

1. Title

Employment Eligibility

2. Policy

Sec. 1 Policy Statement. 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.

Sec. 2 Purpose. The purpose of this policy is to ensure compliance by the U. T. System with the Immigration Reform and Control Act of 1986.

Sec. 3 Form I-9. The U. T. 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.

Sec. 4 Documentation. The U. T. 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.

Sec. 5 Deadline for Documentation. 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.

Sec. 6 Employer Certification. 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.

Sec. 7 Reverification of Employment Eligibility. 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 reverify employment eligibility of the employee before the expiration date listed. Reverification 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.

Sec. 8 Records Retention. 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.

3. Definitions

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.

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.

4. Relevant Federal and State Statutes

[Immigration Reform and Control Act of 1986](#)

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

5. Relevant System Policies, Procedures, and Forms

None

6. System Administration Office(s) Responsible for Policy

Office of Employee Services

7. Dates Approved or Amended

February 1, 2006

July 20, 2009

July 28, 2011

Editorial Amendment March 8, 2012