Employment Eligibility and Verification

Form I-9

Background

- All U.S. employers must verify employment eligibility.
- Form I-9 is required for every new employee hired after Immigration Reform and Control Act (IRCA) enacted November 6, 1986.
- Proper completion of Form I-9 ensures that US employers only employ individuals authorized to work in the United States, and ensures that employers do not commit discriminatory practices against individuals who are work authorized.
- Accurate and timely completion of the Form I-9 is essential to compliance with federal regulations. Failure to complete Form I-9 timely can result in serious penalties.
Enforcement and Internal Procedure

Two divisions of the Department of Homeland Security, the United States Citizenship and Immigration Services (USCIS) and the Bureau of Immigration and Customs Enforcement (BICE), are responsible for rules and enforcement related to IRCA. The US Department of Labor and the US Department of Justice also have enforcement authority.

Contact Human Resource Services immediately if you receive telephonic, written, or other communication from any of these entities.

Accessing the online I-9 System

To access the online system, open an internet browser (i.e., Internet Explorer or Firefox) and go to: http://www.lookoutservices.net

Enter your network ID and temporary password (Wazzu08!).

You will be required to change your password upon initial entry to the system.
Your new password will have to abide by the following rules:

1. Password will need to have a total of at least 8 characters and must contain: at least one uppercase letter, at least one lowercase letter, one number, one special character.
2. User prompted to change password every 90 days.
3. User must not reuse any of their five previous passwords over a 15 month timeframe.
4. User account locks out after 3 consecutive unsuccessful logon attempts. To reset a locked user account, contact Human Resource Services.

FORGOTTEN PASSWORD

Click on Go Back or “Click here if you forgot your password.”

If you click on “Click here if you forgot your password,” your password will be emailed to you. However if the bad password is entered 3 consecutive times, the user will be locked out of his/her account.

Upon successful login, you will see the messages screen. Review the messages and notices, then continue to the Main Menu.
To complete a new I-9 Form select:

Add a New Individual I-9 Document

Depending upon your security level, your menu may have different options.

It is not required that the employee provide a Social Security Number for Section 1, unless required to participate in E-verify. HRS will inform department of E-verify requirement. Type “PENDING” if employee does not provide SSN.

The I-9 consists of three sections:

- Section 1 – Employee information and verification
- Section 2 – Employer review and verification
- Section 3 – Updating and reverification
Section 1

- Employee completes this section.
- Must be completed **no later than first day of employment** after the offer of employment has been accepted.
- Employee reads warning and attests to his or her citizenship or immigration status and the employee signs the form.

The Employer must never request to see -- or otherwise require review of -- any documentation to substantiate the accuracy or legitimacy of information provided by an employee in Section 1. The purpose of Section 1 is for the employee himself or herself to attest to this by means of a personal signature and date.

If an employee does not, cannot, or will not provide all required Section 1 information, including the date and original signature, the employer is on notice that the Section 1 requirement has not been met and should not proceed with Section 2. Such a failure or refusal on the part of an employee is notice to the employer that the employee is not authorized to work.

Important items regarding SSNs

- A prospective employee without an SSN must obtain one, since this number is required for tax purposes. Any person eligible to work in the United States is also eligible for an SSN and a card bearing that number. NOTE: Providing a Social Security number of Form I-9 is voluntary for all employees unless you are an employer participating in the USCIS E-Verify Program. HRS will work with your department if required to participate in E-VERIFY.
- Employers may not demand that employees who provide SSNs verify their SSN with a Social Security Card.
- Individual Taxpayer Identification Numbers (ITINs), which are formatted similarly to SSNs but begin with the digit “9,” do not satisfy the requirement for an SSN and are not allowed.
Section One

- A blank I-9 form is displayed for data entry.
- Instructions must be made available.
- The employee completes all required Section 1 fields.

Clicking on a Tip (?) link throughout the online I-9 Form provides instructional information and answers to commonly asked questions.

Alerts are pop-up screens that provide instructions on how to fill out the form. Alerts provide guidance regarding document issues and explain how the system calculates dates. Information about common misunderstandings, new rules, or special situations is provided in the alerts.

Upon completion of Section 1, the employee checks the “Check to sign” box to attest that all of the information provided is true and correct.
The employee is provided with a receipt regarding their electronic signature and completion of Section 1 of the I-9 employment eligibility verification form.

- Employee presents original document(s) that establish identity and employment authorization.
- Must be completed within 3 business days of the date employment begins.
- Employee provides minimal documentation of his/her choice that will meet the requirement. Provide the employee with the full list of acceptable documents. Do not tell them specifically which documents to provide.

**Section 2**

- Employee presents original document(s) that establish identity and employment authorization.
- Must be completed within 3 business days of the date employment begins.
- Employee provides minimal documentation of his/her choice that will meet the requirement. Provide the employee with the full list of acceptable documents. Do not tell them specifically which documents to provide.

**Document Review**

Your job as employer representative in Section 2 is to examine the document(s) presented and enter the required information.

You must accept any documents(s) presented by the individual that reasonable appear on their face to be genuine and to related to the person presenting them. You may not specify which documents(s) an employee must present.
Employer must personally review original documents(s) that demonstrate a employee's identity and eligibility to work in the United States.

You cannot accept expired documents.

Photocopies are not acceptable in lieu of the documents themselves. Exception: a certified copy of a birth certificate bearing an official seal is acceptable. Hospital issued certificates are not acceptable.

Some data fields are automatically populated based on your login. These include name, title, business name, address, and date of signature.

The employer information appears when you 'check' the employer signature box in Section 2.
Retaining Photocopies of Section 2 Documents

Photocopies of documentation presented to satisfy Section 2 requirements are not required for online electronic I-9's.

Receipt Rule

First time application v. Replacement Documents

First time application - Receipts resulting from first time application for a document are never acceptable under this rule.

Replacement documents – Under certain circumstances, receipts for replacement documents may be accepted. A document will constitute a replacement if the document being replaced was lost, stolen, or destroyed before it expired and must be replaced in order to engage in any activity permitted by that document.

Once the replacement document has been received, it must be presented to the employer within the 90-day period and the Form I-9 should reflect this event.

• A receipt will not indicate whether it relates to a replacement, extension, renewal, or first time application. For this reason, ask if the receipt relates to an application filed to replace document, to renew or extend an expired document, or a first time application.

• If the receipt is for a replacement rather than an extension or renewal, enter the document number into the document number field.

• If the receipt is for first time application for a document, or extension/renewal of an expired or expiring document, ask the employee for other acceptable documentation. If other documentation cannot be provided, the employee is not considered eligible to work.
Make sure the complete information is recorded in Section 2 for any identity and/or work authorization documentation provided by the employee.

Use the drop down boxes under the List A, B, and C headings and click on the name. Enter the identifying number for each document. If there is no expiration date or document number, enter “N/A.”

The “Show Sample” hyperlink located above the List A document field opens a window that provides an image and description of the document selected in that field.

These images can be useful when reviewing documents for genuineness. They also familiarize users with document appearance and features.

**Special Instructions**

- Social Security Cards that are restricted and state “not valid for employment” or “valid only with INS/DHS authorization” may not be accepted for Section 2 purposes.
- Metal Social Security Cards are not acceptable. The Social Security Administration never issued such cards.
Following data entry of Section 2 information, click “Run Checks” at the bottom of the I-9 Form. Errors will be highlighted in yellow.

Read “Problems Found”. Make edits in yellow data fields. Click “Run Checks” after editing to clear “Problems Found” and yellow sections.
Click on the “Run Checks” button. When all yellow data fields have been cleared, click on “Save & Return to Menu” or the “Save & Add Another” button at the bottom of the I-9 Form.

The “Cancel & Return” option does not save the I-9 Form.

Several options are available once an existing I-9 Form has been selected.

- **Edit** – modify existing I-9 information (section 2)
- **Print I-9** – PDF version of the I-9 selected
- **Add Section 3** – update or re-verify I-9 information
- **Delete** – contact Human Resource Services; do not delete ANY I-9
- **Additional Info** - display errors in the selected I-9
To edit an existing online I-9 form (add Section 2 info):

Reveryifying or Updating Employment Authorization for Rehired Employees

If you rehire an employee who has previously completed Form I-9, you may reverify on the employee’s original Form I-9 if:

- You rehire the employee within 3 years of the initial date of hire; and
- The employee’s previous grant of employment authorization has expired, but he or she is now eligible to work under a new grant of employment authorization; or
- The employee is still eligible to work on the same basis as when Form I-9 was completed.
**Section 3**

**Updating and Reverification**

Updating refers to updates of information.

Reverification refers to proof of extended work authorization.

New work authorization of an employee whose Section 1 information or Section 2 or 3 documentation indicates expiring work authorization must be re-verified & recorded in Section 3 before the applicable expiration date.

To update, you must:

- Record the date of rehire and the employee’s new name, if applicable.
- Record the document title, number and expiration date (if any) of the documents(s) the employee presents;
- Sign and date Section 3

If original I-9 was completed on paper and has expired, complete new electronic I-9 for rehire.

To reverify, you must:

- Record the date of rehire;
- Record the document title, number and expiration date (if any) of the documents(s) the employee presents;
- Sign and date Section 3.

If original I-9 was completed on paper and has expired, complete new electronic I-9.
Once entered into the Online I-9 System, the new document’s expiration date will be automatically tracked, if tracking and re-verification are necessary. 180, 90, 60 and 30 days prior to Section 1, 2 or 3 expiration dates, the software generates an e-mail notice of the need to reverify and provides the means to print a reminder notice for the employee.

Additional email notifications are sent on a daily basis counting down from 29 days prior to expiration.

If re-verification cannot be accomplished and new information cannot be recorded in Section 3, the employee must be terminated as of the Section 1 and/or Section 2 expiration date.

To Add Section 3 information to an individual I-9 (reverification or updating):

3. Select “Add Section 3” in the Action column.

Searches can be performed using one or more of the criteria.
Updating expired documents

- Select the Document(s) to be updated in Section 3 from Document Title Combo box.
- Type in the information for the selected document(s) and the new expiration dates.
- After carefully reviewing the document(s), you must sign to complete the update.

*(If Section 1 & 2 differ in expiration dates then Section 3 must be completed before the expiration of either of the dates in either two sections.)*

Reports

The Reporting Section, which can be accessed from the “Main Menu,” provides summary information about all the I-9 Forms that are available for you to view.

Refer to the user manual for more information about online reports.

- Additional information needed report
- Data entry report
- Statement of I-9 completion report
- Expiring employment documents report
- I-9 retention report
- 3 Day Section 2 unfilled report
- Alien report

Reference Section

The Reference Section is accessed from the “Main Menu.”

The items and information is updated frequently.
What’s Next……
Start using the online electronic I-9 system.

- Return completed Access Request form to HRS
- Access the online I-9 system at [www.lookoutservices.net](http://www.lookoutservices.net)
- Change your password upon initial entry to the system
- Upon successful log in, proceed to the main menu
- Select ‘add a new individual I-9 document’
- Employee completes and electronically signs Section 1
- Employee presents documentation
- Employer completes and electronically signs Section 2
- Save and return to menu, or save and add another I-9
- Complete Section 3, update and re-verify information as required

Questions…..
If you have questions regarding use of the electronic I-9 system, please contact Human Resource Services, 509-335-4521 and ask for:

Lori Miller
Michele Donovan
Emily Vander Zanden

If you wish to have your attendance documented in your training history, please notify Human Resource Services within three days of today’s date:
hrstraining@wsu.edu

This has been a WSU Training Videoconference