



## UT System Administration Policy Library – Policy INT119 **EMPLOYMENT ELIGIBILITY**

Responsible Officer: Associate Vice Chancellor for Employee Benefits and Services

Sponsoring Office: Office of Employee Services

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Errors or changes to: [policyoffice@yutssystem.edu](mailto:policyoffice@yutssystem.edu)

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## **POLICY STATEMENT**

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In accordance with the Immigration Reform and Control Act of 1986, The University of Texas System must verify the employment eligibility of all persons hired by completing Employment Eligibility Verification Form I-9 for each individual hired and must not knowingly hire or continue to employ any person not authorized to work in the United States.

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## **RATIONALE**

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The purpose of this policy is to ensure compliance by The University of Texas System with the Immigration Reform and Control Act of 1986.

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## **SCOPE**

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All Offices of UT System Administration

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## **WEBSITE ADDRESS FOR THIS POLICY**

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<http://www.utsystem.edu/policy/policies/int119.html>

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## **RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS**

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UT System Administration Policies & Standards	Other Statutes, Policies & Standards
	<ul style="list-style-type: none"><li data-bbox="873 1451 1344 1518">• <a href="#">Immigration Reform and Control Act of 1986</a></li><li data-bbox="873 1526 1222 1593">• <a href="#">Employment Eligibility Verification Form I-9</a></li></ul>

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## **CONTACTS**

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If you have any questions about UT System Administration Policy INT 119, *Employment Eligibility*, contact the following offices:

<b>Subject</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/URL</b>
Human Resources/ Employee Benefits	Office of Employee Services	512-499-4587	<a href="mailto:esc@utsystem.edu">esc@utsystem.edu</a>

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## **DEFINITIONS**

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### **Form I-9**

Employment Eligibility Verification form of Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS); for employer compliance with the Immigration Reform and Control Act ([IRCA](#))

### **U.S. Citizen**

Includes persons born in Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands

### **U.S. National**

Includes persons born in American Samoa, including Swains Island

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## **RESPONSIBILITIES**

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### **Employer**

- It is the responsibility of The University of Texas System to ensure that Form I-9 is completed accurately and timely.

### **Employee**

- Employees must timely and accurately complete Form-I-9 and provide acceptable supporting documentation.

### **Office of Employee Services**

- The Office of Employee Services will examine documentation presented by employees to establish identity and employment eligibility and will retain the Form I-9 for an established period of time. The Office of Employee Services will re-verify employment eligibility for those employees required to provide an "authority to work" expiration date in Section 1 of Form I-9.

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## PROCEDURES

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**1.1** The University of Texas System requires newly hired employees to complete Section 1 of Form I-9. The employee must affirm that he or she is a citizen, a permanent resident, or an alien authorized to work in the United States. An employee who is an alien authorized to work must provide the expiration date for such authorization.

While citizens and nationals of the U.S. are automatically eligible for employment, they must also present proof of employment eligibility and identity and complete Form I-9.

**1.2** The University of Texas System must ensure within three business days of the commencement of employment that the employee presents original documentation of identity and employment eligibility. These documents must be in accordance with the list of acceptable documents listed on the back of Form I-9.

**1.3** If an employee is unable to present the required documentation within the three-day period, the employee must present a receipt(s) reflecting his or her application for acceptable documentation within three business days of hire and provide the documents within 90 business days of hire.

**1.4** The Office of Employee Services will examine the documents to determine that they appear to be genuine and that they relate to the individual who has presented the documents, and will not accept documents that appear to be forged, fraudulent, or subject to tampering. If the documents appear genuine, the Office of Employee Services will complete Section 2 of Form I-9. This section certifies employer review of the documents presented by the newly hired individual and the employee's eligibility to work, to the best of the employer's knowledge.

**1.5** If the employee is required to provide an “authority to work” expiration date in Section 1 of Form I-9, the Office of Employee Services has an obligation to re-verify employment eligibility of the employee before the expiration date listed. Re-verification consists of ensuring that the employee is eligible to work just prior to the expiration of employment authorization as indicated by the employee in Section 1 of Form I-9.

**1.6** The Office of Employee Services will retain Form I-9 for at least one year after the individual’s employment is terminated or three years after the date employment begins, whichever is later.

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## **FORMS AND TOOLS / ONLINE PROCESSES**

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[Employment Eligibility Verification Form I-9](#)

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## **APPENDIX**

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None

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Keywords: employment eligibility, immigration, naturalization, HR, human resources

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