility	<b>OR</b>	<b>LIST B</b> Documents that Establish Identity	<b>AND</b>	<b>LIST C</b> Documents that Establish Employment Eligibility
1. U.S. Passport (unexpired or expired)		1. Driver's license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address		1. U.S. Social Security card issued by the Social Security Administration <i>(other than a card stating it is not valid for employment)</i>
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address		2. Certification of Birth Abroad issued by the Department of State <i>(Form FS-545 or Form DS-1350)</i>
3. An unexpired foreign passport with a temporary I-551 stamp		3. School ID card with a photograph		3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
4. An unexpired Employment Authorization Document that contains a photograph (Form I-766, I-688, I-688A, I-688B)		4. Voter's registration card		4. Native American tribal document
		5. U.S. Military card or draft record		5. U.S. Citizen ID Card <i>(Form I-197)</i>
5. An unexpired foreign passport with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the employer		6. Military dependent's ID card		6. ID Card for use of Resident Citizen in the United States <i>(Form I-179)</i>
		7. U.S. Coast Guard Merchant Mariner Card		
		8. Native American tribal document		7. Unexpired employment authorization document issued by DHS <i>(other than those listed under List A)</i>
	9. Driver's license issued by a Canadian government authority			
		<b>For persons under age 18 who are unable to present a document listed above:</b>		
		10. School record or report card		
		11. Clinic, doctor or hospital record		
		12. Day-care or nursery school record		

**Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)**