

UNIVERSITY of HOUSTON  
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Human Resources  
AREA: Recruitment and Employment

Number: 02.03.06

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| <b>SUBJECT: Employment Eligibility Verification Form I-9</b> |
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I. PURPOSE AND SCOPE

This document provides general guidelines to ensure compliance with the [U. S. Department of Homeland Security](#) provisions for completing Employment Eligibility Verification Form I-9. The provisions of this policy apply to all university employees, including faculty and staff, full-time and part-time, student and non-student.

II. POLICY

It is the policy of the university to hire only individuals who are authorized to work in the United States and to comply with the [Immigration Reform and Control Act \(IRCA\)](#) and the U. S. Department of Homeland Security provisions governing the completion and retention of Form I-9.

The university will use the current Form I-9, including approved electronic or paper versions, in conjunction with E-Verify to confirm the identity and work eligibility of all employees on or before the hire date, but no later than the third day of employment. Failure to comply with this requirement may result in termination of the employee.

The [IRCA](#) prohibits the university from refusing to hire any person (other than an undocumented individual) because of a person's national origin or citizenship status. The university also may not demand more or different documents than an employee presents, as long as the documents presented are acceptable by law.

III. DEFINITIONS

- A. **I-9:** Employment Eligibility Verification Form I-9. This is the federal document required to verify an individual's identity and employment eligibility.
- B. **E-Verify:** E-Verify is an internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. Public university participation in E-Verify became a State of Texas law in September 2015.
- C. **Employee:** Any individual compensated for services by the university and paid through the payroll system.
- D. **Hire Date:** The first day of employment. The day the individual starts working, regardless of the appointment date.
- E. **Rehires:** Due to the HRMS system, some employees are marked as "terminated" at the end of their current appointment, even though their relationship with the University has not ended. The hire status will mark the new hire date.

- F. Representative: An employee of Human Resources who represents the university by completing Section 2 or 3 of the I-9.

#### IV. GENERAL RESPONSIBILITIES

- A. All I-9s must be completed by a Human Resources Representative. Human Resources typically complete I-9s electronically, but reserves the right to complete a paper I-9 as needed.
- B. On or before the hire date, the employee is responsible for completing Section 1 of the I-9.
- C. Section 2 will be completed by an HR representative within three days of the employee's hire date using original, unexpired documentation presented by the employee. The only acceptable document that may be presented in certified copy format is a birth certificate. Only USCIS may apply any [flexibility in I-9 verification requirements](#). HR will continue to monitor current USCIS I-9 guidelines and work authorization guidelines that may be affected.
- D. E-Verify will be done at the time of the I-9 unless the employee does not have a Social Security Number. The employee will be required to update their Social Security information in Human Resources within three days of receiving their card in the mail.
- E. If the E-Verify system returns a Tentative Non-Confirmation (TNC), the employee must meet with a Human Resources representative and take immediate corrective action. If the TNC remains unresolved after eight Federal working days, the University is required by law to terminate employment.
- F. Human Resources will retain all I-9s and E-Verify confirmation numbers in accordance with the Department of Homeland Security's retention requirements.
- G. I-9s and associated documentation are not to be copied or retained outside of the Human Resources department.
- H. Employees who do not comply with I-9 or E-Verify regulations will be subject to termination.
- I. Hiring departments are responsible for ensuring employees complete the I-9 and E-Verify on or before the hire date. Any federal non-compliance fines resulting from department oversights will be charged to the department.
- J. Prior to the expiration of an employee's work authorization, the employee must present to Human Resources current valid documentation to re-verify work authorization. Failure to comply with this requirement will result in termination of the employee.

#### V. I-9 REQUIREMENTS

- A. An I-9 must be completed for each employee as follows:
1. For all New Hires
  2. For Rehires in the following circumstances:
    - If the original I-9 was completed within 3 years of the hire date *and* employment authorization documents for the original I-9 are expired; or

- If the original I-9 was completed more than 3 years from the hire date.

B. Under certain circumstances, only Section 3 of the I-9 should be completed for employees as follows:

1. For Rehires: If the I-9 was originally completed within 3 years of rehire date *and* the original employment authorization documents are not expired.
2. When an employee has a legal name change.
3. When an employee's employment authorization or documentation has expired. The employee will need to provide employment authorization documentation that has not expired.

C. An I-9 is not required for:

1. Contractors
2. Volunteers
3. Other non-employees not paid through payroll

VI. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice President for Human Resources

Review: Every five years

VII. APPROVAL

*/Raymond Bartlett/*

Senior Vice President for Administration and Finance

*/Renu Khator/*

President

Date of President's Approval: April 27, 2021

VII. REFERENCES AND RESOURCES

[U.S. Citizenship and Immigration Services I-9, Employment Eligibility Verification Information](#)

[Complete and Correct Form I-9](#)

[USCIS Form I-9 Instructions](#)

[USCIS Form I-9 Requirement Flexibility Guidelines](#)