

Metro | *Policies and procedures*

Subject Immigration Reform and Control Act
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

It is the policy of Metro to comply with the Immigration Reform and Control Act of 1986, which requires employers to verify work eligibility and proof of identity for all employees hired after November 6, 1986. Employers must maintain documentation of such eligibility for three years from the date of verification or one year after the person's employment is terminated.

Applicable to

All employees hired after November 6, 1986.

Definitions

I-9 Form: The I-9 Employment Eligibility Verification form issued by the Department of Homeland Security – U.S. Citizen and Immigration Services. The I-9 form is used to verify a person's identity and eligibility for employment in the United States.

Human Resources Representative: A member of the Metro Human Resources Department or their designee.

Acceptable Documentation: Specific documents used to show proof of identity and eligibility to work in the United States. These documents are listed on the I-9, Employment Eligibility Verification form and are the only ones that an employer is allowed to accept.

Guidelines

1. A new employee will receive an employment confirmation letter notifying him or her of the requirement to provide documentation on the first day of employment that verifies identity and eligibility to work in the United States.
2. The Human Resources representative collecting the I-9 form must review and verify the documentation and certify to the genuine appearance of the documents presented.
3. The I-9 form must be completed in the Metro Human Resources Department or by a Human Resources representative on or before the employee's first day of work.

The I-9 form includes a list of acceptable documents. The documents must be current. As long as documents submitted by the employee fulfill the requirements listed on the I-9 form, the employer may not ask for specific pieces of identification or request to view a specific document,

4. An employee who cannot produce the required documents or an “acceptable receipt in lieu of the document” will be terminated. “Acceptable receipts in lieu of document” are listed on the I-9 form.
5. If employees have alien or visa status, they may not work past the visa expiration date unless eligibility for employment is re-verified. It is the responsibility of the employee to obtain an extended visa or work permit. If the visa or work permit is not extended, the employee will be terminated.
6. A new I-9 form must be completed for rehired employees unless the employee is rehired within 3 years of completion of the original I-9 form.

Procedures

1. A new employee will either report to the Metro Human Resources Department or meet with a Human Resources representative to complete the I-9 form prior to beginning work. Before the form can be approved, the new employee must provide documentation that establishes identity and eligibility for working in the United States.
2. The Human Resources representative will ensure that Section 1 is properly completed and will complete the I-9 form by examining the original document(s), providing the information requested, and signing the form. The document(s) presented must appear to be genuine and relate to the individual. Photocopies of the document(s) should be attached to the I-9 form.
3. Employees who provide documents that demonstrate limited work authorization will be required to provide updated information upon expiration. The updated information will be attached to the original I-9 form.
4. If documents have expired, Human Resources will update and record the new document title, number, and expiration date (if any) of the documents the employee presents.
5. A new I-9 form must be completed if the version of the original I-9 form has since been replaced by a newer version or if an employee is rehired 3 years after the initial hire date.
6. Completed I-9 forms are retained in the Metro Human Resources Office for three years from the date of verification or one year after the person’s employment is terminated.

Responsibilities

Employees:

- Before beginning work, new employees must complete an I-9 form and provide documents as described in the form in order to confirm their identity and eligibility to work in the United States. If applicable, employees will provide the Metro Human Resources Department with updated immigration documents upon expiration.

Hiring Managers:

- Instruct new employees to report to the Metro Human Resources Department or meet with a Human Resources representative to complete the I-9 form before starting work.
- Verify with the Metro Human Resources Department that the I-9 form is completed.
- Contact the Metro Human Resources Department if they have any questions about correct documentation or procedures.

Metro Human Resources Department:

- Ensure that every new employee fills out the I-9 form and check to make sure that the new employee has provided acceptable documentation. If applicable, verify employee's eligibility documents, notify employees and managers of expired status, and ensure that updated documents are provided.
- Maintain all I-9 forms in a secure location.

References

Form I-9, Employment Eligibility Verification Form