The University of North Carolina at Chapel Hill
Form I-9 & E-Verify Compliance Manual

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This document can be used both online and as a printed manual. All external web links (other than state and University departmental web sites) are listed at the end of the document. A revisions log appears at the end of the document.
Overview

All State agencies are required to verify employment eligibility for all employees hired on or after January 1, 2007 using the E-Verify program (formerly called the Basic Employment Verification Pilot, or Basic Pilot) administered by the U.S. Department of Homeland Security (DHS) in cooperation with the Social Security Administration (SSA). This new requirement adds to, but does not replace, the existing Form I-9 verification process required by Federal law for all employees hired after November 6, 1986. Form I-9 and E-Verify rules also require consistent administrative practices across the University and timely compliance by all departments.

This manual establishes the University’s mandatory employment eligibility verification procedures, including procedures for termination of employment when employment eligibility is not verified. Careful compliance with these procedures can prevent unnecessary disruptions. Employees whose employment eligibility is not verified on time should not begin work or continue to work for the University until eligibility is verified. When ineligibility is determined, an Form I-9 or E-Verify deadline is missed, or a work authorization lapses, the employee must cease all work for the University immediately.

The Federal laws and regulations which govern employment eligibility verification are complex. If you encounter a situation where the course of action required by the Form I-9 and E-Verify rules is unclear, help is available. The glossary at the end of this manual defines terms that may be unfamiliar. For assistance, please contact an Employment Eligibility Verification Specialist (EEV Specialist) at 919-962-0985 or send email to eevquestions@listserv.unc.edu.

Compensation & Staffing Programs Department
Office of Human Resources, CB# 1045
104 Airport Drive, Suite 1500
The University of North Carolina at Chapel Hill
Chapel Hill, N.C. 27599-1045
Federal and State Requirements

1. Cooperation with Form I-9 and E-Verify employment eligibility verification procedures is a condition of new and continued employment at UNC-Chapel Hill. Employees who decline to cooperate will be discharged.

2. Every termination, placement in leave status, or halt to hiring related to Form I-9 and E-Verify compliance must be approved by the Compensation & Staffing Programs Department, Office of Human Resources (OHR/Staffing Programs) before the action is taken.

3. Every employee of The University of North Carolina at Chapel Hill must complete Section One of the Federal Form I-9 (“Employment Eligibility Verification”) no earlier than when he/she has accepted a job offer in writing and no later than the day he/she starts work or otherwise first performs services for pay. The employee must not be allowed to complete his/her first day of work for pay before Section One is complete and the hiring unit has verified its completeness.

4. Every employee of The University of North Carolina at Chapel Hill must provide a valid combination of valid documents establishing his/her identity and authorization to work in the United States to the hiring unit so that the University can complete and verify Section Two of the Form I-9 within three business days of the start date. If the deadline passes, the employee must not be allowed to continue to do any work for pay until Section Two of the Form I-9 is completed and verified.

5. The University representative who verifies the Form I-9 must determine that the documents presented are valid and reasonably appear on their face to be genuine and to relate to the person presenting them who must be physically present when the documents are examined. If the University representative cannot verify identity and work authorization, he or she must contact an Employment Eligibility Verification Specialist (EEV Specialist) in OHR/Staffing Programs for a final decision on whether the employee has presented proof of eligibility to work.

6. In the case of an employee who will work three business days or less, the employee must not be allowed to do any work for pay until both Sections One and Two of the Form I-9 are completed and verified.

7. It is the University’s policy not to release a first paycheck or to accept Payroll direct deposit instructions until Section One and Section Two of the Form I-9 are completed and certified.

8. The information from the Form I-9 must be submitted to the Social Security Administration (SSA) and the Department of Homeland Security (DHS) via E-Verify within three business days of the employee’s start date. For decentralized hires, the hiring unit must submit the Form I-9 information via the Employment Eligibility Verification Tool (EEV Tool) in HR Central as soon as Section Two of the Form I-9 is completed and verified, so that an EEV Specialist can submit it on time in E-Verify.

9. The hiring unit and the employee must cooperate with instructions from the EEV Specialists, who may require further information or may direct that the employee contact the EEV Specialists, DHS, or SSA for follow-up before a deadline passes.

10. When an employee’s work authorization expires, he or she must cease all paid work for the University immediately. If the employee cannot provide proof of current work authorization, the University cannot continue his/her employment; the employee must either be terminated or, at the hiring unit’s discretion, and in accordance with other laws and policies, placed in leave status. Employees should apply to renew an expiring work authorization four months in advance. (Delays in such renewals are common.) International Student and Scholar Services may be able to help with some renewals, for example, renewals of F-1, J-1, H1-B, O-1 and TN immigration statuses. See the section on Non-Resident Aliens for more information.

11. The University does not discriminate on the basis of national origin or citizenship. Personally identifying information on the Form I-9, in the EEV Tool, or in E-Verify may be used only in compliance with Federal and State law. It will not be used when making hiring or personnel decisions. It should not be available to managers making those decisions. Assignments, training, and future planning should never take into account an employee’s E-Verify status or the employee’s work authorization expiration date, if any.

12. The University is required to promptly correct any mistakes on the Form I-9 or in the E-Verify system without obscuring any error or concealing that a mistake was made.
Overview:

Assignment of Responsibility

UNC-Chapel Hill hires its workforce through several different channels. Departments directly hire EPA Faculty and EPA Non-Faculty permanent employees, EPA Postdoctoral Fellows, EPA Student Employees, and some EPA and SPA temporary employees—Direct Hire Temps. OHR’s Tar Heel Temps office hires other SPA temporary employees. Departments work with their OHR Employment, Classification and Compensation Specialist to hire SPA employees for permanent and time-limited positions; once a department selects a candidate, OHR/ Staffing Programs completes the hiring process. The Office of Scholarships and Student Aid verifies the employment eligibility of Work-Study Student Employees before other departments hire them.

Responsibility for the Form I-9 Process and the E-Verify Employment Eligibility Verification Check (E-Verify EEV check) is assigned as shown in the chart below. Each row in the chart refers to a section in this manual and is reproduced at the start of that section.

<table>
<thead>
<tr>
<th>Form I-9 and E-Verify Compliance: Assignment of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA Faculty, EPA Non-Faculty, EPA Student Employees, and Postdocs</td>
</tr>
<tr>
<td>Complete the Form I-9, Submit Form I-9 Information to OHR using the EEV Tool in HR Central within three business days of employment.</td>
</tr>
<tr>
<td>Submit Form I-9 Information to DHS using E-Verify for each new hire. Follow up on any problems with department and employee.</td>
</tr>
<tr>
<td>Update Forms I-9 Receipts, renewals and corrections</td>
</tr>
<tr>
<td>Maintain Form I-9 files Filing, transmitting the Form I-9 to a new home department, and archiving</td>
</tr>
<tr>
<td>When Eligibility Is Not Verified, Place Employee in Leave Status or Terminate Employment</td>
</tr>
</tbody>
</table>

Complete the Form I-9 and Submit Form I-9 Information to OHR

<table>
<thead>
<tr>
<th>Form I-9 and E-Verify Compliance: Assignment of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA Faculty, EPA Non-Faculty, EPA Student Employees, and Postdocs</td>
</tr>
<tr>
<td>Hiring Department</td>
</tr>
</tbody>
</table>

The hiring department collects, verifies and transmits Form I-9 information to OHR for newly hired EPA Faculty, EPA Non-Faculty, EPA Postdocs, EPA Student Employees, and Direct Hire Temporary Employees. OHR collects and verifies Forms I-9 from new SPA permanent employees as part of the Job Offer Acceptance (JOA) process. OHR’s Tar Heel Temps office collects and verifies Forms I-9 from Tar Heel Temps after they are hired for their first assignment. Scholarships and Student Aid collects, verifies, and transmits Form I-9 information to OHR for Work-Study Student Employees.

Familiarity and compliance with the Form I-9 rules is required to complete this task. Please read and refer to these instructions below, the instructions on the Form I-9, the New Hire Checklist, the Handbook for Employers and The Form I-9 Process in a Nutshell.

If an employee refuses to complete Section One of the Form I-9 or does not provide valid documents for the completion of Section Two, the job offer must be rescinded and employment must be terminated with the approval of OHR/Staffing Programs. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

It is the University’s policy not to release the first paycheck or to accept Payroll direct deposit instructions until Section One and Section Two of the Form I-9 are completed and verified. See Payroll-related Procedures for Nine-Month Faculty and Certain Student Employees for more information.

Employees Paid with One-Time Payments must complete a Form I-9 at the time they begin work for pay.

All information entered on a Form I-9, except signatures, must be legibly printed or typed.

Because the rules for completing the Form I-9 are so complex, two versions are provided. The complete rules are presented below. A Form I-9 and Employment Eligibility Verification (EEV) New Hire Checklist summarizes the most important rules and reminders. It appears as an appendix at the end of this manual. It is also available online and can be printed separately for use as a quick reference guide.
Steps to Complete and Verify a Form I-9

Determine if a New Form I-9 and an EEV Check are Required

1. Follow the rules below to determine if you need to complete a new Form I-9 and submit an EEV check.

You will never need to complete a Form I-9 or an EEV check for the following:

- Independent Contractors,
- Dual Employees, or
- Employees of University Contractors, or
- SPA Additional Employment, or
- Zero-Salary Adjunct Faculty who do not work for pay*

A new Form I-9 and an EEV check are usually not required when the “new hire” is one of the following:

- currently a permanent employee on the UNC-Chapel Hill payroll,
- a Zero-Salary Adjunct Faculty member who will do work for pay and who has received pay through the UNC-Chapel Hill payroll in the last 12 months*, or
- a continuing student who has been on the UNC-Chapel Hill payroll in the last 12 months

Verifying that one of these situations applies requires careful investigation and may require the cooperation of another department. Follow the instructions in the section Existing Employment and Continuing Student Employment.

If you are unable to verify that one of these situations applies, continue with step 2, below, to complete a new Form I-9 and then submit a new EEV check.

You will always need to complete a new Form I-9 and an EEV check in the following situations:

- hiring a new employee (except existing employees and continuing student employees)
- re-hiring a former University employee (other than a continuing student) after a gap in service, or
- hiring a current THT or direct hire temporary University employee into a permanent position.

Preliminary Steps

2. The University requires that a job offer is made and accepted in writing before the Form I-9 is completed.† Every new hire must receive one of the following: (1) a dated SPA Conditions of Employment (COE) form, (2) an EPA job offer/appointment letter and the EPA Appointee Certifications and Conditions of Appointment form, or (3) a Work-Study aid acceptance letter. The COE and/or letter must:

- state the employee’s name, position title, department, start date, and starting salary,
- for EPA hires, incorporate by reference the required Conditions of Appointment document,
- be signed and dated by the department representative and by the employee,

* No Form I-9 is required for Zero-Salary Adjunct Faculty or Faculty with non-salaried fixed term appointments until and unless they are hired to do work for pay. (Zero-Salary Adjunct Faculty hired to do work for pay in the course of their appointments are usually paid with one-time payments. A department may change a non-salaried fixed term appointment to a salaried fixed term appointment, requiring a Form I-9.) Just as with any other hire, a zero-salary faculty member hired to work for pay must complete Section One of the Form I-9 by the day he or she begins paid work, submit documents in person to complete Section Two within three business days of the day he or she begins paid work, and be submitted for a Basic Pilot EEV check within three business days of the day he or she begins paid work.

† However, an employee may complete a Form I-9 without a written acceptance on the first day of work, but not before.
Form I-9 and E-Verify Compliance Manual

- be completed, signed, and dated before the Form I-9 is accepted or verified. †

An original of the COE or letter should be kept in the employee's personnel file in the hiring department (for EPA hires and SPA direct-hire temps), OHR/ Records (for SPA permanent hires), Tar Heel Temps, or Scholarships and Student Aid (for Work-Study hires). A copy of the EPA job offer and Appointee Certifications and Conditions of Appointment form should be kept in the appointing department. (Note: Hiring Departments may issue an EPA job offer letter when a candidate is selected. This is not the same as the appointment letter issued when all conditions of employment have been met. Departments with questions about EPA Non-Faculty job offer letters should contact the EPA Non-Faculty Human Resources office at 919-962-2897. Questions about Faculty job offer letters should be addressed to the Academic Personnel office at 919-962-1091 or via the contact information posted at [http://hr.unc.edu/EPA/hr_contacts](http://hr.unc.edu/EPA/hr_contacts).)

3. Provide the employee with a blank copy of the current version of the Form I-9, revised 6/5/2007, including the two instruction pages and the lists of acceptable documents. If the employee chooses to present a list “B” identity document, it must contain a photograph to be acceptable for E-Verify.

4. If an employee is not yet in an immigration status with a work authorization valid for employment at the University in the position for which he/she is being hired and current as of the date employment is scheduled to begin, wait until the employee is in status to complete the Form I-9. For example, if a prospective employee visits the University in B-2 (tourist) immigration status, and a job offer is made and accepted during that visit, the Form I-9 cannot be completed until he/she changes to an immigration category that permits employment at the University. Such a change may require the individual to leave and return to the U.S. prior to employment.

5. The employee is expected to be physically present with the University representative who checks Section One for completeness, verifies that the documents presented are current and valid, and completes and verifies Section Two. If the employee is not physically present, but will be present on or before the day he or she begins work, wait until then to complete the Form I-9. If the employee cannot be physically present, follow the instructions for Remote Hires.

6. Individuals with disabilities who are being placed in employment by a non-profit organization, association, or as part of a rehabilitation program need not provide a list “A” or list “B” identity document. If they do not, a representative of the sponsoring organization or rehabilitation program must complete Section One of the Form I-9, write “Special Placement” in place of the employee’s signature and complete the Preparer/Translator certification. The University representative who verifies the Form I-9 should write “Special Placement” in place of the list “B” document number. A work authorization document is still required. See page 9 of the [Handbook for Employers](http://hr.unc.edu/EPA/hr_contacts) for an example.

Section One

7. Complete Section One of the Form I-9. A new hire must complete and sign Section One of the Form I-9 no earlier than the date he/she accepts a job offer in writing and no later than the day he/she starts work or otherwise first performs services for pay. No department may require an employee to complete Section One of the Form I-9 before the day he/she actually starts work, but an employee may do so if it is convenient for both the employee and the hiring department.

- If the employee has a Social Security Number (SSN) assigned by the U.S. Government, he/she must provide it in Section One. If the employee does not have a SSN assigned by the U.S. Government, he/she should write “Pending” in the space provided. See [Obtaining Social Security Numbers](http://hr.unc.edu/EPA/hr_contacts) for additional instructions.
• If an employee’s work authorization has expired or does not yet exist, he/she is not eligible to work. See *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.*

• An employee who refuses to complete Section One of the Form I-9 by the day he/she starts work must be terminated immediately upon receiving the approval of OHR/Staffing Programs. See *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.*

• The employee *must* provide each of the following items of information in Section One of the Form I-9. (The location of each required item on the Form I-9 is shown below.)

1. Name (Surname / Family name, Given / First name, Middle Initial if any, Maiden Name if any)
2. Complete mailing address in the United States
3. Date of birth
4. Social Security Number (if never assigned, write “Pending”—employee is required to apply for an SSN and required to update his or her Form I-9 with it once it is assigned)
5. Attestation to citizenship. The employee must check one of the three boxes.
   • If “citizen of the United States” is checked, no other information is needed.
   • If “noncitizen national of the United States” is checked, no other information is needed.
   • If “Lawful Permanent Resident” is checked, the employee *must* provide the:
     • Alien number assigned by the Federal government. (An Alien number begins with the letter A and contains either 8 or 9 digits.)
   • If “alien authorized to work until” is checked, the employee *must* provide two more items:
     • Expiration Date for his or her work authorization.
     • Alien number supplied by the Federal government or the 11-digit Admission / Departure Number from the Form I-94 Arrival / Departure record.
6. The employee *must* sign and date Section One unless a preparer completes it.
7. If someone helps the employee complete this section, that person should provide all the information requested in the “Preparer and/or Translator Certification” portion.

![Figure 1: Section One of the Form I-9](image-url)
Section Two

8. **Complete and certify Section Two of the Form I-9:** An employee must present the necessary documents in person so that the hiring unit can complete Section Two of the Form I-9 within three business days of the date he/she first reports for work. (Exception: An employee hired to work for a duration of less than three business days must complete both Sections One and Two of the Form I-9 no later than the day he/she starts work.)

![Section Two of the Form I-9](image)

- A University representative must complete each of the following items of information in Section Two of the Form I-9. The same representative must provide all the information in this section and sign and date it. (The location of each required item on the Form I-9 is shown above.)

8. Title, Issuing Authority, Document Number, and Expiration Date if any for each document.
   - The Issuing Authority should be recorded as it appears on the document.
8b. The last two lines under column “A” are only used when a foreign passport is presented.
   - For document number, provide either the 8- or 9-digit Alien number from an I-551 stamp or Machine Readable Immigrant Visa (MRIV) with temporary I-551 language or the 11-digit number from the Form I-94 Arrival/Departure Record.
   - Also provide the issue date and visa number of the most recent visa. You can use the blank space under column “B” for this if you cannot fit the information in column “A.” If no visa appears in the passport or attached to the Form I-94, note the absence of a visa in the comments. Note: Canadians who present a passport for identification but do not have a visa, should present a current, valid Form I-94 Arrival/Departure record.
   - The expiration dates for these documents may not be obvious. Sometimes passports carry updated name and expiration date information on internal pages. Determine the expiration date for the I-551 stamp/MRIV as explained under How to Enforce the Form I-9 Receipt Rule. The expiration date for the Form I-94 may be a fixed date or may be given as “D/S” (Duration of Status). See How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented on page 18 for more information.

9. The date employment began, or will begin. (The actual date the employee begins work for pay.)
10. Printed name and title of the University representative.
11. The name or department number of the hiring unit, UNC-Chapel Hill, the street address of the hiring unit, and the zip code. (For hiring units on campus, the zip code is 27599-XXXX, where XXXX is the Campus Box number.)
12. Signature and date. Do not sign or date until Section Two is complete.
13. If a discrepancy requires explanation, write it in the blank space under “B” and “C” or in the margins.
14. If the employee is an alien authorized to work, write his or her immigration status (from the Form I-94) or category from the EAD in the blank space.

* The issuer of a government-issued ID or birth certificate cannot be abbreviated. For example, use “New Orleans Passport Authority” not USA; “NC Department of Motor Vehicles” or “NC DMV,” not North Carolina or NCDL; “Macon County Vital Records, Macon County, GA,” not Macon County, GA. Use whatever authority is listed in English on a foreign passport.
**Figure 3: Lists of Acceptable Documents for the Form I-9 (revised 02/02/09)**

### LISTS OF ACCEPTABLE DOCUMENTS

**All documents must be unexpired**

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<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>U.S. Passport or U.S. Passport Card</td>
<td>1.</td>
<td>Driver’s license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</td>
<td>1.</td>
<td>Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States</td>
</tr>
<tr>
<td>2.</td>
<td>Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</td>
<td>2.</td>
<td>ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</td>
<td>2.</td>
<td>Certification of Birth Abroad issued by the Department of State (Form FS-545)</td>
</tr>
<tr>
<td>3.</td>
<td>Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigration visa</td>
<td>3.</td>
<td>School ID card with a photograph</td>
<td>3.</td>
<td>Certification of Report of Birth issued by the Department of State (Form DS-1550)</td>
</tr>
<tr>
<td>4.</td>
<td>Employment Authorization Document that contains a photograph (Form I-766)</td>
<td>4.</td>
<td>Voter’s registration card</td>
<td>4.</td>
<td>Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal</td>
</tr>
<tr>
<td>5.</td>
<td>In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien’s nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form</td>
<td>5.</td>
<td>U.S. Military card or draft record</td>
<td>5.</td>
<td>Native American tribal document</td>
</tr>
<tr>
<td>6.</td>
<td>Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</td>
<td>6.</td>
<td>Military dependent’s ID card</td>
<td>6.</td>
<td>U.S. Citizen ID Card (Form I-137)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7.</td>
<td>U.S. Coast Guard Merchant Mariner Card</td>
<td>7.</td>
<td>Identification Card for Use of Resident Citizen in the United States (Form I-170)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9.</td>
<td>Driver’s license issued by a Canadian government authority</td>
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<tr>
<td></td>
<td></td>
<td>For persons under age 18 who are unable to present a document listed above:</td>
<td>10.</td>
<td>School record or report card</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>11.</td>
<td>Clinic, doctor, or hospital record</td>
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<td></td>
<td></td>
<td>12.</td>
<td>Day-care or nursery school record</td>
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</tbody>
</table>

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

- To request documents, use the Lists of Acceptable Documents that establish identity and employment eligibility. These lists are provided as part of the Form I-9.

- Let the employee choose which documents to provide from the list. Do not ask for or accept more than the minimum required number of documents. Do not ask for specific documents. You can say which documents we see most often. And, if the employee submits documents that require other documents to be acceptable, you can explain what would be required for a document to be valid for either identity or employment eligibility.
• The documents presented must appear to be valid, genuine, and relate to the person presenting them as explained in “Standards of Review” on page 6 of The Form I-9 Process in a Nutshell. If you cannot certify Section Two of the Form I-9 based on the documents presented, refer the employee to an EEV Specialist immediately as explained under When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.

• If the employee provides a List B document, it must include a photograph to be acceptable. List B documents must be issued within the United States with one exception: Canadian drivers' licenses.

• Determine if the documents presented are expired (effective 02/02/09, no expired documents may be accepted). If any documents are expired, then you must reject them and ask the employee for other valid documents.

• Determine if the documents presented are acceptable (see Figure 4). The employee must provide documents establishing identity and work authorization. If an employee presents too many documents, accept the first valid combination of documents you encounter. However, if you determine that those documents:
  • do not appear on the Lists of Acceptable Documents, OR
  • do not form a valid combination from the Lists of Acceptable Documents, OR
  • do not appear to be genuine (that is, they appear to be forged), OR
  • do not appear to relate to the person presenting them,

Then you must reject them and ask the employee for other valid documents.

Do not certify Section Two of the Form I-9 if the documents submitted appear unacceptable. Certain documents not listed on the Lists of Acceptable Documents are acceptable as receipts for those documents, under How to Enforce the Form I-9 Receipt Rule, explained below. For more information see “Standards of Review” on page 6 of The Form I-9 Process in a Nutshell.

• If you are uncertain whether documents are valid, genuine, or relate to the employee, contact an EEV Specialist immediately as explained under When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.

• Determine if the documents presented contain special provisions. If the employee is a non-resident alien, the type of work he or she is permitted to do may be restricted by his or her immigration status, by the category on his or her Employment Authorization Card, or by the endorsements on another work authorization document. Also, some documents require accompanying documents to be valid, restrict the employee to certain jobs, or have other special provisions.

To determine if special provisions apply, refer to the charts Expiration Dates and Category-Specific Rules for Employment Authorization Cards and How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented for more information. These charts will refer you to the sections on Non-Resident Alien Student Employees in F-1 Status and How to verify a Pending I-129 Petition for a Nonimmigrant Worker when appropriate.

If work restrictions apply, obtain a copy of the employee’s job description and consult with an EEV Specialist before certifying the Form I-9.
• **Determine if the documents presented contradict each other or contradict information provided in Section One.** If Section One is wrong, the employee must correct it. If a discrepancy is found, the employee must provide a reasonable explanation, or the documents must be rejected. Record any explanation succinctly in the blank space under “B” and “C” in Section Two. If a contradiction among documents or between documents and Section One is not explained, contact an EEV Specialist immediately to determine whether the employee is eligible to work, as instructed under *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.*

For example, the **names** given on each document must agree, or the employee must offer a reasonable explanation, such as a name change. If the employee provides a legal document attesting to a name change, make a note of it in Section Two, but do not photocopy it. If an employee submits documents in more than one name without credible explanation, **always** contact the EEV Specialists.

The information in Section One and in the documents presented for Section Two should also agree. If it does not, ask the employee to correct Section One or, if the employee provides a credible explanation, note the discrepancy and the explanation in Section Two. For example, if **birth dates** in Section One and on a driver’s license differ, an explanation is required. If the **address** provided in Section One differs from the address on a document, make sure the address in Section One is the employee’s current U.S. address. Never accept a foreign address.

The information from Section One that is most helpful in ruling out contradictory documents is the **citizenship attestation.** Certain documents are only available based on citizenship status, as shown in the chart on page 14. Instructions for detecting discrepancies and contradictions continue on the next page following the chart.

Besides **names, addresses, birth dates,** and **citizenship attestation,** two other pieces of information in Section One should be checked against the documents presented for Section Two, whenever possible:*

- **Social Security Number:** If a Social Security Card is presented and accepted, check it against the Social Security Number in Section One. The two numbers should be the same.

- **Alien number or Admission/Departure Number:** If a document with an Alien number or Admission/Departure Number is presented for Section Two, and the same type of number is supplied in the citizenship attestation in Section One, the two numbers should be the same.

• **Determine the work authorization expiration date and verify it against the information provided in Section One.**

If the employee is a non-resident alien you should determine the work authorization expiration date from the documents and confirm that it matches the date provided in the citizenship attestation in Section One.

- When presented with an Employment Authorization Card (Form I-688, I-688A, I-688B, or I-766), always refer to the chart, *Expiration Dates and Category-Specific Rules for Employment Authorization Cards.* Find the card’s category in the left-hand column and follow the instructions.

- When presented with a Form I-94 Arrival / Departure document, a Form I-20, DS-2019, or I-797, a UNC-Chapel Hill employment letter (required in certain “TN” cases), or a “ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker” always refer to the chart, *How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented.* Find the employee’s

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* Remember: **Never** ask for specific documents. **Always** cross-check the documents accepted against Section One.
immigration status and the documents accepted in the left-hand columns and follow the chart’s instructions.

You may encounter the following issues when determining the work authorization expiration date:

- **Sometimes there is no expiration date.** An employee with asylee or refugee immigration status may present an unrestricted Social Security Card as his or her list “C” work authorization document. If he or she does so when initially completing the Form I-9, he or she should write “N/A” (not applicable) or “Indefinite—Refugee/Asylee” after “Alien authorized to work until” in Section One. If such a document is presented for a renewal, the University Representative should write the same note in place of the new work authorization expiration date in Section Three.

- **Sometimes the work authorization date may be updated on the back of the form or on a separate page.** If the employee presents one of the older, still valid DHS Employment Authorization Documents (Form I-688 Temporary Resident Card or Form I-688A or I-688B Employment Authorization Card) as a list “A” identity and work authorization document, the form will clearly list a work authorization beginning date and expiration date on the face of the card. However, an updated expiration date may appear on an official sticker on the back of the card.

Foreign passports usually list the expiration date on the main page with the individual’s name and birth date, but may also record a name change or an updated expiration date on a separate page.

- **Sometimes the work authorization expiration date must be determined based on several documents.** This may be the case when an employee presents a foreign passport with a Form I-94 Arrival/Departure record or a DHS Employment Authorization Card (Form I-766) as a List “A” document to prove identity and work authorization.

- **Sometimes the work authorization expiration date may be updated in a separate publication by DHS.** If the most recent DHS Employment Authorization Card (Form I-766) is presented, the form will clearly list the work authorization beginning date and expiration date on the face of the card, and an updated expiration date may appear on an official sticker on the back of the card. However, the expiration date may also be extended to a date (not listed on the card) announced by DHS in the Federal Register and published in a DHS a press release. Or, DHS may have announced a procedure extending the work authorization under specific circumstances.

- **Sometimes the work authorization expiration date may reflect a pending I-129 petition for which an automatic temporary employment authorization is granted pending adjudication.** If ISSS has petitioned DHS to extend the valid period of an existing employer-specific immigration status or to transfer H-1B status for an individual from a prior employer, the employee may present the University’s ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker. If so, you must review this form and the attached document(s) as explained in How to Verify a Pending I-129 Petition for a Nonimmigrant Worker to determine valid employment dates and whether the employee is eligible to work in a particular job. Properly filed I-129 petitions in these cases provide temporary work authorization, similar to receipts. The employee must present an I-797A Approval Notice or other new work authorization before the temporary authorization expires.

If you cannot determine the work authorization expiration date, or if the expiration date in Section One seems incorrect, contact an EEV Specialist for help at 919-962-0985.

* Such stickers are used on Forms I-688, I-688A, and I-766, but not on Form I-688B.
**Figure 4: Documents that May Be Presented for Section Two Based on Citizenship Attestation in Section One**

<table>
<thead>
<tr>
<th>List Type</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong> list</td>
<td>US Passport.</td>
</tr>
<tr>
<td><strong>B</strong> list</td>
<td>Any document on the list; must contain a photo of the employee as E-Verify requires.</td>
</tr>
<tr>
<td><strong>C</strong> list</td>
<td>Any document on the list except an unexpired employment authorization document from DHS or the Department of State.</td>
</tr>
</tbody>
</table>

**Lawful Permanent Resident may present the following:**

- **A** list: Unexpired foreign passport with an I-551 stamp or a Machine Readable Immigrant Visa with temporary I-551 language (see How to Enforce the Form I-9 Receipt Rule),
- Unexpired temporary resident card (form I-688), or Permanent Resident Card or Alien Registration Receipt Card with photo (form I-551) (an expired permanent resident card is acceptable as proof of identity and work authorization, however, the employee should be reminded to replace the card for other purposes)
- **B** list: Any document on the list; must contain a photo of the employee as E-Verify requires.
- **C** list: An unrestricted Social Security Card.

**Alien authorized to work may present the following:**

- **A** list: Unexpired foreign passport with a refugee stamp (see How to Enforce the Form I-9 Receipt Rule),
- Unexpired foreign passport with a Form I-94 with a valid status other than F-1 and an unexpired fixed end date on the Form I-94 and UNC-Chapel Hill specified as the employer on the Form I-94,
- Unexpired foreign passport with a Form I-94 with a valid status including F-1 and either an unexpired fixed end date on the Form I-94 or “D/S” (duration of status) on the Form I-94 and an appropriately dated separate work authorization from DHS or Department of State,
- **B** list: Any document on the list; must contain a photo of the employee as E-Verify requires.
- **C** list: An unrestricted Social Security Card or Unexpired employment authorization document issued by DHS or the Department of State other than those listed under List A.

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* Foreign passports are only valid for Form I-9 purposes when presented with an I-551 stamp or a Machine Readable Immigrant Visa with temporary I-551 language, a refugee stamp, or an I-94 Arrival / Departure Record. (Nonimmigrant visas are never valid for identity or employment authorization. Nonimmigrant visas permit travel to the U.S., but not employment inside the country.)
* Foreign nationals admitted as refugees or granted asylum in the United States (but not those who have only applied for asylum) are assigned unrestricted Social Security cards by SSA and/or Employment Authorization Cards by DHS. The arrival portion of an I-94 with a refugee stamp acts as a receipt for an unrestricted Social Security Card or an Employment Authorization Card. However, an I-94 with an asylum stamp, showing admission under Immigration and Nationality Act (INA) Section 208, is not acceptable as proof of eligibility to work under the I-9 rules. Asylees must obtain other work authorization before seeking employment.
* Not all I-94 admission statuses permit employment. For more information and a list of admission statuses, see I-94 chart on page 18.
* Because the document information for a passport and I-94 take up all the space provided on the Form I-9 for list “A” documents, when an appropriately dated separate work authorization is also required, list it in the column for list “C” documents.
** The I-766 Employment Authorization Card includes a letter-number category code that may restrict the employment of the bearer or may indicate that the work authorization period may be extended beyond the expiration date on the card. For more information and a list of category codes, see Employment Authorization Card chart on page 17.
†† List “C” documents issued by DHS and the Department of State are mentioned in the I-94 chart on page 19. The chart also explains what to do when the employee presents an “ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker.”

Compensation & Staffing Programs, Office of Human Resources
The University of North Carolina at Chapel Hill
An Equal Opportunity Employer

Rev. 01-26-09
• **Photocopy all of the documents** you recorded on the Form I-9. Photocopy all relevant pages and sides of each document (including all relevant inserts in a foreign passport and both sides of a Form I-94 Arrival/Departure record). Make sure all copies are legible and that photographs, print, document identification numbers, and dates are clear. Attach the copy or copies to the Form I-9.

• **Record the required information in Section Two for each document you accept:**
  The document title, issuing authority, document number, and expiration date, if any.
  Record list “A” documents in column “A”, list “B” documents in column “B”, and list “C” documents in column “C”. The document expiration date is the most current expiration date printed on the document. Some documents do not carry expiration dates.

• **Always fill in the “date employment began” in Section Two.** This is the date the employee first begins work for pay for the University. If this date changes, the Form I-9 must be updated. (See *How to Correct Errors and Omissions*.) If this date is unknown, Section Two may not be certified.

• **Provide all the information requested in the certification portion of Section Two.** In addition to your name and title, provide the hiring department name and department number, and a complete mailing address including street address (or, if no street address is available, building name and office number), Zip Code and, if applicable, Campus Box number. To save space, you can include the Campus Box number as the Zip plus Four—so the zip code of an on-campus office with CB # 1045 would be 27599-1045. Pre-inked stamps and mailing labels may be used to save time, as long as the signature and date are filled in by hand and all other information is provided.

• **The same University representative must complete all of Section Two.** If Section Two is begun but only partially completed, the person who completes it must see the employee in person and re-verify the documents.

• **If there is any question in your mind that there is an error** or omission in Section One, that there is a problem with the documents presented for Section Two, or if you are uncertain how to fill the date employment began, or if you think the work authorization expiration date in Section One is in error, **do not sign and date Section Two yet. Instead, immediately contact an EEV Specialist at 919-962-0985 for assistance.**

• **Sign and date Section Two only when it is complete.**

• **Note:** The employee who signed Section One should not deliver the form anywhere. If a Form I-9 must be delivered to another University office (or to the University after a remote hire), the University office or representative that certified Section Two should deliver the form in person or via campus mail or a secure delivery service.

9. **If Section One and Section Two of the Form I-9 are not complete at the end of the second business day following the date employment began, upon receiving the approval of OHR/Staffing Programs, the employee must be placed in leave status or terminated from employment** by the end of the next business day. These deadlines apply regardless of the employee’s work schedule.

Example: In a regular business week, an employee who starts work on Monday must complete a Form I-9 by the end of business Wednesday or else be placed in leave status or terminated by Thursday. However, Wednesday, July 4, 2007, is a holiday. An employee who starts work on Monday, July 2, 2007 must complete a Form I-9 by Thursday, July 5 or else be placed in leave status or terminated by Friday, July 6. A part-time employee who worked only on Mondays is subject to these same deadlines.

See *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment* for more information.
10. Receipt rule: if an employee who is hired for employment expected to last at least three business days provides one of the following instead of a valid document, he/she is granted extra time to provide the actual document:

- a receipt for a lost, stolen, or damaged document (but not a receipt showing an application for a new, never-before-issued document or renewal of an expired document),

- the arrival portion of the Form I-94 containing both an unexpired temporary I-551 stamp (indicating temporary evidence of permanent resident status) and a photograph of the individual,

- an unexpired foreign passport containing an unexpired temporary I-551 stamp (indicating temporary evidence of permanent resident status),

- an unexpired foreign passport containing a Machine Readable Immigrant Visa with temporary I-551 language, (indicating temporary evidence of permanent resident status),

- Form I-94 with a refugee admission stamp

When an employee presents one of these items instead of a valid document, complete the Form I-9 using the receipt or Form I-94 information in place of the missing document. Record the receipt information in the in the appropriate column, writing “receipt” and the receipt number (if any) in the document number blank. (This is called a “Receipt Rule” case. See How to Enforce the Form I-9 Receipt Rule for more information and a more detailed description of valid receipts.)

The receipt rule does not apply if employment is for less than three business days. Employees hired to work for less than three business days must complete Sections One and Two of the Form I-9 no later than the day they start work and must provide valid documents—not receipts—for Section Two.

11. Update the tickler file*. You may need to record up to two reminders for each Form I-9 in a calendar or tickler file your department maintains for this purpose.

- If the employee provided a receipt, make a note in a tickler file of the date on which the receipt must be replaced with the actual document. How to Enforce the Form I-9 Receipt Rule explains how to determine the deadline.

- If the employee is a non-resident alien (they should have checked the “alien authorized to work until _______” box in Section One of the Form I-9) make a note in a tickler file of his or her name, position, and work authorization expiration date.

- See How to Renew a Form I-9 Work Authorization for more on the tickler file. See also the section on the ISSS Monthly Scholar Update.

* A tickler file is a file or calendar containing reminders to take action on a particular date in the future. While some tickler files are also used to store documents—a household may file its bills by the month they are due and check the file at the beginning of each month to pay them—an I-9 tickler file does not contain Forms I-9. It ordinarily contains only reminder notes with the name and PID of each employee whose I-9 is due for renewal and the date by which it must be renewed. Such a tickler file of reminders can be kept on a calendar or in a spreadsheet.
**Figure 5: Expiration Dates and Category-Specific Rules for Employment Authorization Cards**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A002</td>
<td>Lawful Temporary Resident</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>A003, A004, A005 (also C008)</td>
<td>Refugee or Asylee</td>
<td>None</td>
<td>None</td>
<td>As shown on card. (May be valid indefinitely. If so, Form I-9 Work authorization will not expire.)</td>
</tr>
<tr>
<td>A006-A11</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>A012 (also C019)</td>
<td>Temporary Protected Status</td>
<td>None</td>
<td>None</td>
<td>Expiration date may be extended by a USCIS announcement. Contact the EEV Specialist to determine expiration date.</td>
</tr>
<tr>
<td>A013-A18</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C001-C002</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C003i</td>
<td>F-1 Student in Optional Practical Training (OPT)</td>
<td>I-20 Certificate of Eligibility endorsed by a designated school official. (School specified in Item 2 on Page 1 of the I-20 does not need to be UNC-Ch.)</td>
<td>Employment must be in the field of study specified in Item 5 on page 1 of the I-20. Employer Name on page 3 of the I-20 must specify UNC-Ch or the employing department.</td>
<td>As shown on card in most cases. In some cases, the end date may have been automatically extended. Contact an EEV Specialist if an expired card with one of these category numbers is presented.</td>
</tr>
<tr>
<td>C003ii</td>
<td>F-1 Student employed by International Organization</td>
<td>n/a</td>
<td>May work only at International Organizations specified in 22 USC 268.</td>
<td>Not valid at UNC-Chapel Hill.</td>
</tr>
<tr>
<td>C004</td>
<td>Status G dependent</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C005</td>
<td>J-2 (Dependent of J-1)</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C006</td>
<td>M-1 Student in Optional Practical Training (OPT)</td>
<td>I-20 Certificate of Eligibility endorsed by a designated school official. (School specified in Item 2 on Page 1 of the I-20 does not need to be UNC-Ch)</td>
<td>Employment must be in the field of study specified in Item 5 on page 1 of the I-20. Employer Name on page 3 of the I-20 must specify UNC-Ch or the employing department.</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C007</td>
<td>NATO dependent</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C008 (also A003, A004, A005)</td>
<td>Refugee or Asylee</td>
<td>None</td>
<td>None</td>
<td>As shown on card. (May be valid indefinitely. If so, Form I-9 Work authorization will not expire.)</td>
</tr>
<tr>
<td>C009-C011, C014, C016</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C017</td>
<td>Foreign domestic servants and airline employees</td>
<td>None</td>
<td>Domestic service for sponsor or job with sponsoring airline</td>
<td>Not valid at UNC-Chapel Hill.</td>
</tr>
<tr>
<td>C018</td>
<td>Under Final Order of Deportation, delayed</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C019 (also A012)</td>
<td>Temporary Protected Status</td>
<td>None</td>
<td>None</td>
<td>Expiration date may be extended by a USCIS announcement. Contact the EEV Specialist to determine expiration date.</td>
</tr>
<tr>
<td>C020</td>
<td>Agricultural Worker who filed for 1986 Legalization</td>
<td>None</td>
<td>None</td>
<td>Should no longer be in use.</td>
</tr>
<tr>
<td>C021-C022</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C023</td>
<td>Q-2 Irish Peace Process Visitor</td>
<td>Certification Letter issued by Department of State</td>
<td>May only be hired by employer listed on certification letter.</td>
<td>As shown on card</td>
</tr>
<tr>
<td>C024-C025</td>
<td>Various</td>
<td>None</td>
<td>None</td>
<td>As shown on card</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>?</td>
<td>?</td>
<td>Ask EEV Specialists</td>
</tr>
</tbody>
</table>

Color codes: Red: Not valid at UNC-Ch. Blue: Special authorizations or restrictions apply. Green: Expiration date may be later than date on card or card may not expire—see Valid Dates. Abbreviations: n/a: not applicable. DHS: Department of Homeland Security. USCIS: United States Citizenship and Immigration Services. Category restrictions and special provisions taken from 8 CFR §274a.12 (1-1-07 Edition). 73 FR 18644, Form I-765 and Instructions (both 07/30/07Y and 04/08/08N). Questions? Call 963-0955 or email eequestions@email.unc.edu.
Figure 6: How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented

<table>
<thead>
<tr>
<th>Immigration Status from I-94</th>
<th>Employer specified on I-147</th>
<th>Additional Work Authorization Required, If any (record in Column C and photocopy)</th>
<th>Work authorization expiration date, location of document number for additional work authorization, if any, special instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1 or WB</td>
<td>n/a</td>
<td>I-94 with unexpired B-1 or WB status should not complete an I-94.</td>
<td>Not authorized to work on payroll. May receive travel reimbursement for entire length of US stay. May receive honoraria and incidental expenses for academic activity at UNC-CH if UNC-CH visit is 90 days or less and individual has accepted honoraria/looseness from 5 or fewer other institutions in the previous 6 months.</td>
</tr>
<tr>
<td>B-2 or WT</td>
<td>n/a</td>
<td>I-94 with unexpired B-2 or WT status should not complete an I-94.</td>
<td>Not authorized to work on payroll. Honoraria &amp; incidental expenses allowed for academic activity at UNC-CH if UNC-CH visit is 90 days or less and individual has accepted honoraria/looseness from 5 or fewer other institutions in the previous 6 months.</td>
</tr>
<tr>
<td>F-1</td>
<td>n/a</td>
<td>I-20 or I-20W with EAD.</td>
<td>Depends whether student employment is on-campus, Curricular Practical Training (CPT), or Optional Practical Training (OPT). This manual’s Non-Resident Alien Student Employees section explains how to determine the work authorization expiration date and locate the document number(s) (i.e., expiration date is always D/S, which stands for “duration of status” as specified in another document.).</td>
</tr>
<tr>
<td>H-1B or H-1B/1</td>
<td></td>
<td>I-94 with unexpired H-1B or H-1B/1 with I-197A Approval Notice. May also present ISSS Notice of Pending Petition (with or without I-797C Receipt Notice)</td>
<td>Expiration date is end date from I-94 or end date from top right of I-197A Approval Notice. If an ISSS Notice of Pending Petition is presented, the expiration date may be later than that indicated on the I-94. See this manual’s How to verify a Pending I-129 Petition for a Nonimmigrant Worker section for instructions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>I-94 with or without I-797C Receipt Notice.</td>
<td>If an ISSS Notice of Pending Petition is presented, the expiration date may be later than that indicated on the I-94. See this manual’s How to verify a Pending I-129 Petition for a Nonimmigrant Worker section for instructions.</td>
</tr>
<tr>
<td>J-1</td>
<td>n/a</td>
<td>I-94, and DS-2019. If UNC-Chapel Hill did not issue the DS-2019, need letter from sponsor authorizing employment with explicit work authorization end date.</td>
<td>DS-2019 expires on the “to” date in box 3 on face of DS-2019 form. The document number for the DS-2019 is the Student and Exchange Visitor System (SEVIS) number (N-9-10 digit), located at the top right of the form.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>J-1 students need letter from sponsor authorizing employment.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNC-CH-1, I-94 with or without I-797C Receipt Notice.</td>
<td></td>
</tr>
<tr>
<td>J-2</td>
<td>EAD, category OIGS</td>
<td>Valid dates are indicated on the employment authorization card. (I-94 end date is always D/S).</td>
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<td></td>
<td></td>
<td>End date from I-94 or from I-197A Approval Notice indicating UNC-Chapel Hill as Petitioner. (Dates should be same.)</td>
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<td></td>
<td></td>
<td>If an ISSS Notice of Pending Petition is presented, the expiration date may be later than that indicated on the I-94. See this manual’s How to verify a Pending I-129 Petition for a Nonimmigrant Worker section for instructions.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stuffing credit for mandatory filing. End date from I-94 SPECIFYING UNC-CH as the employer, which may be attached to bottom of I-197A Approval Notice indicating UNC-Chapel Hill as Petitioner. If UNC-CH not specified on I-94, other evidence that the employee is permitted to work at UNC-CH is required: DHS notation in passport indicating UNC-Chapel Hill as the employer, or at UNC-Chapel Hill employment letter the person showed to DHS at the border.</td>
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<td></td>
</tr>
</tbody>
</table>

Note: Payment of travel reimbursements, honoraria, and incidental expenses for academic activity at UNC-Chapel Hill to non-immigrant aliens are restricted by immigration and tax regulations. Such payments are not considered employment and do not require completion of a Form I-9. Any such disbursement must be approved by the appropriate University Finance office.
Submit Form I-9 Information for Each New Hire to OHR Using the EEV Tool

1. **Enter the Form I-9 information in the EEV Tool in HR Central and submit it.** This must be done the same day that Section Two of the Form I-9 is complete so that the E-Verify EEV check can be completed on time. The “First Day at Work” in the EEV Tool is the “date employment began” from the Form I-9. If the date employment began changes, or any information submitted in the EEV Tool changes before the date employment begins, re-submit the Form I-9 information via the EEV tool with a note in the comments field describing the information that changed or was corrected.

   - To learn how to use the EEV Tool, see E-Verify Program/Employment Eligibility Verification Tool, and the EEV Tool User Guide.

   - All the information entered in Section One and Section Two must be entered in the corresponding fields in the EEV tool except the employee’s signature and date signed and the University Representative’s signature, title, and date signed.

   - Use the Comments fields to enter information for which no specific field is provided. For example, the most recent visa number and effective date from a foreign passport, the immigration status from the Form I-94 or category from the EAD and any information recorded as a comment on the Form I-9, should be entered in the Comments field.

   - In addition, please provide the following information not found on the Form I-9:
     - SPA/EPA Fac/EPA Non-Fac: SPA employee, EPA Faculty, or EPA Non-Faculty
     - Perm/Temp/Student: Permanent, Temporary, or Student employee
     - Originator Phone Number: The phone number of the person submitting the form

   - If an employee completed Section One of the Form I-9 with a note that a Social Security Number is pending, enter "Pending" in the corresponding field on the EEV Tool. See Obtaining Social Security Numbers for more information.

   - If an employee completed Section Two of the Form I-9 with a receipt, submit the information in the comments section on the EEV Tool. See How to Enforce the Form I-9 Receipt Rule for further instructions.

2. **Maintain the original Form I-9 in a pending file until OHR completes the E-Verify EEV check.**
Submit Form I-9 Information to DHS Using E-Verify

<table>
<thead>
<tr>
<th>Form I-9 and E-Verify Compliance: Assignment of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA Faculty, EPA Non-Faculty, EPA Student Employees, and Postdocs</td>
</tr>
<tr>
<td>OHR with cooperation of Hiring Dept</td>
</tr>
</tbody>
</table>

Submit Form I-9 information to DHS using E-Verify for each new hire. Follow up on any problems with department and employee.

This is the sequence of events for an E-Verify EEV check. The cooperation of the Hiring Department is required. Scholarships & Student Aid is the hiring department for Work-Study Student Employees.

1. **The EEV specialists in OHR/ Staffing Programs conduct the E-Verify EEV check.** They submit the Form I-9 information to the Social Security Administration and Department of Homeland Security to be verified via the DHS E-Verify system.

2. **The EEV specialist informs the department of the results of the E-Verify EEV check via a message in the EEV Tool in HR Central in most cases,** by phone or e-mail in the case of SPA permanent employees where department follow-up is required. (The message is sent to the HR Facilitator/originator of the EEV check. Because departments must respond promptly to any instructions, e-mail, voicemail, and messages in HR Central should be checked every morning and afternoon. Departments must arrange for someone to perform this function when the person who originates EEV checks/HR Facilitator is absent.)

3. **The department must follow the instructions of the EEV specialist.** The most common E-Verify results and the actions that will likely be required of the department are as follows:

   - **Authorized Employment:** If the employee is authorized to work in the United States, the department will be informed through an FYI message from the EEV Tool in HR Central. As a courtesy, please inform the employee of the successful resolution.

   - **Tentative Nonconfirmation:** If the Social Security Administration and/or the Department of Homeland Security require further information from the employee, the EEV Specialist will receive a “Tentative Nonconfirmation” notice from the U.S. Government. At this time, the EEV Specialist will instruct the department to inform the employee that he/she has 72 hours to physically report to the EEV Specialist in OHR/ Staffing Programs. **The department must inform the employee the same day the instructions are received from the EEV Specialist.** No department should take any further action on its own. The EEV Specialist will initiate any further actions.
o Instructions to an employee to report to the EEV Specialist for follow up are available. (See below.)

o It is possible that 10-20 percent of new employees will receive a “Tentative Nonconfirmation” status. Always assume an employee with a “Tentative Nonconfirmation” is authorized to work in the United States. The hiring unit should not take any action on its own based on the results or progress of an EEV check. Training and work assignments must proceed normally.

o When the employee physically reports to the EEV Specialist, he/she must choose whether to contest the “Tentative Nonconfirmation” status. If the employee chooses to contest this status, he/she will be referred to the appropriate agency for follow-up and must report to the agency within eight business days. As the employee interacts with the Federal agency, the EEV Specialist will instruct the department to take any necessary additional actions through “FYI” messages from the EEV Tool in the HR Central inbox, through email, or by telephone.

If the employee declines to contest a “Tentative Nonconfirmation” or fails to report to the appropriate agency within eight business days, the EEV Specialist will investigate and take steps to terminate employment or place the employee in leave status. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

- Final Nonconfirmation: If the EEV Specialist learns that an employee is not authorized to work in the United States, the EEV Specialist will investigate and take steps to terminate employment. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

4. When the E-Verify EEV check is complete, the office that completed the Form I-9 must:

a. Record the E-Verify case number on the Form I-9. Take the E-Verify Reference Number from the DHS Coordinator Approval Section of the EEV Tool, and write that number on the top right-hand corner of the Form I-9.

b. File the Form I-9. Note: Effective April 30, 2007, when a hiring department completes a Form I-9 for an EPA Faculty, EPA Non-Faculty, or Direct Hire Temporary employee, the original Form I-9 (and all related documentation) must be submitted to OHR for record-keeping. A legible photocopy of the Form I-9 (and all related documentation) must be maintained in the department’s files. See How to File a Form I-9 for more information.

Note: The Tar Heel Temps office of OHR handles the E-Verify EEV check for their new hires internally. Tar Heel Temps follows the procedures described above with one major difference: Tar Heel Temps performs both the tasks assigned to the EEV Specialist and the tasks of the hiring department. The department to which a Tar Heel Temp is assigned is not involved in any way in the Form I-9 or E-Verify processes.
Figure 7: Instructions to an Employee to Report to the EEV Specialist for Follow-up

Date: ___________________ Employee Must Respond By: ________________

Employee Name: ___________________ Date employment began: __/__/ ___

Supervisor: ___________________ Department: ___________________

Re: Employment Eligibility Verification - URGENT

Your immediate response is required to verify your employment eligibility as required by law.
Within three business days of receiving this notice, please call 919-962-0985 to schedule a time to meet with an EEV Specialist in the Compensation & Staffing Programs Department, Office of Human Resources, Administrative Office Building (see directions below). If you are not in or near Chapel Hill, your department will direct you to report to an alternate location.

Compliance with Employment Eligibility Verification (EEV) procedures is a condition of employment at The University of North Carolina at Chapel Hill.

Directions to the Office of Human Resources

Chapel Hill Bus Routes:
- The NU bus makes the most frequent trips to and from Airport Drive.
- View all schedules for Chapel Hill Transit:
  http://www.transit.unc.edu/intranet/coach/1_routes.html
- View full route map for Chapel Hill Transit:
  http://www.transit.unc.edu/intranet/coach/1_chapel.html

From Downtown Chapel Hill:
- Head down Franklin Street towards Carrboro, turn right at the intersection of Franklin Street and Columbus.
- North Columbus becomes Martin Luther King Jr. Blvd, formerly Airport Road.
- Continue ahead on Martin Luther King Jr. Blvd for another 0.5 miles. As you near the top of the hill, Airport Drive will be located on your left. (It's the last left turn prior to reaching the intersection with Erwin Drive.)
- Turn left onto Airport Drive.
- The Administrative Office Building (104 Airport Drive) is the first building on the left. The Human Resources Service Center is located on the first floor, through the main doors to the left of the elevator, to the immediate left as you enter.

From a Campus location: http://campusmap.unc.edu/
- Parking at the building is reserved for employees; however, visitors may receive temporary passes from the Office of Human Resources to park in the lot for business purposes.
- There are a number of visitor parking spaces in front of the building.
- If spaces are not available near the building, there is additional parking across Airport Drive in the K11 railroad access lot (see map).

The EEV Specialists can be reached by phone during business hours in the 919 area code at... 962-0985
**Update Forms I-9**

<table>
<thead>
<tr>
<th>Form I-9 and E-Verify Compliance: Assignment of Responsibility</th>
</tr>
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</tr>
</tbody>
</table>
| **Update Forms I-9**
Receipts, renewals and corrections | Home Department | Home Department | THT | OHR | Scholarships and Student Aid |

It is the home department’s responsibility to update and re-verify Forms I-9 for EPA Faculty, EPA Non-Faculty, EPA Postdocs, EPA Student Employees, and Direct Hire Temporary Employees when work authorization expires and is re-authorized. The Tar Heel Temps office updates Forms I-9 for Tar Heel Temps. OHR updates Forms I-9 for SPA permanent employees. Scholarships and Student Aid updates Forms I-9 for Work-Study Student Employees.

The University requires a new Form I-9 for employees re-hired after any gap in service. Never use the “Date of Rehire” blank in Section Three of the Form I-9. All information entered on a Form I-9, except signatures, must be legibly printed or typed. Read and refer to the instructions below, the instructions on the Form I-9, the Handbook for Employers, and The Form I-9 Process in a Nutshell.

There are several different circumstances in which a Form I-9 initially completed at the time of hire, must be updated or re-verified, in order to accomplish the tasks shown in the table below.

<table>
<thead>
<tr>
<th>Task</th>
<th>Timing</th>
</tr>
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<tbody>
<tr>
<td>Enforce the Form I-9 Receipt Rule</td>
<td>Immediately after hire</td>
</tr>
<tr>
<td>Renew a Form I-9 Work Authorization</td>
<td>Four to six months before expiration date</td>
</tr>
<tr>
<td>Replace Missing Forms I-9</td>
<td>Upon discovery of problem</td>
</tr>
<tr>
<td>Correct Errors and Omissions</td>
<td>Upon discovery of problem</td>
</tr>
</tbody>
</table>

**How to Enforce the Form I-9 Receipt Rule**

1. Monitor the employee’s efforts to obtain the identity or work authorization document(s) for which he/she presented a receipt when Form I-9 Section Two was verified.

2. Three types of receipts are acceptable:

   a. A receipt for replacement of any lost, stolen, or damaged document is acceptable as a receipt for the required document it specifies for 90 days from the date employment began or, in the case of renewal of a work authorization, from the date employment authorization expires. A receipt for the initial application for a document is not acceptable.
b. A **Form I-94 with a refugee admission stamp** is acceptable as a receipt for all required documents for 90 days. The stamp usually says “Admitted indefinitely as a refugee pursuant to Section 207 of the Immigration and Nationality Act (INA). If you depart the U.S, you will need prior permission from INS to return. Employment Authorized.” The stamp also gives the port of entry and the arrival date. The Alien number is usually printed on the back of the Form I-94. However, the stamp need only state that the bearer is a Refugee or include a reference to Section 207 of the INA.

c. Temporary evidence of permanent residence status is indicated by any of the following:

- **The arrival portion of the Form I-94 containing an unexpired temporary I-551 stamp and a photograph of the employee** affixed to the Form I-94 by a DHS officer at the port of entry is acceptable. (Valid as a receipt until the expiration date on the Form I-94. If no expiration date is indicated, the receipt is valid for one year from the date the Form I-94 was issued. For example, a Form I-94 issued on January 1, 2007 with a temporary I-551 stamp and no expiration date is valid as a receipt through December 31, 2007. If it were submitted as Form I-9 documentation on January 1, 2007, it would be valid for one year. Submitted on July 1, 2007, it would be valid for six months. Submitted on or after January 1, 2008, it would not be valid.)

- **An unexpired foreign passport containing an unexpired temporary I-551 stamp.** The stamp carries an expiration date. Some versions of this stamp read: “Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until _______. Employment Authorized. (Valid as a receipt until the stamp expiration date.)

- **An unexpired foreign passport containing a Machine Readable Immigrant Visa (MRIV) with temporary I-551 language.** The MRIV includes the language “Upon endorsement serves as temporary I-551 evidencing permanent residence for 1 year” immediately below the bearer’s photograph. As with all U.S. visas, each MRIV will be examined by a DHS officer at the bearer’s Port of Entry (POE). After determining that a bearer of such MRIV should be admitted to the U.S. as a Lawful Permanent Resident, the DHS officer places an admission stamp on the upper portion of the MRIV, with part of the stamp overlapping the adjoining page, just above the bearer’s photograph. (Valid as a receipt until one year from the date of DHS endorsement.)

Any of these forms of temporary evidence of permanent residence are acceptable as a receipt for all required documents until the expiration date as specified above.

3. If you are presented with an **ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker**, treat it as a receipt for a Department of Homeland Security I-797 Approval Notice, the work authorization document for several employer-sponsored immigration statuses. The section **How to Verify a Pending I-129 Petition for a Nonimmigrant Worker** explains how to process this form, which is specific to UNC-Chapel Hill, and how to determine the deadline by which it must be replaced with a work authorization document—usually a I-797 Approval Notice.

4. When the employee presents the document(s), re-verify the documents and submit the Form I-9 information:

a. Repeat steps 5, 6, 8, and 11 of **Steps to Complete and Verify a Form I-9**

- Do not ask to see any document you already accepted and certified. The employee needs to present only the document(s) that replace the documents for which he or she previously presented a receipt.
The employee must present a document from the same list as the receipt. For example, if the receipt was for a list “A” document the employee must present a list “A” document. If the receipt was for a list “B” (identity) or list “C” (work authorization) document, the replacement document must be from the same list respectively, except that the employee may also present a list “A” document in place of a receipt for a list “B” or list “C” document or a list “B” document and a list “C” document in place of a list “A” document.

Record the replacement document(s) as follows using a different color of ink:

a. Line through the receipt information being replaced. (Do not scratch out or cover the original information.)

b. Record the new information below the information recorded from the receipt.

c. Sign and print your name (the name of the person verifying the documents) in the blank space below lists “B” and “C” and record the date the documents were presented as explained in How to Correct Errors and Omissions.

Note: If the person who originally signed Section Two is the same person who is verifying the document(s), initials may be used instead of a printed name and complete signature.

b. Complete the steps to submit Form I-9 information for each new hire.

If the receipt deadline arrives, and the employee has not provided the replacement document(s), the department, with the approval of OHR/Staffing Programs, must terminate employment or place the employee in leave status and have the employee cease all work for the University until he/she provides the document(s). No employee may continue to work for the University without providing required documents after the time period allowed in the receipt rule has ended. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

For more information, see the “Receipt Rule” on page 2 and page 5 of The Form I-9 Process in a Nutshell and pages 6–7, 21, 24, and 31 of the Handbook for Employers.

How to Renew a Form I-9 Work Authorization

In certain cases, International Student and Scholar Services can help employees obtain work authorization renewals as explained in the section on Non-Resident Aliens.

The instructions for certifying Section Two of the Form I-9 explain How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented. Please refer to those instructions. See the Handbook for Employers for an example of how to record a work authorization renewal on the Form I-9. For more information, see page 7 of The Form I-9 Process in a Nutshell.

If the employee’s Form I-9 is maintained by another department, that fact should be noted in the tickler file. Contact the other department, determine whether the work authorization has been updated, and make a note of it in the employee’s file as explained under Existing Employment and Continuing Student Employment. If the employee is no longer on the other department’s payroll, determine the current home department. The current home department must update the Form I-9.

1. Remind each non-resident alien employee to renew his or her work authorization six months before the work authorization expires, since some work authorizations can take 90 days or more to renew, and extended delays are possible. Each department should maintain a calendar or Tickler File for this purpose. The EEV Specialists maintain a central tickler file for SPA permanent employees who are non-resident aliens.
2. **Update the Form I-9** if the employee presents an updated work authorization in person:

   a. **Follow the same process used to check documents for Section Two.** Compare the work authorization to Section One and Section Two and to the photocopies of previously submitted documents. Ask the employee to explain any discrepancies.

   b. **If the original Form I-9 has a current revision date (02/02/09 N) and Section Three is blank:**
      Follow the instructions on the Form I-9 and use Section Three to record the work authorization document title, document number, and expiration date. If the employee’s name has changed on the work authorization document, record the new name in the space provided in Section Three. Note: The University requires that an employee provide proof of a name change for tax purposes, for example, a new Social Security card, a divorce decree, or a marriage certificate. Do not attach a copy of the proof of a name change to the updated Form I-9. Do check that the new name is also the name on record for tax purposes. (An employee can have only one legal name.)

      You may be making the update to a copy of the Form I-9, if the original is stored centrally.

   c. **If the original Form I-9 has a revision date prior to 02/02/09 or if Section Three has already been used do the following:**
      (1) Attach a new Form I-9 with a current revision date to the original form; (2) Write the employee’s name in the name section of Section One of the new Form I-9; (3) Leave the rest of Section One and all of Section Two blank; (4) Record the required information in Section Three of the new Form I-9. If the employee’s name has changed, record the old name from the previous Form I-9 in Section One and the new name in Section Three, following the guidelines under (b) just above.

   d. **Update the tickler file** with the new expiration date, if any.

   e. **File the Form I-9 as explained under How to File a Form I-9.**

3. **Take the employee off payroll if the work authorization expires.** If the expiration date arrives and the authorization has not been renewed, the home department, with the approval of OHR/Staffing Programs, must terminate employment or place the employee in leave status and have them cease all work for the University until the authorization is renewed. No employee may continue to work for the University after his/her work authorization expires. See **When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment** for more information.

**ISSSS Monthly Scholar Update**

International Student and Scholar Services (ISSSS) distributes a monthly survey, the “ISSSS Monthly Scholar Update”, which helps both departments and ISSSS keep work authorizations current for non-resident alien employees. Each department checks the report, makes corrections to it, and returns it to ISSSS. All employees who are non-resident aliens are required to report to ISSSS upon hiring and whenever their work authorization is renewed. The report will list all of a department’s non-resident alien employees with two exceptions: Employees working for two or more departments are listed only under their primary or sponsoring department and UNC-Chapel Hill students are not listed. The report also includes scholars sponsored by a department who are not on payroll.
How to Replace Missing Forms I-9

If the Form I-9 is lost, and the home department, any previous home department, and OHR/Records are all unable to locate it, the employee, if hired after November 6, 1986,* must complete Section One of the Form I-9 again and supply identity and work authorization documents again as soon as possible following the discovery that the Form I-9 is missing or, if the employee is on leave, as soon as possible after returning to work. It is the University’s policy to make every effort to complete any replacement Form I-9 within three business days of discovering that the document is missing. The department responsible for maintaining the Form I-9 must follow the Steps to Complete and Verify a Form I-9. If the employee began work for UNC-Chapel Hill after December 31, 2006, the department responsible for maintaining the Form I-9 must check with an EEV Specialist to determine if an E-Verify EEV check was submitted and, if it was not, the department should follow the Steps to Submit Form I-9 Information for Each New Hire to OHR Using the EEV Tool. Do not submit the information via the EEV tool if the employee started work before 2007 and has not had a gap in service since that time.

File the Form I-9 as explained under How to File a Form I-9.

If there is no progress in completing the replacement form within a reasonable period of time, the department should contact OHR/Staffing Programs to determine whether the employee should be placed in leave status or terminated from employment. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

(See also “Missing Forms Form I-9” on page 3 of The Form I-9 Process in a Nutshell.)

* Employees continuously employed since November 6, 1986 or earlier are not required to complete Forms I-9.
How to Correct Errors and Omissions

If you find a problem with a Form I-9, you should act promptly to correct the form as soon as is possible. It is the University’s policy to try and correct any errors or omissions within three business days of discovery. Corrections should always be dated and signed* by the person making the correction, with the name both signed and printed legibly, and must be made in a different color ink in such a way that the corrected information is still legible (for example, strike through an error with a narrow line). Never use correction fluid or tape. Corrections to Section One of the Form I-9 must be made by the employee. Corrections to the rest of the form may be made by anyone designated by the department other than the employee. If a correction is so extensive a new Form I-9 must be completed, the old form(s) and photocopies must be retained and attached to the new one.

If a correction is made before the date employment begins, re-submit the Form I-9 information to the EEV Specialists following the steps to submit Form I-9 information for each new hire to OHR using the EEV tool. Include a note in the Comments field explaining what has been corrected.

If an error or omission calls into question an employee’s identity and/or authorization to work, immediately report the error or omission to an EEV Specialist.

File the Form I-9 as explained under How to File a Form I-9.

If completion of the necessary corrections does not occur within a reasonable period of time, the department should contact OHR/Staffing Programs to determine whether the employee should be placed in leave status until the Form I-9 is corrected or updated or terminated from employment. See When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment for more information.

Self-Audits

Departments should periodically spot-check their Form I-9 files for errors and omissions, and conduct self-audits if warranted. Any self-audit must compare a list of all current and recent employees (those employed within the last three years) against the contents of the Form I-9 files, so that if a Form I-9 is missing, it can be replaced.

Two audit checklists are available for departmental use:

* A two-page Substantive Self-Audit Checklist to conduct a quick (substantive) self-audit. This checks for substantive errors and omissions on Forms I-9, that is, substantial issues that preclude certification that the employee has attested to—and provided documentation to confirm—his or her identity and eligibility to work in the United States.

* An Administrative Self-Audit Checklist and the annotated copy of the Form I-9 to conduct a thorough (administrative) self-audit. This checks for all clerical errors on Forms I-9. Because the University can be fined for even minor errors on a Form I-9, strict compliance is important.

These checklists and the annotated Form I-9 appear on the following pages. They are also available online so that they can be printed separately and photocopied.

* If the person making a correction is the same person who originally completed and signed the section being corrected, he/she may initial and date each correction rather than signing his or her name.
Figure 9: Substantive Self-Audit Checklist

Employment Eligibility Verification (EEV) Compliance:

Substantive Self-Audit Checklist for Form I-9

Correction Procedure
When a Form I-9 must be corrected by the employee or by a University Representative, always follow the guidelines listed under “How to correct errors and omissions” in the I-9 and E-Verify Compliance Manual. Submit the corrected I-9 to the EEV Specialists as specified in the manual.

Employee Compliance
Compliance with EEV Procedures is a condition of employment at the University.

Deadlines
When an employee is asked to complete, or correct an error or omission in, Section One of Form I-9, we require that the employee report in person to do so as soon as possible, no later than the next day he or she reports for work. When an employee is asked to provide documents or an explanation of documents to complete, or correct an error or omission in Section Two or Three of Form I-9, we require that the employee report in person to do so within three business days (or, if the employee is not working the day the problem is discovered, within three business days of his or her next regular workday). If the employee does not comply with these deadlines, contact the EEV Specialists right away to determine whether the employee should be placed in leave status or terminated from employment. See “When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment” in the I-9 and E-Verify Compliance Manual for more information.

Former Employees
If a substantive error is discovered on a Form I-9 for a former employee, contact the EEV Specialists.

Questions?
Contact the EEV Specialists calling 919-962-0985 or by emailing eevquestions@listserv.unc.edu. Also see the I-9 and E-Verify Compliance Manual for a detailed guide to Form I-9 policy and procedure.

Checklist

0. Is a Form I-9 on file?
A Form I-9 should be on file for every current employee and for every recently-terminated employee. With one exception: employees who have worked without a break in service for the University since November 6, 1986 or earlier need not complete Form I-9s. (Federal law requires that Form I-9s be retained until three years after the employee’s last day of work or one year after the employee’s termination, whichever is later. A department’s records retention schedule may require keeping the Form I-9 longer if it is considered part of the personnel record.)

If a Form I-9 cannot be found, require that the employee report as soon as possible, no later than the next day he or she reports for work, to complete Section One, and require that the employee provide documents for completion of Section Two within three business days of the next day he or she reports for work.

1. Did the employee sign and date Section One of the Form I-9?
A Form I-9 is invalid without a dated employee signature in Section One.

If you find this error, contact the employee and require that he or she report to complete Section One.

The employee should correct any other Section One errors and then correct this error, using a different color ink to:

- Correct any errors or omissions in Section One as explained under “How to correct errors and omissions” in the I-9 and E-Verify Compliance Manual.
- Write a note in the margin by the signature line: “Signature/Date/Signature and Date omitted when originally completed.”
- Sign or initial the note and date it with today’s date (that is, the date the error was discovered.)

Remind the employee correct any errors or omissions in Section One before signing and dating it.

Only the employee (or a preparer or translator) should ever write or correct anything in Section One.
2. Did a University representative sign and date Section Two of the Form I-9?
A Form I-9 is invalid without a dated University Representative signature in Section Two.
If signature, date, or both are missing, and the University Representative who completed the form is still available and distinctly remembers completing this Form I-9 for this employee, that University Representative should correct this error, using a different color in text:
- Correct any errors or omissions in Section Two as explained under “How to correct errors and omissions” in the I-9 and E-Verify Compliance Manual.
- Write a note in the margin by the signature line:
  “Signature / Date / Signature and Date omitted when originally completed.”
- Sign or initial the note and date it with today’s date (that is, the date the error was discovered.)

Only the University Representative who reviewed the original documents in the physical presence of employee may certify Section Two.
If that Representative is not available, or cannot distinctly remember completing this Form I-9 for this employee, do not correct Section Two. Instead, require that the employee complete a new Form I-9, present documents again (these need not be the documents presented the first time), and certify the new Form I-9. Mark the old form and its photocopies each “Never certified,” signing and dating that note on each page, and attach the old pages to the new form with its photocopies.

3. Can you clearly identify the employee from the information on the Form I-9 and the attached document photocopies?
Any omission or error on a Form I-9 is a compliance violation, but the most serious errors and omission are those that prevent identification of the employee or verification of identity and work authorization.
If enough information is missing or illegible that you cannot determine the employee’s name, age, citizenship status, or appearance, this Form I-9 must be corrected or replaced.
If this is the case, require that the employee report to complete or correct Section One. The employee must also provide documents so that the University can complete Section Two.

4. Is the documentation recorded in Section Two (and attached in photocopy form) sufficient to verify identity and work authorization?

5. Are the documents consistent with each other and with the information provided in Section One?
In other words, does the Form I-9 list, or include photocopies of, a valid set of documents that could be used to verify identity and work authorization, that is, which meet the I-9 requirements and appear to be genuine? Do these documents contradict each other or contradict Section One, and if they do, are any discrepancies explained in an annotation on the Form I-9? Unexplained discrepancies suggest that the documents may not relate to the person who presented them.
If the documents are incomplete or contradictory, require that the employee report either to correct Section One to resolve a discrepancy or provide valid documents for completion of Section Two.

6. Is the employee authorized to work in the U.S.?

7. If the work authorization expires or is restricted, is the employee authorized to work in his or her current position(s) at the University today?
If not, or if you suspect not, contact an EEV Specialist immediately by calling 919-962-0985.

8. If the work authorization expires, is the expiration date calculated correctly as best you can tell? If the expiration date is incorrect, correct it with an annotation in Section Two or Section Three.

9. Is the employee listed appropriately in a tickler file to be reminded in advance to renew the work authorization? If not, update your department’s tickler file or calendar.

10. If employment began on or after January 1, 2007, does an E-Verify Case Number (13 digits and 2 letters) appear at the top of the Form I-9?
If not, determine the case number and record it on the form. Contact an EEV Specialist if you cannot find the Case Number by searching for the employee in the EEV Tool. You may be directed to submit the corrected Form I-9 information via the EEV Tool to be submitted to E-Verify.
**Administrative Self-Audit Checklist for Form I-9**

** ITEMIZED REQUIREMENTS **

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Circle problem:</th>
<th>Corrected (Initial/Date)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>E-Verify Case Verification Number (13 digits and 2 letters)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Name (Last, First, Mi – Maiden Name, if applicable)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Address (including Street Name and #, City, State, and Zip Code)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Date of Birth</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>SSN</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>6a.</td>
<td>Permanent Resident: Alien # (Beginning with “A” and contains 8 or 9 digits)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>6b.</td>
<td>Non-Resident Alien: Work Authorization End Date</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>6c.</td>
<td>Non-Resident Alien: Alien # (See 6a) or Admission # (11-digit I-94 Arrival/Departure #)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Signature (Employee’s)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Dated (date section completed by Employee)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Preparer/Translator information, if applicable</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10a.</td>
<td>Valid Documents Listed (and information for each document listed)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10b.</td>
<td>Title (as on document, if provided)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10c.</td>
<td>Issuing Authority (specific authority as on document, if provided)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10d.</td>
<td>Document Number (as on document, if provided)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10e.</td>
<td>Expiration Date, if any (as on document, if provided)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>10f.</td>
<td>Annotations (discrepancies re: Section One &amp; Documents)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>11a.</td>
<td>Attached Photocopies of Documents (match what is listed)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>11b.</td>
<td>List “B” document contains a photograph</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>11c.</td>
<td>No additional documents photocopied</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>11d.</td>
<td>Photocopies complete (not cut-off and legible (photos and text))</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Date Employment Began (1st day employee reports to work, must match DHS hire date)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Signature (Department Representative’s)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Department Representative Information (14a. Printed Name and 14b, Title)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Organization Name (UNC-CH and either Dept Name or Dept #)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Address (including Street Name and # or Bldg Name and #), City, State, and Zip Code</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Dated (date section completed by Department Representative)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Item A: New Name If Name Changed (do not photocopy documents verifying name change)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Item B: Not Used (Rehires require submitting new I-9)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>20a.</td>
<td>Valid Document (&quot;A&quot;) or (&quot;C&quot;) or (&quot;A&quot; and &quot;C&quot;) w/ incomplete I-94)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>20b.</td>
<td>Title, Number, and Expiration Date (as on document, if provided)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>20c.</td>
<td>Attached photocopies of documents (match what is listed)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>20d.</td>
<td>No additional documents photocopied</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>20e.</td>
<td>Photocopies complete (not cut-off) and legible (photos and text)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Signature and Printed Name (Department Representative’s)</td>
<td>M E NL</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Dated (date section completed by Department Representative)</td>
<td>M E NL</td>
<td></td>
</tr>
</tbody>
</table>

Report evidence of unauthorized employment to the Compensation & Staffing Programs Director immediately.
Figure 12: Form I-9 Keyed to Administrative Self-Audit Checklist

[Form I-9 and E-Verify Compliance Manual]

[Image of the Form I-9]

1: E-Verify Case Verification Number

Read instructions carefully before completing this form. The instructions must be followed during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Section 1: Employee Information and Verification

Date of Birth (month/day/year)

I am aware that federal law provide for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

[Options for citizenship status]

Employee’s Signature

Preparer and/or Translator Certification

Preparer’s/Translator’s Signature

Preparer’s/Translator’s Address (Street Name and Number, City, State, Zip Code)

Section 2: Employer Review and Verification

Document Title

List A

List B

List C

[Documents listed with expiration dates]

Certification: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-dated document(s) appear to be genuine and to relate to the employee named, that employee began employment on date, and that to the best of my knowledge the employee is authorized to work in the United States. (State employer agency may limit the date the employee began employment.)

Signature of Employee or Authorized Representative

Business or Organization Name and Address

Section 3: Updating and Reverification

Date of Hiring (month/day/year)

If employee’s previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.

Document Title

Document #

Expiration Date (if any)

Signature of Employee or Authorized Representative

Date of Printing (month/day/year)

[Form I-9, Employment Eligibility Verification]

[University of North Carolina at Chapel Hill]

Compensation & Staffing Programs, Office of Human Resources

Rev. 01-26-09
Maintain Form I-9 Files

<table>
<thead>
<tr>
<th>Form I-9 and E-Verify Compliance: Assignment of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA Faculty, EPA Non-Faculty, EPA Student Employees, and Postdocs</td>
</tr>
<tr>
<td>Maintain Forms I-9 Filing, transmitting the Form I-9 to a new home department, and archiving</td>
</tr>
</tbody>
</table>

For EPA Faculty, EPA Non-Faculty, EPA Postdocs, EPA Student Employees, and Direct Hire Temporary Employees, a change in filing procedures took effect April 30, 2007. OHR maintains original Forms I-9 completed or updated on or after that date; the home department maintains original Forms I-9 completed and last updated prior to that date, and also maintains duplicate copies of Forms I-9 completed or updated on or after that date. The Tar Heel Temps office maintains Forms I-9 for Tar Heel Temps. OHR maintains Forms I-9 for SPA permanent employees. Scholarships and Student Aid maintains Forms I-9 for Work-Study Student Employees.

Read and refer to the instructions below, the instructions on the Form I-9, the Handbook for Employers, and The Form I-9 Process in a Nutshell.

A Form I-9 is required to be on file for every employee hired after November 6, 1986. Each department should maintain its Form I-9 files consistent with State records retention rules, since Federal agencies can audit Forms I-9 with 72 hours’ notice.

Three tasks are required to maintain Forms I-9. These tasks are shown in the table below.

<table>
<thead>
<tr>
<th>Task</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>File a Form I-9</td>
<td>When a Form I-9 is verified, updated, or corrected</td>
</tr>
<tr>
<td>Forward the Form I-9 to a new home department</td>
<td>When the employee’s home department changes</td>
</tr>
<tr>
<td>Archive the Form I-9</td>
<td>After termination of employment</td>
</tr>
</tbody>
</table>

How to File a Form I-9

Special filing procedures for Forms I-9 apply based on the type of employee, as follows: For EPA Faculty, EPA Non-Faculty, EPA Postdocs, EPA Student Employees, and Direct Hire Temporary Employees:

- Original Forms I-9 (and all related documentation) completed or last updated prior to April 30, 2007 must be maintained in the department’s file.
• Forms I-9 completed or updated on or after April 30, 2007 are maintained in duplicate files. The originals and all related documentation are stored in the OHR/Records & Information Department. A legible copy of each Form I-9 and all related documentation is maintained in the department’s files. The home department is responsible for retaining a copy for its records and forwarding the original copy to OHR/Staffing in a timely manner.

• Beginning on April 30, 2007, whenever a Form I-9 is completed:

  1. Submit the original Form I-9 (and all related documentation) in a sealed envelope marked confidential to the EEV Specialist, OHR/Staffing Programs, 104 Airport Drive, CB # 1045 for record keeping.

  2. Retain legible photocopies of the Form I-9 and all related documentation in the home department’s files.

• Beginning on April 30, 2007, whenever a Form I-9 is updated, the department must update both central and departmental files as follows:

  1. Make two photocopies of the identity and work authorization document(s). Make one photocopy of the original updated Form I-9 and any documents already attached to it. Make sure all the photocopies are legible and that any photographs, printed text, document identification numbers, and dates are clear.

  2. Send the original updated Form I-9 and one photocopy of all documents in a sealed envelope to the EEV Specialist, OHR/Staffing Programs, 104 Airport Drive, CB # 1045.

  3. File the photocopy of the updated Form I-9 with the second set of photocopies attached in your department files.

For Work-Study Student Employees: Scholarships and Student Aid maintains the Form I-9 files.

For Tar Heel Temps Employees: OHR/Tar Heel Temps maintains the Form I-9 files.

For SPA Permanent Employees: OHR/Records & Information maintains the Form I-9 files.

How to Manage Form I-9 Records in the Home Department

A department’s approved record retention schedule determines where copies of Forms I-9 are filed. A department wishing to change its retention schedule must obtain prior approval from the University’s Records Management Program. The two approved filing locations are:

• File Forms I-9 in a separate file containing only Forms I-9 in alphabetical order (best practice) OR
• File each Form I-9 in the employee’s departmental personnel file.

Filing the Form I-9 separate from the personnel file is the recommended method. If a department is currently not employing this method but wishes to, it can modify its practice as long as the department's retention schedule is also modified.
How to Transmit the Form I-9 to a New Home Department or Organizational Unit

An employee’s home department or organizational unit can change due to a transfer. It will also change if an employee works for more than one department and the department that first hired the employee terminates employment. It will also change if a student employee receives work-study aid. The home department for work-study student employees for Form I-9 and E-Verify purposes is always the Office of Scholarships and Student Aid.

When an employee’s home department changes, and the employee is an EPA Faculty, EPA Non-Faculty, EPA Postdoc, EPA Student employee, Direct Hire Temporary, or a Work-Study student employee in the new home department, the new home department becomes responsible for maintaining the employee’s Form I-9.

When an employee’s home department changes, do the following:

1. The new home department must ask the previous home department for a copy of the Form I-9. If the employee was an SPA employee in the old department, ask OHR/ Records (919-962-2894). If the employee was a Work-Study student employee, ask Scholarships and Student Aid (919-962-8396). If the employee was a direct-hire temporary or Tar Heel Temp employee, a new Form I-9 and EEV check must be completed.

2. The old home department must send a complete, legible copy of the Form I-9 and all photocopied documents and updates to the new home department. The old home department must retain a complete, legible copy of the Form I-9 and all photocopied documents and updates as explained below.

3. If the Form I-9 is for a non-resident alien:
   a. the new home department must update its tickler file for work authorization renewals.
   b. the old home department should remove the employee from its tickler file for work authorization renewals unless the employee remains on the old home department’s payroll. If the employee will continue on the payroll of the old home department (this is seldom the case) the old home department should make a note of new home department in its tickler file for work authorization renewals.

4. The new home department must file the Form I-9 as explained under How to File a Form I-9.

When the employee is an SPA employee in the new home department the procedures are similar, except OHR takes responsibility for the Form I-9. The EEV Specialist will make certain the Form I-9 is transmitted to OHR/ Records.

These procedures do not apply to Tar Heel Temps. No one can be hired as a Tar Heel Temp who is employed by the University in another capacity.

How to Archive the Form I-9 after Termination of Employment

Forms I-9 must be kept on file during employment and after an employee stops working for the University. Forms I-9 (both copies and originals) must be maintained on file available for auditing until both the Federal and the State retention periods expire. Federal retention rules require that the Form I-9 and all accompanying documents be kept until three years after the start of employment or one year after
employment ends, whichever is later. The State of North Carolina requires that the University develop a records retention schedule.

Under the currently approved record retention schedule, the University must maintain Forms I-9 and all accompanying documents on file in accordance with the following regulations:

- I-9s shall be retained until 5 years after termination of employment for EPA and SPA employees whose I-9 is stored as part of the employee record, at which point microfiche in office according to state standards. * Create 2 copies of microfiche (1 silver-halide preservation copy and 1 diazo use copy). Transfer silver halide microfiche to University Archives for permanent offsite security backup and diazo copy to OHR/Records for reference/use copy once microfiche becomes available from vendor. Destroy in office paper records after all quality control procedures for creating and proofing microfiche have been completed. OHR/Records will transfer the diazo use copy to University Archives 30 years after employee's separation or termination from employment.
- I-9s shall be retained until 3 years after hire or 1 year after termination, whichever is later, for EPA and SPA employees whose I-9 is stored separately from the employee record, at which point the I-9s are destroyed in office.

Each department must establish a records retention schedule with help from the University’s Records Management Program (919-962-6402, [http://www.lib.unc.edu/mss/uars/recabout.html](http://www.lib.unc.edu/mss/uars/recabout.html)) and comply with the retention rules.

Note: It is permissible to write retention-related notes in the margin of the Form I-9. Such notes must be dated and signed or initialed. (See How to Correct Errors and Omissions.) When an employee leaves University employment (or a student employee leaves University employment and ends his or her enrollment), a department representative may note “Employment with department terminated MM/DD/YYYY” in the margin of the Form I-9 to make it easier to identify the appropriate destruction date. When the time comes to destroy a Form I-9 per your department’s record retention schedule, always double-check that the employee in question has not returned to University employment with another department. If he or she has returned to University employment, follow the instructions under How to Transmit the Form I-9 to a New Home Department or Organizational Unit.

When Eligibility is Not Verified,
Place Employee in Leave Status or Terminate Employment

<table>
<thead>
<tr>
<th>EPA Faculty, EPA Non-Faculty, EPA Student Employees, and Postdocs</th>
<th>EPA &amp; SPA Direct Hire Temporary Employees</th>
<th>Tar Heel Temps</th>
<th>SPA Permanent Employees</th>
<th>Work-Study Student Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employing Department after approval by OHR</td>
<td>Employing Department after approval by OHR</td>
<td>THT</td>
<td>Employing Department after approval by OHR</td>
<td>S&amp;SA after approval by OHR</td>
</tr>
</tbody>
</table>

When eligibility is not verified, place employee in leave status or terminate employment.

There are times when an employee’s identity and/or work authorization cannot be verified. When it appears that an employee is not cooperating with the employment eligibility verification process, or has failed to complete forms or provide documents by federal deadlines, or is apparently unauthorized to work in the U.S., it is the hiring unit’s or employing department’s responsibility to immediately contact an EEV Specialist and, after obtaining the approval of OHR/ Staffing Programs, and have him/her cease all work for the University and terminate employment or place the employee in unpaid leave status. The employing department is responsible for termination or placement on leave of EPA Faculty, EPA Non-Faculty, EPA Postdocs, EPA Student Employees, Direct Hire Temporary Employees, and SPA permanent employees. The Tar Heel Temps office is responsible for termination of Tar Heel Temps. Scholarships and Student Aid is responsible for termination of Work-Study Student Employees.

An employing department must always obtain the approval of OHR/ Staffing Programs before placing an employee in leave status, terminating employment, or stopping the hire of an employee if the forced leave, termination, or halt to hiring is triggered by or connected with the Form I-9 process or the E-Verify EEV check. This is required to ensure consistent treatment of all employees and to prevent terminations in error. Deadlines are tight, and circumstances can require action the same day a problem occurs. Notify the EEV Specialist and/or the Director of Compensation & Staffing Programs immediately when it becomes apparent an employee has not verified his/her identity or eligibility to work as required.

Procedure

The EEV Specialists in OHR/ Staffing Programs are the first point of contact. They collect information on any problem reported within the University just as they do when the Social Security Administration (SSA) or the Department of Homeland Security (DHS) determines that an employee is not authorized to work in the United States, or when an employee fails to cooperate in the process of determining his or her eligibility to work in the United States. Their role is to gather the facts and present the case to their supervisor or the Director of Compensation & Staffing Programs.

The Staffing Programs Manager or the Director of Compensation & Staffing Programs will determine whether errors on the part of UNC-Chapel Hill, SSA, or DHS are involved, consulting with International Student and Scholar Services and the Office of University Counsel as appropriate.

* Note: In accordance with Department of Labor rules, employees with H1b or other H immigration statuses may not be placed on unpaid leave, except for medical or family leave. The option of paid leave may be available to employees who have earned leave.
New hires and work authorization renewals: EEV Unit advises hiring department to take action

In straightforward cases involving employee noncompliance with Form I-9 and EEV requirements for new hires or work authorization renewals, the EEV Specialists, the EEV Supervisor, or the Compensation & Staffing Programs Director will advise the hiring department to take appropriate action. To ensure prompt compliance and proper oversight, the EEV Unit will provide concurrent notice to several offices, including (1) in certain cases, the school or division, (2) in all cases, the office providing oversight for employee terminations, (3) the office, if any, overseeing employment-related benefits, and (4) in certain cases, an office providing special oversight, as explained in the chart Notifications when Eligibility Is Not Verified on the next page.

All other cases: appropriate office works with Hiring Department and EEV Unit to resolve problem

In all other cases, if OHR/Staffing Programs determines that placement in leave status or termination of employment is required, the EEV Supervisor, or the Compensation & Staffing Programs Director will present the case to the office providing oversight for terminations, with the same concurrent notifications as explained in the chart Notifications when Eligibility Is Not Verified.

It is the policy of the University to take action by requiring that the employee be placed on leave or terminated within three business days of the date that OHR/Staffing Programs determines that noncompliance with EEV procedures or absence of documentation of identity or current work authorization requires such action.

For all SPA hires except Tar Heel Temps, the OHR/Employee & Management Relations Specialist will consult with the hiring supervisor to determine how to proceed. The OHR/Employee & Management Relations Specialist will provide written documentation together with a template letter for termination or placement on leave to be completed by the hiring supervisor. The OHR/Employee & Management Relations Specialist will follow up with the department within three business days to ensure that the employee has received the proper notifications and has been placed in leave status or terminated from employment. OHR/Benefits & Employee Services will be prepared to help the employee understand and exercise his or her options concerning continuation or termination of any employment-related benefits.

The procedure for Tar Heel Temps will be similar, but will be conducted by the Tar Heel Temps office, which will directly contact both the employee and the department the employee has been assigned to.

For EPA students, Work Study students and all other cases, the procedure will be similar, except that the appropriate office will advise and consult with the hiring supervisor to determine how to proceed. For those employees including graduate student employees with employment-related benefits, the appropriate benefits oversight office will provide counsel. Because an undergraduate student employee may not readily understand the implications of an EEV issue, the Dean of Students will be notified to provide any additional counsel to the student employee.

Other University offices with limited roles in detecting and resolving EEV problems.

Payroll Services sometimes encounters a problem with a non-resident alien’s tax status that suggests an expired or invalid work authorization. When this occurs, Payroll Services will notify the EEV Specialists who notify the employee and his/her department.

International Student and Scholar Services (ISSS) helps departments and employees anticipate visa and work authorization expirations and helps apply for renewal of employer sponsored immigration statuses. When ISSS encounters a problem that suggests an expiring or invalid work authorization, it will notify an EEV Specialist.
**Figure 13: Notifications when Eligibility Is Not Verified**

<table>
<thead>
<tr>
<th>Employee Type</th>
<th>Employing Department(s) and School or Division</th>
<th>Termination Oversight</th>
<th>Benefits Oversight</th>
<th>Special Oversight</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPA Permanent or Time Limited</td>
<td>Department</td>
<td>OHR/ Employee &amp; Management Relations</td>
<td>OHR/ Benefits</td>
<td>—</td>
</tr>
<tr>
<td>SPA Tar Heel Temp</td>
<td>All Departments to which this employee is currently assigned</td>
<td>Tar Heel Temps</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>SPA Direct Hire Temp (not UNC-Chapel Hill student)</td>
<td>All Departments with this active employee</td>
<td>OHR/ Staffing Programs</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>EPA Undergraduate Student Employee (EPA Rank Code 26)</td>
<td>All Departments with this active employee and the School(s) or Division(s)</td>
<td>EPA Non-Faculty HR</td>
<td>—</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>EPA Student Temp (enrolled UNC-CH undergraduate)</td>
<td>All Departments with this active employee</td>
<td>OHR/ Staffing Programs</td>
<td>—</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>EPA Work-Study Student Employee</td>
<td>All Departments with this active employee</td>
<td>Scholarships &amp; Student Aid</td>
<td>—</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>EPA Graduate Student Employee (Rank Codes 20–25)</td>
<td>All Departments with this active employee and the School(s) or Division(s)</td>
<td>EPA Non-Faculty HR</td>
<td>Student’s Primary Department</td>
<td>—</td>
</tr>
<tr>
<td>EPA Student Temp (enrolled UNC-CH graduate student)</td>
<td>All Departments with this active employee</td>
<td>OHR/ Staffing Programs</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>EPA Post Doc</td>
<td>All Departments with this active employee and the School(s) or Division(s)</td>
<td>Office of Postdoctoral Affairs</td>
<td>Office of Postdoctoral Affairs</td>
<td>Academic Personnel</td>
</tr>
<tr>
<td>EPA Non-Faculty (non-student, non-Post Doc)</td>
<td>Department(s) and the School(s) or Division(s)</td>
<td>EPA Non-Faculty HR</td>
<td>OHR/ Benefits</td>
<td>—</td>
</tr>
<tr>
<td>EPA Faculty</td>
<td>Department(s) and the School(s) / Division(s)</td>
<td>Academic Personnel</td>
<td>OHR/ Benefits</td>
<td>—</td>
</tr>
</tbody>
</table>

---

* At any point in the process of investigating and resolving an EEV problem, the EEV Unit or the Compensation & Staffing Programs Director may consult with any University office, and in particular may call on the following for help, information, or counsel: Academic Personnel, Dean of Students office, International Student and Scholar Services, Office of Postdoctoral Affairs, Payroll Services, Scholarships & Student Aid, University Counsel, and any of several OHR departments including Application Support, Benefits Program Administration, EPA Non-Faculty HR, Employee & Management Relations, Policy Administrator, and Tar Heel Temps.

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Not handled by EEV Unit. If you have reason to believe a University Independent Contractor is not authorized to work in the United States, contact Disbursement Services at 919-962-0213 immediately.
Special Topics

When a Form I-9 is Not Required

The University expects that a new Form I-9 and E-Verify check will be completed for every new employee, including employees who will be paid via one-time as the section Complete the Form I-9 and Submit Form I-9 Information to OHR explains. However, under limited circumstances, as noted below, completing a Form I-9 is not required.

Independent Contractors

No Form I-9 should be on file for an independent contractor. Do not complete a Form I-9 or an EEV check for an independent contractor. Contractors are not paid through payroll and are not employees.

Dual Employees

Do not complete a Form I-9 for someone who is paid by another state agency instead of the University. Employees of other state agencies paid through the other agency’s payroll complete a Form I-9 and EEV check, if required, at their home agency.

Employees of University Contractors

Do not complete a Form I-9 for someone who is not paid by the University. Contractors’ employees complete a Form I-9 and an EEV check, if required, with their employer.

SPA Additional Employment

Do not complete a new Form I-9 or an EEV check in cases of SPA additional employment.

Additional Employment assigns an existing employee additional temporary duties. A Form I-9 should already be on file if the employee was hired after November 6, 1986, and an EEV check, if required, should already have been performed if the employee began work on or after January 1, 2007.

Zero-Salary Adjunct Faculty, Non-Salaried Fixed Term Appointments, and Volunteers

Do not complete a Form I-9 for an unpaid faculty member. Zero-salary adjunct faculty, non-salaried fixed term appointments, and volunteers who are not paid for their work are not paid employees. If they are hired to do work for pay, or receive pay, then a Form I-9 and EEV check are required at the time they begin work for pay.
Special Topics: 

Existing Employment and Continuing Student Employment

Existing employees being hired for a second job or transferred without a gap in service and continuing student employees being rehired must have a valid Form I-9 on file and, if they first worked for pay on or after January 1, 2007, they must have had an EEV check. Therefore, they should not be required to complete a new Form I-9 and EEV check.

A Form I-9 is valid if it was completed correctly, if there has been no gap in service since it was completed, and if work authorization has not expired. Hiring units must have a valid Form I-9 on file for every employee hired after November 6, 1986.

In cases discussed below where a new Form I-9 is not required for a new employee, the hiring unit must have a valid Form I-9 on file for the employee no later than the day they start work. This means that if another department has the Form I-9 on file, a copy must be obtained on or before the employee’s start date.

How to Check for Existing Employment and Continuing Student Employment

1. Ask each new hire or new appointee within your department if he/she is:
   - currently an employee on the UNC-Chapel Hill payroll,
   - a zero-salary Adjunct Faculty member who has received pay through the UNC-Chapel Hill payroll in the last 12 months, and/or
   - a continuing student who has been on the UNC-Chapel Hill payroll in the last 12 months.

   If not, then Complete the Form I-9 and Submit Form I-9 Information to OHR and disregard the rest of this section.

2. If he or she claims to be one of the above, verify his or her status as described below:
   a. Verify employment in an SPA permanent position by contacting OHR/ Records (919-962-2894) or checking the employee's status in HRIS. If HRIS shows the employee in active permanent employment or leave status, and if he/she will continue without a gap in service until the date the new employment begins or is scheduled to begin, existing employment is verified. Refer to SPA Additional Employment policy.
   b. Verify employment in an EPA Faculty, EPA Non-Faculty, EPA Postdoc, EPA Student, or Direct Hire Temporary position with the department in which the employee claims a preexisting appointment. If EPA web shows an active appointment or leave from an active appointment that will continue without a gap in service until the date the new employment begins or is scheduled to begin, existing employment is verified.
   c. Verify employment in a Tar Heel Temps position with OHR/ Tar Heel Temps (919-962-2900). If HRIS and Tar Heel Temps records show the employee in active employment, and if he/she will continue without a gap in service until the date the new employment begins or is scheduled to begin, existing employment is verified. Note that a Tar Heel Temps employee may never hold other concurrent University employment.
   d. Verify that an individual is a Zero-Salary Adjunct Faculty member who has been paid through the University’s payroll system in the last twelve months with the department in which the employee claims an appointment. If the appointing department determines that the employee is in active status in EPAWeb and that the employee received pay through the University payroll system in the course of his or her appointment within twelve months prior to the date his or her new employment begins or is scheduled to begin, then existing employment status for the purposes of the Form I-9 is verified.
   e. Verify that a new employee is a UNC-Chapel Hill student who was enrolled in the University during the twelve months prior to the date his or her new employment begins, worked for the University in any capacity during that time with the department in which he/she claims to have worked (or with Scholarships and Student Aid if
employment was through Work-Study) and received pay. If continuing enrollment* is verified and the department in which the student employee claims previous employment determines that it paid the student employee through the University payroll system within twelve months prior to the date his or her new employment begins, continuing student employment is verified.

3. **When a temporary or student employee is hired into a permanent position, a new Form I-9 and EEV check are always required** even if existing employment or continuing student employment is verified. If the new employment is in a permanent SPA position or a regular EPA faculty or non-faculty appointment, and the present or previous employment is in a temporary, student, or zero-salary adjunct faculty position or appointment, **Complete the Form I-9 and Submit I-9 Information to OHR**, disregarding the rest of this section.

4. One of the following rules will apply and dictate the action to be taken:

   a. If you verify existing employment or continuing student employment and confirm the employee’s already completed, valid Form I-9 is in your hiring unit’s files, **do not complete a new Form I-9 or submit an EEV check**.

   b. If you verify existing employment or continuing student employment and you think a valid Form I-9 for the employee is on file in another office of the University, contact that office before the date employment begins, confirm it holds a current Form I-9 for the employee, and request a copy of the Form I-9 and accompanying documentation from that University office. **That copy should be obtained by the date employment begins**. If the copy of the Form I-9 is obtained on time and it is valid, do not complete a new Form I-9 or submit an EEV check.

      i. If the hiring department will be the employee’s new home department, and if existing employee status or continuing student employee status is verified and will not terminate before the new employment begins, follow the instructions on **How to Transmit the Form I-9 to a New Home Department or Organizational Unit**. Note that Scholarships and Student Aid is always the home department for Work-Study Students for Form I-9 and E-Verify purposes.

      ii. If the hiring department will not be the employee’s new home department and if existing employee status or continuing student employee status is verified, do the following:

          1. **Contact the employee’s home** department (or OHR/Records if the existing employment is in a SPA position). Ask for a copy of the Form I-9 and all accompanying documentation.

          2. **When it arrives, determine if the employee has a work authorization expiration date**. If so, record the date in a tickler file. (Your department will need to contact the home department in advance of the expiration date and verify that the work authorization has been renewed.)

          3. Mark the photocopy of the Form I-9 “Copy—Original on file in {home department name}” File it with your hiring unit’s Forms I-9. Do not send a copy to OHR.

   c. If you verify existing employment or continuing student employment and you encounter an already completed Form I-9 on file for the employee, valid except that the employee’s work authorization has expired, **do not complete a new Form I-9 or submit an EEV check**. Instead, follow the instructions on **How to Renew a Form I-9 Work Authorization**.

   d. If you verify existing employment or continuing student employment and you encounter an already completed Form I-9 on file for the employee, and that Form I-9 requires corrections, **do not complete a new Form I-9 or submit an EEV check**. See the instructions on **How to Correct Errors and Omissions**.

   e. If you are able to verify existing employment or continuing student employment but cannot determine that a valid Form I-9 is on file or cannot obtain a copy of that Form I-9 by the date employment begins, follow the instructions which explain **How to replace missing Forms I-9**.

   f. If it is not possible to verify existing employment or continuing student employment, the employee must complete Section One of a new Form I-9, the department must complete and verify Section Two, and in general proceed to **Complete the Form I-9 and Submit Form I-9 Information to OHR** under the assumption that this is a new hire. (Note: If an old Form I-9 is located after a new Form I-9 is completed, both should be retained.)

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* Continuing enrollment: the student must have been enrolled at UNC-Chapel Hill at all times, or on a normal student break (i.e. fall, spring or summer break) following enrollment at UNC-Chapel Hill, or enrolled in a study away program in-between otherwise continuous periods of study at UNC-CH.

Compensation & Staffing Programs, Office of Human Resources
The University of North Carolina at Chapel Hill
An Equal Opportunity Employer

Rev. 01-26-09
Special Topics:

Employees Paid With One-Time Payments

Any employee paid with one-time payments must have a current Form I-9*. Additionally, if he/she first worked for pay on or after January 1, 2007, an EEV check must also be completed. However, an employee who is in an active non-salaried appointment and who has received pay, even on an intermittent (e.g. lump sum) basis, from the University within the past twelve months during the course of that appointment, does not need to complete a new Form I-9 and does not require a new EEV check. To determine whether a new Form I-9 and EEV check is required, ask any individual not already directly employed by your department who will be receiving a lump sum payment from your department two questions:

1. Is he/she already employed by the University in an EPA or SPA position or does he/she hold a non-salaried EPA appointment?
2. Does he/she receive either regular or intermittent payments from any department of the University?

If he/she says yes to both questions, follow the instructions for Existing Employment and Continuing Student Employment.

* Exception: Anyone who has been employed since November 6, 1986 without a gap in service does not need to complete an I-9 or be submitted for a E-Verify EEV check. So, for example, a zero-salary adjunct faculty member who has held an adjunct appointment since the summer of 1986 and who has been paid a lump sum to teach a class every fall semester since then would not need to complete a I-9 and would not be submitted for an EEV check.
Special Topics:

Payroll-related Procedures for Nine-Month Faculty and Certain Student Employees

For any employee who has a payroll effective date prior to actually reporting to work, such as nine-month faculty and certain EPA student employees, special procedures apply:

- The “date employment began” on the Form I-9 may be determined by the Hiring Department and the employee but must occur on or after the individual’s initial payroll effective date. For example, for nine-month faculty, this could be any date between the payroll effective date and the start of classes.

- The employee must report to work or begin work on the “date employment began.” If the date the employee will actually report to work changes, the department must immediately correct the date employment began on the Form I-9 as explained in How to Correct Errors and Omissions. (This includes resubmitting the Form I-9 information to OHR with the correct actual start date as explained in steps to submit Form I-9 information for each new hire to OHR using the EEV tool.)

- The employee must be available to respond to Form I-9 and E-Verify related requests during the period of time immediately following the date employment begins. If the employee will be out of town, the department must make arrangements for direct contact and overnight delivery of documents if the employment eligibility verification process requires contacting the employee. See the section on Remote Hires for more information.

- No employee should be permitted or told to have payroll direct deposit sign-up forms processed with Payroll until the Form I-9 is completed and verified (Section One and Section Two).

- Any initial paycheck generated by Payroll Services for the employees based on his/her advance payroll effective date must be held by the hiring unit until the Form I-9 is completed and verified (Section One and Section Two).

It is the University’s policy not to release the first paycheck until Section One and Section Two of the Form I-9 are completed and verified.

Note: On March 6, 2008, Payroll Services released two new Direct Deposit forms:

- Form PR-8A - For Faculty, Postdocs and EPA student employees only (EPA rank codes 01-05 and 20-28). This form requires that a department representative indicate that the Form I-9 has been completed and certified.

- Form PR-8B - For SPA and EPA Non-faculty employees only.

Both forms are available on the web at http://finance.unc.edu/finance-division/finance-forms/payroll-forms.html. If you have questions about either form, please contact Payroll Services at 962-0046.
Special Topics:

**Obtaining Social Security Numbers**

The Form I-9 can be completed for a new hire that does not have a Social Security Number (SSN), as long as he/she supplies a valid work authorization document (from list “A” or list “C”).

However, all new hires must apply for an SSN for tax, Social Security Administration (SSA), and E-Verify purposes. The employee must apply for an SSN as soon as possible, and provide it to the University as soon as it is received.

**When a New Hire Does Not Have an SSN**

1. **In order to complete the Form I-9,** ask a new hire without an SSN to write "Pending" in the SSN blank on Section One. A "dummy" SSN, assigned for payroll purposes, should never be recorded on the Form I-9.
2. **In order to use the EEV tool to submit Form I-9 information to OHR,** type "SSN pending" in the Comments field.
3. The E-Verify check cannot be completed until the SSN is received.
4. An EEV Specialist will remind the department if an unreasonable amount of time passes and the Form I-9 has not been corrected with the SSN or the corrected information has not been submitted.

**When an SSN Is Issued for a Form I-9 Marked “SSN Pending,” Correct the Form I-9 and Re-submit the Form I-9 Information to OHR**

1. On the Form I-9, have the employee fill in the SSN on the original Form I-9 in Section One, in a different color ink, and sign and date the addition, as explained in *How to Correct Errors and Omissions*.
2. Follow the steps to submit Form I-9 information for each new hire.
3. When the SSN is received:
   - Repeat the steps to submit Form I-9 information for each new hire with the SSN.
   - In the comments field, type “SSN received” and provide the previous EEV Tool serial number.

Note: The E-Verify EEV check will not occur until the SSN is received.

**Other Information on SSNs**

- **Sometimes it can take months for SSA to assign a new SSN.** If the employee has requested a SSN, and provides it to the University as soon as it is received, both we and the employee will have complied with the rules.
- **Based on advice from the Social Security Administration,** a newly-arrived foreign national/non-resident alien should actually wait 10 days to apply for a SSN. If the request is made before paperwork has had time to be processed at the port of entry, SSA will refer the case to DHS prematurely, which will result in a longer wait for a SSN. If the employee is a student or scholar sponsored by the University, he or she may be advised by ISSS to report to ISSS to meet with an SSA representative to complete an application a few days after the start of the term.
- **An employee who does not yet have an SSN does not fall under the Form I-9 receipt rule,** so there is **no 90-day time limit** to obtain one.
- **The employee must provide the University with his/her Social Security Number** as soon as it is assigned. He/she does **not need to show us the Social Security Card** when it arrives. If
he/she does show the card to us, we should not attach a photocopy of it to the Form I-9, because he/she will have already provided sufficient documents to complete the Form I-9.

- Completely separate from the Form I-9/E-Verify process, a dummy SSN allows Payroll to process an employee who has yet to receive an SSN.
- Completely separate from the Form I-9/E-Verify process, the University requires a photocopy of each employee’s Social Security card for tax purposes.
- Note that an Individual Taxpayer Identification Number (ITIN) issued by the Internal Revenue Service is not a Social Security Number, even though it has the same number of digits. A 9-digit ITIN always begins with the number 9 and has a 7 or 8 in the fourth digit, for example 9XX-8X-XXXX. It does not provide authorization to work in the United States. Employees should not write an ITIN on the Form I-9; it is absolutely useless for Form I-9 purposes. An employee with an ITIN but no SSN must obtain an SSN.
Special Topics:

Non-Resident Aliens

A non-resident alien must satisfy Federal work authorization and visa requirements in order to work or study in the United States.

International Student and Scholar Services (ISSS) is available to help departments and foreign students, scholars, and employees with work authorization and visa requirements when the work authorization and/or visa has been sponsored by the University. This includes immigration statuses F-1, J-1, H-1B, O-1, and TN, and employees whose permanent residence application has been sponsored by a department. ISSS cannot, however, assist employees with immigration statuses not sponsored by the University. For example, individuals with asylum or refugee status, applicants for adjustment of status not sponsored by the University, and individuals in temporary protected status must work directly with the Department of Homeland Security to obtain or renew work authorization documents.

Departments employing or seeking to employ a non-resident alien in an immigration status sponsored by the University should do the following:

- Contact ISSS as early as possible in the hiring process to ensure that the individual will be allowed to travel here and work as planned.

- Instruct every non-resident alien employee, student, or visiting scholar whose immigration status is sponsored by the University to check in with ISSS immediately upon his or her arrival in the United States.

- Instruct every non-resident alien employee to report to ISSS as soon as possible (on or after his or her first day of work and no later than the end of his or her first payroll cycle at the University) to supply information required for proper tax withholding.

- Complete the International Student and Scholar Services Monthly Scholar Update every month.

- Contact ISSS four to six months in advance of the expiration of a work authorization to extend authorization to work.

ISSS can be reached at 919-962-5661 or at oisss@unc.edu. For more information see: http://global.unc.edu/isss.

The documents that may be offered by a non-resident alien to prove identity and eligibility to work in the United States are discussed in the section explaining how to complete and certify Section Two of the Form I-9.

Because certain documents that may be presented by non-resident aliens are especially complex, the procedures for certifying Forms I-9 when these documents are presented are discussed in detail in the next two sections, Non-Resident Alien Student Employees in F-1 Status and How to Verify a Pending I-129 Petition for a Nonimmigrant Worker.
Special Topics:  

**Non-Resident Alien Student Employees in F-1 Status**

If a foreign passport with a Form I-94 Arrival/Departure Record is supplied as an “A” List document for Section Two of the Form I-9, and the classification on the Form I-94 is F-1, an additional work authorization document is always required. In most cases, the additional document is an I-20 A-B form, and the passport, the Form I-94, and the I-20 are needed—2 documents from List A and one from List C. This is an exception to the rule that only a single item from List A or one item each from List B and C are accepted as documents for the Form I-9.

I-20 A-B Forms are created in a three-step process. First, the student’s institution submits information online to the Department of Homeland Security’s Student and Exchange Visitor Information System (SEVIS). Second, U.S. Immigration and Customs Enforcement (ICE), a DHS agency validates and approves or disapproves the submission overnight. Third, the student’s institution logs on to SEVIS and prints out the I-20, keeps a copy, and provides the original to the student. International Student and Scholar Services at UNC-Chapel Hill submits I-20 information for all UNC-Chapel Hill students and distributes the I-20 forms to the students. See [Non-Resident Aliens](#) for more information.

There are three cases you may encounter, depending on whether the employee presents:

1. an I-20 issued by UNC-Chapel Hill* for study at UNC-Chapel Hill, which permits employment on the UNC-Chapel Hill campus only;
2. an I-20 endorsed by either UNC-Chapel Hill or another educational institution* for Curricular Practical Training (CPT), or
3. an I-20 endorsed by either UNC-Chapel Hill or another educational institution* for Optional Practical Training (OPT). (In this case, the I-20 must be presented with a DHS Employment Authorization Card (Form I-766) with category C003i, C003A, C003B, or C003C.)

If the student employee presents an I-20 form, examine it to determine which of the three cases applies, then follow the appropriate set of instructions below in addition to the general instructions for completing a new Form I-9 and EEV check or for updating a Form I-9. †

Consult with an EEV Specialist at 919-962-0985 or [eevquestions@listserv.unc.edu](mailto:eevquestions@listserv.unc.edu) if you have questions.

1. **When the I-20 is issued by UNC-Chapel Hill and page 3 of the I-20 at “Student Employment Authorization” does not indicate Curricular Practical Training (CPT) at UNC-Chapel Hill or Optional Practical Training (OPT) for all or part of the anticipated period of employment:**
   a. Employment is authorized for on-campus employment up to 20 hours per week while school is in session and full time during summer and other vacation periods for students who intend to register for the subsequent academic term.
   b. **When the employee completes Section One of the Form I-9**
      i. The work authorization expiration date is under Item 5 on page 1 of the I-20. This section reads in part,
         “The student is expected to report to the school no later than ______ and complete studies not later than ______. The normal length of study is ______ months.”

* The issuing or endorsing institution is found on the I-20 in item 2 under “School Name.”
† These instructions are detailed because employment authorizations for on-campus employment, CPT, and OPT carry different restrictions. In each case, I-9 sections One, Two, and Three must be completed differently. The procedure for determining the document expiration dates and the work authorization expiration date also differs.
Authorization may begin no more than 30 days before the “report no later than” date. Authorization ends on the “complete studies not later than date,” when full-time enrollment ends, or when the student graduates, whichever is earlier. Exceptions exist (1) for full-time enrollment based on medical conditions or hours needed to complete the course of study in the student’s final semester and (2) for students transferring into or out of UNC-Chapel Hill from or to another U.S. school. Contact International Scholar and Student Services (ISSS) at 919-962-5661 or at oissss@unc.edu if a student in one of these exceptional situations is employed.

c. **When Section Two of the Form I-9 is completed and the Form I-9 is verified**
   i. Three documents are accepted and photocopied—the passport, the Form I-94 form, and pages 1 and 3 of the I-20 form.
   ii. Enter the passport and Form I-94 information in column A.
   iii. Enter the I-20 information in column C. The I-20 document expiration date in this case is the “complete studies no later than date” from Item 5 on page 1.

d. **If the work authorization must be updated in Section Three of the Form I-9**
   i. Enter the I-20 information in item C. The I-20 document expiration date in this case is the “complete studies not later than date” from Item 5 on page 1.
   ii. One document is accepted and photocopied—pages 1 and 3 of the I-20 form.

e. **Update your department’s Tickler File** with the employee’s work authorization expiration date.

2. **If page 3 of the I-20 at “Student Employment Authorization” indicates Curricular Practical Training (CPT) at UNC-Chapel Hill:**

   a. **When the employee completes Section One of the Form I-9**
      i. The work authorization beginning and ending dates for CPT appear at the top of page 3 of the I-20 form under “Student Employment Authorization.”

   b. **When Section Two of the Form I-9 is completed and the Form I-9 is verified**
      i. Three documents are accepted and photocopied—the passport, the Form I-94 form, and the I-20 form (pages 1 and 3).
      ii. Enter the passport and Form I-94 information in column A.
      iii. Enter the I-20 information in column C. The I-20 document expiration date in this case is the “complete studies not later than date” from Item 5 on page 1. Note that this will usually not be the same as the work authorization expiration date.
      iv. Page 1 of the I-20 at Item 5 indicates the field in which the individual is allowed to work.
      v. Page 3 of the I-20 must be endorsed for specific employment at UNC-Chapel Hill.
      vi. Page 3 of the I-20 reflects whether full- or part-time employment is permitted.

c. **If the work authorization must be updated in Section Three of the Form I-9**
   i. One document is accepted and photocopied—the I-20 form (pages 1 and 3).
   ii. Enter the I-20 information in item C. The I-20 document expiration date in this case is the “complete studies not later than date” from Item 5 on page 1.
   iii. Note that the I-20 document expiration date will usually not be the same as the work authorization expiration date. The work authorization beginning and ending dates for CPT appear at the top of page 3 of the I-20 form under “Student Employment Authorization.” Note the work authorization expiration date in the margin with an explanation, for example: “CPT authorization expires MM/DD/YYYY.”
   
d. **Update your department’s Tickler File** with the employee’s work authorization expiration date.
3. If page 3 of the I-20 at “Student Employment Authorization” indicates Optional Practical Training (OPT) OR a DHS Employment Authorization Card (Form I-766, also called an EAD) with category C003i, C003A, C003B, or C003C is presented:

   a. When the employee completes Section One of the Form I-9
      i. The work authorization beginning and ending dates for OPT appear on a DHS Employment Authorization Card (Form I-766, also called an EAD) with category C003i, C003A, C003B, or C003C. (The work authorization beginning and ending dates which appear on the back of the I-20 form should be ignored. The dates that appear there are the dates recommended by the student’s institution, not the dates approved by DHS.
      
      ii. However, the dates on the EAD may have been extended. New rules in effect since April 2008 permit extensions of OPT work authorizations for a total of 29 months for employees with certain degrees in Science, Technology, Engineering, and Math (STEM) under certain circumstances. If an expired Employment Authorization Card with one of the above categories is presented, ask the employee to wait while you contact an EEV Specialist at 919-962-0985 for guidance. The EEV Specialist will determine the current rule for Form I-9 completion for OPT STEM extensions and then direct you to follow that rule and either accept the Employment Authorization Card (with an extended expiration date) or reject the Employment Authorization Card (as expired).
   
   b. When Section Two of the Form I-9 is completed and the Form I-9 is verified
      i. Two documents are accepted and photocopied— the Employment Authorization Card and the I-20 form (pages 1 and 3).
      
      ii. Enter the EAD information in column A. The document expiration date for the Employment Authorization Card is the end date on the card unless the card’s expiration date has been extended. In case of an extension, the EEV Specialist will help you determine the expiration date.
      
      iii. Enter the I-20 information in item C. If the student has completed his/her studies, the EAD expiration date should be indicated as the I-20 “document expiration date,” because the issuance of the EAD has extended the I-20 expiration date. If the student has not completed his/her studies, the I-20 “document expiration date” is the date on page 1 at #5.
      
      iv. Page 1 of the I-20 at Item 5 indicates the field in which the individual is allowed to work.
      
      v. Page 3 of the I-20 reflects whether full- or part-time employment is permitted.
   
   c. If the work authorization must be updated in Section Three of the Form I-9
      i. Two documents are accepted and photocopied— the Employment Authorization Document and the I-20 form (pages 1 and 3)
      
      ii. Enter both the EAD information and the I-20 information in item C of Section Three.
         • The document expiration date for the Employment Authorization Card is the end date on the card unless the card’s expiration date has been extended. In case of an extension, an EEV Specialist will help you determine the expiration date.
         • The document expiration date for the I-20 is determined as follows. If the student has completed his/her studies, the EAD expiration date should be indicated as the I-20 “document expiration date.” If the student has not completed his/her studies, the I-20 “document expiration date” is the date on page 1 at #5.
      
      iii. If the two document expiration dates disagree, or if this an extension, consult with an EEV Specialist. A marginal note may be required to explain the discrepancy or the extension.
      
      iv. In all cases the work authorization expires on the EAD expiration date, regardless of the I-20 document.
   
   d. Update your department’s Tickler File with the employee’s work authorization expiration date.
Special Topics:

How to Verify a Pending I-129 Petition for a Nonimmigrant Worker

In two relatively rare circumstances, the University is permitted to employ a nonimmigrant alien for whom it has requested a change in the expiration date of immigration status and work authorization and/or change of employer but for whom it has not yet received formal approval. This occurs in the following instances:

- When the University requests an extension of the expiration date for a previously-granted University-sponsored immigration status before the status expires and
- When the University requests approval to hire an individual working in H1-B status for another employer. This may involve changing the H1-B expiration date, extending or shortening it.

Either change is requested using DHS Form I-129, “Petition for a Nonimmigrant Worker.” The changes in expiration date and/or employer are automatic and temporary while the petition is being adjudicated, so long as the petition was properly filed and the employee has complied and continues to comply with immigration rules and Department of Labor rules, including EEV procedures. The employee in these cases always holds a previous work authorization (which may have already expired or be due to expire) and is never a full-time student.

International Student and Scholar Services (ISSS) files all the I-129 petitions for the University. Formal approval of an I-129 petition consists of a DHS I-797 Approval Notice. When ISSS receives an Approval Notice, it provides the notice to the employee, so the employee can present it as evidence of work authorization for the Form I-9. The standard instructions in this manual for completing the Form I-9 explain how to verify and record the Approval Notice.

When formal approval has not yet been received in one of the two situations discussed here, ISSS issues an 
ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker† to the employee, which the employee may present as temporary evidence of work authorization. The instructions below explain how to determine whether an ISSS Notice of Pending I-129 Petition authorizes the employee to work at the University and, if so, how to determine the expiration date and any restrictions which apply.

These instructions are necessarily complex. Please contact an EEV Specialist for help at 919-962-0985 the first time you encounter an employee who presents an ISSS Notice of Pending I-129 Petition.

Summary of instructions:

If all the following statements are true, accept an ISSS Notice of Pending I-129 Petition as temporary evidence of work authorization:

- The ISSS Notice and its attached documents must appear to be valid, genuine, and to relate to the person presenting them.
- All of the documents the ISSS Notice states must be attached.
- For a new hire, the ISSS Notice and attached documents must permit employment at the University on the first day the employee works (or is scheduled to work) for the University.
- For continued University employment of an existing employee, the ISSS Notice and attached documents must permit employment at the University beginning on the calendar day following the expiration date of the previously-granted work authorization.

* This is an exception to the rule that a receipt for renewal of an expired work authorization document is not acceptable.
† ISSS also issues another form letter, titled Portability of H-1B Status, to inform employees hired under the H-1B portability rule of certain requirements. You may encounter these form letters attached to older Forms I-9 as part of the documentation. The ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker replaces the Portability of H-1B Status form letter for Form I-9 purposes.
If the above statements are true, the beginning and end dates of the temporary work authorization depend on the employment dates requested in the petition and the description which applies to this case:

- If the ISSS Notice specifies H-1B Portability (with or without extension of status) employment is permitted during the “Employment dates requested in petition to USCIS” on the ISSS Notice. Employment may not begin before the first date or continue after the second.

- If the ISSS Notice does not specify H-1B Portability, employment may continue until the earlier of:
  1. the second date listed under “Employment dates requested in petition to USCIS” or
  2. 240 days after the first date listed under “Employment dates requested in petition to USCIS.”

- In either situation, employment authorization will cease immediately if notice is received that the petition is denied.

- In either situation, when ISSS receives an Approval Notice, it will provide it to the employee, who must present it or some other form of official work authorization to update the Form I-9.

Step-by-step detailed instructions are provided below.

**Detailed instructions:**

To determine if an ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker authorizes an individual to work at the University, follow these steps:

1. **Determine if the documents accepted include one of the following.**
   - DHS Form I-797 receipt notice specifying:
     - Case Type: I-129 Petition for a Nonimmigrant Worker
     - Petitioner: University of North Carolina at Chapel Hill OR
   - ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker

   If either of these documents was accepted, proceed to step 2 below.

   If the employee presented a different work authorization document, then these instructions do not apply. You should finish certifying the Form I-9 following the instructions for Section Two (for a new hire) or the instructions on How to Renew a Form I-9 Work Authorization, whichever is appropriate.

2. **Determine if all required documents are present.**

   If the employee presents an I-797 receipt notice without an ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker; inform the employee that the ISSS Notice is needed to complete the Form I-9 with the I-797 receipt notice.

   If the employee presents an ISSS Notice of Pending I-129 Petition but one or more of the documents indicated under “Proof … of timely filing” are missing or incomplete, inform the employee that the documents indicated are needed to complete the Form I-9 with the ISSS Notice.

   The employee will need to obtain the missing notice or documents from ISSSS, or obtain other work authorization, and return to the hiring unit and re-present his or her documents in person in order for you to certify the Form I-9. If the employee is a new hire, documents (including the ISSS Notice if required) must be presented within three business days of hire; if this is a work authorization renewal, documents (including the ISSS Notice if required) must be presented by the expiration date of the
previous work authorization. If the deadlines are not met, follow the instructions in the section *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment.*

3. **Determine if the ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker is valid.**

   Answer the following questions to determine if the notice seems valid and the basic information is consistent with other documents, information on the Form I-9, and the position the employee is filling.

   (If you answer “no” to any questions, stop and contact an EEV Specialist at 919-962-0985.)

   - Are all the blanks on the form completed?
   - Is one of the “Proof” options checked?
   - Is at least one of the “Description” options checked?
   - Is it signed and dated?
   - Is it on UNC-Chapel Hill International Student and Scholar Services letterhead?
   - **Is the name on the ISSS Notice and the attached documents correct?**
     That is, does the name on the notice agree with the name in Section One of the Form I-9 and the name on all other documents accepted for the Form I-9 or attached to the notice?
   - **Is the Form I-94 on the ISSS Notice and the attached documents correct?**
     That is, if a Form I-94 Arrival / Departure Number appears anywhere else on the Form I-9 (in Section One or Section Two), or on any other documents accepted for the Form I-9 or attached to the notice, is it in every case the same number as the number on the notice?

4. **Determine if the documents attached to the ISSS Notice are valid.**

   (If they appear not to be, contact an EEV Specialist at 919-962-0985 before proceeding.)

   - **Copy of I-797 Receipt Notice**
     - Case Type: Must be “I-129 Petition for a Nonimmigrant Worker”
     - Petitioner: Must be University of North Carolina at Chapel Hill
     - Beneficiary: Must be Employee
     - Notice type: Must be “Receipt Notice”
     - Received date: Must be reasonable—in the previous six months.
     - Stamp: Must be stamped as received by ISSS at UNC-Chapel Hill.

   - **Copy of Express mail electronic receipt**
     - Must specify delivery to a DHS office
     - Must clearly specify the date of delivery (not expected delivery)

   - **Copy of Previous I-797 Approval Notice**
     - Case Type: Must be “I-129 Petition for a Nonimmigrant Worker”
     - Petitioner: If ISSS Notice indicates H-1B Portability, any employer. If ISSS Notice does not indicate H-1B Portability, must be University of North Carolina at Chapel Hill.
     - Beneficiary: Must be Employee
     - Notice type: Must be “Approval Notice”
     - Valid from: Note: “to” date is date previous work authorization expires.
     - Stamp: If petitioner is University of North Carolina at Chapel Hill, must be stamped as received by ISSS at UNC-Chapel Hill.
• Copy of pages 1-4 of **Form I-129, Petition for a Nonimmigrant Worker**, as submitted
  • Page 1, Part 1, Item 1: Must be Employee.
  • Page 2, Part 3, Item 2: If any of this information appears on other documents presented for the Form I-9, the information should agree, or a reasonable explanation of the discrepancy is required. (E.g., a more recently issued copy of a document may have been presented for the Form I-9.)
  • Page 3, Part 5: Consistent with the employee’s job at the University.
  • Page 3, Part 5, Item 8: Dates of intended employment must match **ISSS Notice**.
  • Page 4, Part 6: Must be signed and dated.

5. **Treat the ISSS Notice of Pending I-129 Petition and its attachments as a List “C” document.**
   If the **ISSS Notice** and its attached documents appear to be valid, genuine, and to relate to the person presenting it, it may serve as temporary evidence of authorization to work at the University. When presented by a new hire, it must be presented together with a List “A” or List “B” document proving identity to meet the requirements of Section Two of the Form I-9. When used by an existing employee to renew the work authorization on a previously completed and certified Form I-9, no List “A” or List “B” document proving identity is required.

6. **If this is not a new hire,** that is, if the employee is an existing employee or a continuing student employee, **determine the date the previous work authorization expires.** This date may be found:
   • On the current Form I-9 and its attached documents.
   • On an expired or expiring I-797 Approval notice, if one is attached to the Form I-9 or to the ISSS Notice. Check the “Valid from MM/DD/YYYY to MM/DD/YYYY” information on the right of the form near the top, under the words “Notice Type: Approval Notice” and the class (immigration status) The “valid to” date is the previous work authorization expiration date.

7. **Complete or update the Form I-9** using the temporary work authorization information, and take proper steps to ensure that the employee presents replacement work authorization in a timely manner. The procedure required is different for new hires and for continuing employees.

If the **ISSS Notice** specifies H-1B Portability, take these steps, which are required for a new hire:
   • Note that employment is temporarily authorized during the “Employment dates requested” from the **ISSS Notice**.
   • Record the information from the List “A” or List “B” document as usual in Section Two.
   • Instead of completing Column “C” of Section Two, write the following note in the white space below items B and C in Section Two of the Form I-9, using the “Employment dates requested” from the **ISSS Notice**:
     “H-1B portability applies. Employment Authorized _____ until _____.”
   • Attach a photocopy of the **ISSS Notice** and its attached documents and of the List “A” or List “B” document to the Form I-9.
   • Continue to **Complete the Form I-9 and Submit Form I-9 Information to OHR**.
   • Follow steps 3 and 4 under **How to Enforce the Form I-9 Receipt Rule** to insure that the **ISSS Notice** is replaced by a work authorization document before temporary work authorization ends.

* Note that the documents attached to the ISSS Notice are all photocopies. Normally, photocopies are not accepted for the I-9. We accept them in pending petition cases because in these cases employment is authorized but no official document authorizing employment is issued. The ISSS Notice itself must be an original signed document, not a photocopy.
If the ISSS Notice does not specify H-1B Portability, take these steps:

- Determine the end date for the automatic extension of work authorization. It is the earlier of
  - the second date listed under “Employment dates requested in petition to USCIS” or
  - 240 days after the first date listed under ISSS Notice’s “Employment dates requested”
- Instead of recording document information in Section Three, write the following note below the most recent work authorization on the employee’s existing Form I-9:
  “I-129 petition for extension pending Employment Authorization extended until ______.”
- Sign and date this note.
- Attach a photocopy of the ISSS Notice and its attached documents to the Form I-9.
- Restart the instructions under How to Renew a Form I-9 Work Authorization. Update the tickler file to reflect the end date for the temporary authorization. Remind the employee he or she must present a work authorization document before temporary work authorization ends.

Note: The relevant federal regulation governing extensions is the 240-day Automatic Extension Rule of 8 CFR § 274a.12(b)20. The law governing H-1B Portability Rule is USC 1184(n).
### Form I-9 and E-Verify Compliance Manual

#### Figure 14: ISSS Notice of Pending I-129 Petition for a Nonimmigrant Worker

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of International Scholar</td>
<td></td>
</tr>
<tr>
<td>I-94 Arrival / Departure Record Number</td>
<td></td>
</tr>
<tr>
<td>UNC-Chapel Hill Department</td>
<td></td>
</tr>
<tr>
<td>Category or Immigration Status</td>
<td></td>
</tr>
</tbody>
</table>

Proof of UNC-CH’s timely filing of I-129 petition with USCIS:

- [ ] Photocopy of I-797 Receipt Notice (Must be attached) **OR**
- [ ] Other, e.g., an express mail electronic receipt. (Must be attached together with a copy of the employee’s previous I-797 Approval Notice and a copy of pages 1–4 of Form I-129, *Petition for a Nonimmigrant Worker*, as submitted.)

Employment dates requested in petition to USCIS:

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Check which description(s) applies to this case:

- [ ] This is an extension of status case.
- [ ] This is an H-1B Portability case.

Signed by ISSS staff member: ____________________________

Date: ________________

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### Instructions for departments regarding Form I-9, Employment Eligibility Verification

1. Employees may present this form and its attachments when completing Form I-9. They are not required to present this form.
2. Do not request this form or any specific document from the employee for Form I-9. The employee may always choose to present any valid combination of documents specified in the Lists of Acceptable Documents on page 4 of Form I-9.
3. If an employee presents this form, follow the Instructions in the University’s *I-9 and E-Verify Compliance Manual* on how to evaluate this notice and the attached document(s), determine their validity, and record them on Form I-9, *Employment Eligibility Verification*. These instructions are found in the section titled “How to verify a Pending I-129 Petition for a Nonimmigrant Worker.”
4. Questions? Contact the EES Specialist at 919-962-0985 or eesquestions@listserv.unc.edu.

Background: When *Petition for a Nonimmigrant Worker* is submitted on behalf of the University by International Student and Scholar Services (ISSS), this form and its attachments may be presented by the beneficiary of the petition as temporary evidence of work authorization. This implements the automatic, temporary, restricted authorization to work while a petition is being adjudicated granted to beneficiaries of properly filed I-129 petitions for status extensions or H-1B Portability under 8 CFR § 274a.12(b)(2) and USC 1184(e).

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Note: This form letter should always appear under the letterhead of International Student and Scholar Services, at The University of North Carolina at Chapel Hill.
Special Topics:

Remote Hires

With *advance notice* from the hiring department, and with its cooperation, the EEV Specialists handle *all aspects* of Form I-9 processing and the EEV check for Remote Hires.

The EEV Specialists will also arrange to update the Form I-9 when a remote employee renews a work authorization. The home department should notify the EEV Specialists *six months in advance* of the work authorization expiration date when this is necessary. (See *How to Renew a Form I-9 Work Authorization* for more information.)

What Is a Remote Hire?

When an employee will work or begin work at a remote location, inside the United States but far from any University facility, the Form I-9 must be completed and verified and the E-Verify EEV check conducted in the same time frames that apply to local hires. To comply with this requirement, on behalf of the University the EEV Specialist selects an agent who will do the following:

- meet with the new employee in person
- require that the employee complete Section One of the Form I-9
- inspect and verify the documents submitted to prove identity and work authorization
- complete Section Two of the Form I-9
- mail or ship the original Form I-9 and copies of the documents to the EEV Specialists within the required deadlines
- if necessary, witness the employee’s receipt of and signature on a E-Verify Notice of Tentative Nonconfirmation and Referral to SSA or DHS
- in general, act as the hiring unit’s and the University’s agent for face-to-face communication with the employee regarding the Form I-9 and E-Verify process during the time the employee is working remotely.

The agent selected may be an official at a state unemployment office or a college or university convenient to the employee, in its HR department or the department corresponding to the hiring unit. The University’s OHR department is also prepared to act as a Form I-9 and E-Verify remote agent for other colleges and universities.

Procedure

Notify an EEV Specialist (919-962-0985 or *eevquestions@listserv.unc.edu*) *in advance* of a remote hire. You will be asked to provide specific information concerning the position and the employee being hired, including a copy of the job offer signed by the employee. Once all required information has been submitted, two weeks’ processing time should be anticipated before the employee starts work. Until the employee has met with an authorized agent to complete the Form I-9, he or she cannot begin work.

The EEV Specialist will, upon notification and receipt of an offer letter and a Conditions of Appointment or Employment form (as specified in *Preliminary Steps*), select a remote agent, provide him or her with instructions in writing, and work with the remote agent to accept and verify the Form I-9 and to handle any tentative nonconfirmation or other EEV problem that arises. The EEV Specialist will inform the department when the employee has complied with the Form I-9 requirements and can begin work as scheduled and initiate an EEV check when the Form I-9 is received. When the EEV check is completed, the EEV Specialist will send the original Form I-9 to OHR/Records and a copy to the hiring unit.

The EEV Specialist will contact potential remote agents at up to three different institutions. If it is not possible to secure a remote agent within a reasonable period of time (at least two weeks), the hiring department must either send a University Representative to the remote location or require that the employee report to a University office to complete and certify the Form I-9 (if the hiring department decides to proceed...
with the hire). If a University Representative will be traveling to a remote location to complete the Form I-9 for a remote hire, he or she should work closely with the EEV Specialist to avoid potential problems.

Note: Overnight delivery of documents and other necessary expenses are charged to the hiring department.

Questions

If you encounter a situation that these rules do not cover, check the Frequently Asked Questions or contact an EEV Specialist at either 919-962-0985 or eevquestions@listserv.unc.edu. If you know of such a situation in advance, please ask about it as soon as you are aware of it.

Training

A “Form I-9 & Employment Eligibility Verification Processing” class, Program # US5000 is regularly offered by the Office of Human Resources. To attend this class when it is next offered, register online at http://www.training.unc.edu.
Quick Reference Guide

Figure 15: New Hire Checklist

I-9 and Employment Eligibility Verification (EEV) New Hire Checklist

Newly-hired SPA Permanent Employees:
- Require that the employee complete a Job Offer Acceptance session (JOA) in the Office of Human Resources on or before the first day of work.*
  The I-9 is completed at the JOA. No SPA employee may begin work before attending a JOA session. If a SPA employee reports late for the JOA, his or her first day of work may be rescheduled.

Newly-hired EAP Employees and Direct-Hire Temporaries:
- Complete the Job Offer. The employee must accept, sign, and return the department’s written job offer on or before his or her first day of work* and before completing the I-9.
- Complete and Certify the I-9 Form.
  - Complete Section One. The employee must complete Section One of the I-9 form on or before his or her first day of work.* If this does not occur, contact the EEV Coordinator and prepare to terminate employment. If the employee does not yet have a Social Security Number, he or she should write “PENDING” in the space provided. If the employee does not yet have a valid work authorization, he or she must wait until the work authorization is obtained to complete the I-9 and to start work.
  - Complete Section Two. The employee must provide the required documents in person to complete Section Two of the I-9 form no later than two business days after the employee’s first day of work. If this does not occur, contact the EEV Coordinator and prepare to terminate employment. When documents are presented, the University Representative must:
    1. Ensure the employee has completed, signed, and dated Section One of the form.
    2. Examine the documents presented by the employee in the employee’s presence.
    3. Accept the documents if they appear valid. (Contact the EEV Coordinator if they do not.)
    4. Record the document information in Section Two.
    5. Record the date employment began (or will begin) in Section Two.
    6. Photocopy the documents accepted. Check that the photocopies are legible.
    7. Complete, sign, and date the certification in Section Two of the I-9 form.
  Section Two must be certified no later than two business days after the employee’s first day of work.
- Submit the I-9 Information in the EEV Tool. The University Representative submits information from the certified I-9 form to OHR via the EEV Tool in HR Central no later than two business days after the employee’s first day of work. If the employee does not yet have a Social Security Number, leave the SSN field blank and write “SSN pending” in the comments field.
- Cooperate in the E-Verify process.
  - Ensure the University Representative holds the I-9 and the document photocopies in a pending file while the E-Verify check is completed.
  - The EEV Coordinator submits the employee’s information to E-Verify so that the Social Security Administration and Department of Homeland Security can check it against their records.
  - The University Representative monitors the HR Central Inbox for FYI messages with instructions or approvals from the EEV Coordinator, responds to any requests from the EEV Coordinators and, if required, directs the employee to report to the EEV Coordinators for follow up.
  - The University Representative is notified by the EEV Coordinator via an FYI Notice in HR Central when the employee’s eligibility to work is verified by the Federal government.
- Record the E-Verify Case number and file the I-9 form.
  The University Representative must:
    - Record the E-Verify Case Number at the top of the I-9 form.
    - Photocopy the I-9 and all pages attached to it.
    - Submit the original I-9 and its attached document photocopies to the EEV Coordinators, CB# 1045, as soon as possible and no later than one week after eligibility to work is verified.
    - File a copy of the I-9 with copies of all attached documents in the department’s I-9 files.

* What is the first day of work? The first day of work is the first day the employee performs any work for the University in the United States, regardless of whether that work occurs on or off campus. The first day of work may come after the employee’s appointment date or his or her payroll effective date. The first day of work must be entered in the “Date Employment Began” in Section Two of the I-9 form.

† Who is the University Representative? Each hiring department designates staff member(s) responsible for completing the I-9 and the EEV check. Typically, a University Representative is a departmental HR Facilitator.
Reminders

- Use the current version of the I-9 form. It carries the following revision information at the bottom right corner of each page: “Form I-9 (Rev. 06/05/07) N”
- Every new University employee must complete an I-9 form. This includes any former University employee rehired after a gap in service, and any current temporary employee (whether a Tar Heel Temp, direct-hire temp, or student employee) who is hired to fill a permanent position. Internal transfers and promotions need not complete a new I-9; however, all employees hired since 1986 must have an I-9 on file. Special rules apply to continuing students reemployed after a gap in service. See the Compliance Manual.
- Independent contractors are not employees and do not complete I-9s.
- Check the information provided by the employee in Section One to be sure that the information is in the correct spaces on the form and that dates are correct.
- Check that the employee has completed the Citizenship Attestation and provided the appropriate work authorization expiration date, if any, and document number, if required.
- Allow the employee to decide which documents to provide.
- Accept the first valid combination of documents the employee presents. Reject invalid documents and invalid combinations.
- Do not accept extra documents. Retain legible photocopies of the documents you accept.
- To verify identity, the employee must present an item from list “A” or list “B” which includes a photograph of the employee.
- To verify eligibility to work, the employee must present an item from list “A” or list “C.”
- A single item from list “A” can be used to verify both identity and eligibility to work.
- A foreign passport by itself is not a valid list “A” document. See the Compliance Manual.
- A non-immigrant visa is not a valid document for verifying identity or work authorization.
- Record Document Title, Issuing Authority, Document Number, and Expiration date if any for each document you accept. (If you are uncertain of any of this information, ask an EEV Coordinator.)
- When recording the Issuing Authority for a document on the I-9 form, do not use abbreviations; write the name of the issuer exactly as it is listed on the document.
- Determine whether the information provided in the documents (name, address, birth date, document numbers, work authorization expiration date, signature, etc.) matches the information provided by the employee in Section One. If it does not, the employee must provide a reasonable explanation which you must record on the I-9 form.
- Enter the I-9 information in the EEV Tool in HR Central on the same day that Section Two is completed.
- Maintain the I-9 with attached photocopies in a pending file until the EEV Coordinator notifies you that employment eligibility is verified. Once employment is verified, write the E-Verify Case Number on the I-9 form and submit the I-9 and its attached document photocopies to the EEV Coordinators, CB# 1045. Retain a complete copy of the I-9 (and its attached photocopies) in your departmental files.
- Monitor your HR Central inbox for FYI notices from the EEV Coordinators. These notices will either indicate that employment eligibility is verified or require that you contact the EEV Coordinator for further instructions.

If you have questions or a problem not addressed by these guidelines, contact the EEV Coordinators in the Office of Human Resources (OHR) at 919-962-0985 or by email at eequestions@listserv.unc.edu. Also refer to the detailed Compliance Manual and additional resources available online at http://hr.unc.edu/specialprograms/basicpilot/eev-i9-info.
Reference Material

**Forms, Handbooks, and Web Pages**

- **Offer Letters, Conditions of Employment (COE), and Conditions of Appointment (COA)**

  **EPA Faculty hires** (including Visiting Faculty and temporary Faculty):
  - **EPA Faculty**: Hiring Dept. (or Dean's Office/Provost’s Office for full-time visiting and tenure track faculty) drafts letter and uses COA form found at: [http://hr.unc.edu/EPA-Data/forms-epa/fac_forms/AP-2a-fac.doc](http://hr.unc.edu/EPA-Data/forms-epa/fac_forms/AP-2a-fac.doc)

  **EPA hires** (including EPA temporary hires):
  - **EPA Student hires**: Hiring Dept. drafts letter and uses COA form found at: [http://hr.unc.edu/EPA-Data/forms-epa/epa-students/ap-2s.doc](http://hr.unc.edu/EPA-Data/forms-epa/epa-students/ap-2s.doc)
  - **EPA Postdocs**: Hiring Dept. drafts letter and uses COA form found at: [http://hr.unc.edu/EPA-Data/forms-epa/epa-students/ap-2s.doc](http://hr.unc.edu/EPA-Data/forms-epa/epa-students/ap-2s.doc)
  - **EPA Non-faculty**: Use sample letter on page 57 of the Nov. 2005 edition of the EPA Personnel Guidelines: [http://hr.unc.edu/epanf/epa-nf-pol/index](http://hr.unc.edu/epanf/epa-nf-pol/index) and COA form found at [http://hr.unc.edu/EPA-Data/forms-epa/epa_nf_forms/AP-2a-nf.doc](http://hr.unc.edu/EPA-Data/forms-epa/epa_nf_forms/AP-2a-nf.doc)

  **SPA hires**
  - **SPA permanent hires**: No letter required. OHR uses appropriate COE form found at: [http://hr.unc.edu/formfinder/forms-employment/coe/](http://hr.unc.edu/formfinder/forms-employment/coe/)
  - **Tar Heel Temps**: No letter required. COE form available from Tar Heel Temps office.
  - **SPA Direct Hire Temps**: No letter required. Hiring dept. uses appropriate COE form found at [http://hr.unc.edu/formfinder/forms-employment/coe/](http://hr.unc.edu/formfinder/forms-employment/coe/)

  **Work-Study**:
  - Scholarships and Student Aid requires provides each Work-Study student with an aid offer letter before accepting and verifying the Form I-9. A copy of this letter is available from Scholarships and Student Aid.


- **Instructions to an employee to report to the EEV Specialist for follow up**: [http://hr.unc.edu/formfinder/forms-employment/Instructions_for_reporting_to_EEV_unit.pdf](http://hr.unc.edu/formfinder/forms-employment/Instructions_for_reporting_to_EEV_unit.pdf)

  (This is the U.S. Government original instruction manual for Form I-9 compliance.)

- **The Form I-9 Process in a Nutshell**: [http://hr.unc.edu/formfinder/forms-employment/I-9_Process_In_A_Nutshell.pdf](http://hr.unc.edu/formfinder/forms-employment/I-9_Process_In_A_Nutshell.pdf)
  (Covers some issues not explained in the Handbook for Employers. The Handbook was recently updated.)

  **Programa Piloto Básico**: (Spanish translation) [http://www.unc.edu/appweb/UNCVersion-%20bpiparticipationposterspanish.pdf](http://www.unc.edu/appweb/UNCVersion-%20bpiparticipationposterspanish.pdf)
  (This is the U.S. Government authorized notice explaining the E-Verify Program to job applicants.)

- **E-Verify Program / EEV Tool Frequently Asked Questions web page**: [http://hr.unc.edu/specialprograms/basicpilot/basicfaq](http://hr.unc.edu/specialprograms/basicpilot/basicfaq)

- **E-Verify Program / Employment Eligibility Verification Tool web page**: [http://hr.unc.edu/Data/SPA/hris/eev-tool](http://hr.unc.edu/Data/SPA/hris/eev-tool)

- **E-Verify Program / Employment Eligibility Verification Tool User Guide**: [EEV Tool User Guide](http://hr.unc.edu/Data/SPA/hris/eev-tool)

- **HR Central**: [https://s4.its.unc.edu/hrweb/](https://s4.its.unc.edu/hrweb/)
  (The EEV Tool is accessed through HR Central.)

- **This guide is also available online in printable format at**: [http://hr.unc.edu/specialprograms/basicpilot/i9-checklist.pdf](http://hr.unc.edu/specialprograms/basicpilot/i9-checklist.pdf)
Reference Material

Glossary

This glossary combines definitions taken from Department of Homeland Security publications (Employment Eligibility Verification (Form I-9), the Handbook for Employers, The Form I-9 Process in a Nutshell, and The E-Verify and Designated Agent E-Verify User Manual) and terms specific to UNC-Chapel Hill. Terms specific to UNC-Chapel Hill not found in DHS publications are marked with an “*”.

*Accepted Job Offer: Please see Conditions of Employment

Alien (Non-citizen): Any person who is not a citizen or national of the United States.

Admission Number: See Arrival/Departure Record (Form I-94).

Alien Number: The Alien Registration Number or “A” number assigned to resident and some non-resident aliens. This number begins with the letter A and contains either 8 or 9 digits. A zero must be added in front of an 8-digit Alien number (12345678 would become 012345678) for data entry in Federal Government computer systems like E-Verify.

Alien Registration Receipt Card, Form I-151 (a.k.a. Green Card): This card was introduced in 1946 and issued to lawful permanent residents. Through 18 years of various revisions, it remained primarily green in color causing it to become known as a "green card." As of March 20, 1996, the Form I-151 is no longer acceptable as evidence of lawful permanent resident status. If a non-citizen is in possession of a Form I-151, it does not revoke his or her lawful permanent resident status; however, the document itself is expired and the applicant should be referred to the Department of Homeland Security for a replacement card.

Appointee Certifications and Conditions of Appointment: Every new EPA employee receives an Appointee Certifications and Conditions of Appointment form and a job offer letter which confirm the conditions of his or her EPA appointment. These must be completed before the Form I-9 is accepted or verified. See Preliminary Steps for more information.

Arrival/Departure Record (Form I-94): A document issued to non-immigrant aliens when admitted into the United States. Some of these forms are stamped to indicate work authorized status. The Form I-94 contains an 11-digit Admission / Departure Number, which may be used as part of the Primary Query verification process if the non-citizen employee does not have an Alien Registration Number.

Authorized Employment: Please see ‘Employment Authorized.’

Case in Continuance: The Department of Homeland Security needs more than 10 Federal Government workdays to resolve a case. The employee continues to work until a definitive answer is received from the Department of Homeland Security.

Case Verification Number: The Case Verification Number is a unique number returned by the E-Verify system. Employers participating in the E-Verify Program are required to record the case verification number on the employee's Form I-9, or to print the screen containing the case verification number and attach it to the employee's Form I-9 (the EEV Specialists do this prior to transmitting the Form I-9 to the OHR/Records & Information department).
Compliance: Compliance is expected of HR Facilitators and hiring departments/managers at all times. Please see ‘Noncompliance’ to understand why Compliance is so critical.

Conditions of Appointment: Every new EPA employee receives an Appointee Certifications and Conditions of Appointment form and a job offer letter which confirm the conditions of his or her EPA appointment. These must be completed before the Form I-9 is accepted or verified. See Preliminary Steps for more information.

Conditions of Employment: Every new SPA employee must receive a dated Conditions of Employment (COE) form which confirm the conditions of his or her EPA appointment. These must be completed before the Form I-9 is accepted or verified. See Preliminary Steps for more information.

Date Employment Began: The date the employee physically reported, or will report, for duty. The verifier who completes Section II of the Form I-9 writes this information on the form, and corrects it if the start date changes. This date, taken from the Form I-9, is entered in the Hire Date field of the E-Verify query by the EEV Specialist.

Department of Homeland Security (DHS): The Department of Homeland Security leverages resources within federal, state, and local governments, coordinating the transition of multiple agencies and programs into a single, integrated agency focused on protecting the American people and their homeland. More than 87,000 different governmental jurisdictions at the federal, state, and local level have homeland security responsibilities. The comprehensive national strategy seeks to develop a complementary system connecting all levels of government without duplicating effort.

Departure Number See Arrival/Departure Record (Form I-94).

DHS Verification in Process: The response given by the E-Verify system if the employee's information matches the Social Security Administration records, but the Social Security Administration does not have employment eligibility information for the non-citizen employee. The system automatically forwards the case to the Department of Homeland Security for verification of employment eligibility. The Department of Homeland Security responds to most of these cases within 24 hours, but has up to 3 Federal Government workdays to respond. The EEV Specialist checks the system periodically for a response.

EEV Check: Please see Employment Eligibility Verification Check.

EEV Reference Number: Please see Case Verification Number.

EEV Specialist: Please see Employment Eligibility Verification (EEV) Specialist

EEV Tool: Please see Employment Eligibility Verification (EEV) Tool.

Employment Authorized: A response received through the E-Verify system from either the Social Security Administration or the Department of Homeland Security indicating the information provided by the employer matched the information contained in the database(s) and work eligibility has been confirmed.
Employment Authorization Card I-688A: A card issued by the former Immigration and Naturalization Service to non-citizens who qualified under the "Amnesty Program" of the Immigration Reform and Control Act (IRCA) of 1986. It is valid until the expiration date stated on the face of the card or on the sticker(s) placed on the back of the card.

Employment Authorization Card I-688B: A card issued by the Department of Homeland Security to non-citizens granted temporary employment authorization in the United States. The expiration date is noted on the face of the card. The I-688B is a laminated card.

Employment Authorization Document (EAD) I-766: A document issued to non-citizens who are authorized to work temporarily in the United States. The document has been issued since January 1997. It is a credit card-type document.

Employment Eligibility Verification Check (EEV check): Actions taken to determine if an individual is authorized to work in the United States. At UNC-Chapel Hill, EEV checks include completion of the Form I-9, submission of Form I-9 information through the EEV Tool, submission of the information from the EEV Tool and from Forms I-9 into E-Verify, cooperation with the Department of Homeland Security and the Social Security Administration to complete E-Verify verification, timely updating of Forms I-9 (when work authorizations are due for renewal, to comply with the receipt rule, and to register a name change or assignment of a social security number), and termination of employees not authorized to work.

Employment Eligibility Verification (Form I-9): Every time an employer hires any employee to perform labor or services in return for wages or other remuneration, the employee and the employer must complete the Form I-9 (http://hr.unc.edu/formfinder/forms-employment/I-9.pdf). This requirement applies to all employees hired after November 6, 1986. Employers must also keep this form updated when an employee’s name changes, when an employee supplies documents to redeem a receipt (see Receipt Rule), when an employee is assigned a Social Security Number, and when an employee’s work authorizations expires or is renewed.

Employment Eligibility Verification (EEV) Specialist: Only designated employees in OHR/Staffing Programs will access the Federal E-Verify program. These OHR/Staffing Programs employees, referred to as EEV Specialists, receive Form I-9 information from HR Facilitators via the EEV Tool in HR Central, and directly from Forms I-9 they collect and verify for SPA Permanent and Tar Heel Temps hires. The EEV Specialists conduct the EEV check by submitting the Form I-9 information to the Social Security Administration and Department of Homeland Security via the E-Verify system. In turn, they receive verification of the individual’s eligibility to work in the United States. Departments and employees must follow EEV Specialist instructions when further information is required to complete the E-Verify EEV check.

Employment Eligibility Verification (EEV) Tool: To facilitate E-Verify EEV checks in addition to the Form I-9 verification process, the University developed the Employment Eligibility Verification (EEV) tool to allow departments to input Form I-9 information and forward it to OHR. Authorized University representatives can access the EEV Tool through HR Central at https://s4.its.unc.edu/hrweb/. You will need an Onyen and associated password, as well as EPAWeb and/or RecruitmentWeb access. Any HR Central user holding a Department Coordinator role in SPA RecruitmentWeb or any New Employment Originator role in EPAWeb will automatically have access to the EEV tool. Additional information is available at: http://hr.unc.edu/Data/SPA/hris/eev-tool.

E-Verify: E-Verify is a program in which employment eligibility of all newly hired employees will be confirmed after the Form I-9 has been completed. The pilot involves separate verification checks (if necessary) of databases maintained by the Social Security Administration and the Department of Homeland Security. All State agencies are required to verify employment eligibility for all employees hired on or after January 1, 2007 using the E-Verify program provided by the U.S. Department of Homeland Security (DHS) in cooperation with the Social Security Administration. This new requirement adds to, but does not replace, the existing Form I-9 verification process required by Federal law for all employees hired after November 6, 1986. The Form I-9 and E-Verify rules also require consistent administrative practices across the University.

E-Verify Case Number: Please see ‘Case Verification Number.’

E-Verify Participation Notice: The E-Verify Notice informs prospective employees that the University is participating in the E-Verify Program. The University is required to display both the English ([http://www.unc.edu/appweb/UNCversion-bpiparticipationposterenglish.pdf](http://www.unc.edu/appweb/UNCversion-bpiparticipationposterenglish.pdf)) and Spanish ([http://www.unc.edu/appweb/UNCversion-%20bpiparticipationposterspanish.pdf](http://www.unc.edu/appweb/UNCversion-%20bpiparticipationposterspanish.pdf)) versions of the notice in a prominent place that is clearly visible to prospective employees.

Final Nonconfirmation: If an employee's work eligibility cannot be confirmed, an employer will receive a Final Non-confirmation response through the E-Verify System from the Social Security Administration or the Department of Homeland Security. An employer receiving a Final Non-confirmation response may terminate the employment of the employee and shall not be civilly or criminally liable under any law for the termination, as long as the action was taken in good faith reliance of the information provided through the E-Verify system.

Foreign National: Please see Alien (Non-citizen).

Form I-9: Please see Employment Eligibility Verification (Form I-9).

Form I-9 Process in a Nutshell: This updates the Handbook for Employers to reflect changes in the law since 1991. It can be accessed at [http://hr.unc.edu/formfinder/forms-employment/I-9_Process_In_A_Nutshell.pdf](http://hr.unc.edu/formfinder/forms-employment/I-9_Process_In_A_Nutshell.pdf)

Handbook for Employers: Provides a step-by-step explanation of what an employer must do to meet its responsibilities under the Employer Sanctions provision of the Immigration and Nationality Act (INA). The Handbook ([http://hr.unc.edu/formfinder/forms-employment/I-9_Handbook_for_Employers.pdf](http://hr.unc.edu/formfinder/forms-employment/I-9_Handbook_for_Employers.pdf)) also explains the responsibilities and rights of employees in the hiring and verification process and provides expanded information about how to avoid employment discrimination based on citizenship or national origin. Please also see Form I-9 Process in a Nutshell.

Hire Date: See Date Employment Began.
I-551: See Resident Alien Card, Form I-551, AUG 1989, Resident Alien Card, Form I-551, JAN 1977, and Permanent Resident Card, Form I-551, DEC 1997. Temporary evidence of permanent residence status is indicated by any of the following, also referred to as I-551 stamps or I-551

Immigrant Visa language:

- The arrival portion of the Form I-94 containing an unexpired temporary I-551 stamp and a photograph of the employee affixed to the Form I-94 by a DHS officer at the port of entry is acceptable. (Valid as a receipt until the expiration date on the Form I-94. If no expiration date is indicated, the receipt is valid for one year from the date the Form I-94 was issued. For example, a Form I-94 issued on January 1, 2007 with a temporary I-551 stamp and no expiration date is valid as a receipt through December 31, 2007. If it were submitted as Form I-9 documentation on January 1, 2007, it would be valid for one year. Submitted on July 1, 2007, it would be valid for six months. Submitted on or after January 1, 2008, it would not be valid.)

- An unexpired foreign passport containing an unexpired temporary I-551 stamp. The stamp carries an expiration date. Some versions of this stamp read: “Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until _______. Employment Authorized. (Valid as a receipt until the stamp expiration date.)

- An unexpired foreign passport containing an Machine Readable Immigrant Visa (MRIV) with temporary I-551 language. The MRIV includes the language “Upon endorsement serves as temporary i-551 evidencing permanent residence for 1 year” immediately below the bearer’s photograph. As with all U.S. visas, each MRIV will be examined by a DHS officer at the bearer’s Port of Entry (POE). After determining that a bearer of such MRIV should be admitted to the U.S. as a Lawful Permanent Resident, the DHS officer places an admission stamp on the upper portion of the MRIV, with part of the stamp overlapping the adjoining page, just above the bearer’s photograph. (Valid as a receipt until one year from the date of DHS endorsement.)

Form I-9: Please see Employment Eligibility Verification (Form I-9).

Form I-94 Departure/Arrival Record: See Arrival/Departure Record (Form I-94).

Illegal Alien: A foreign national who (1) entered the United States without inspection or with fraudulent documentation or (2) who, after entering legally as a non-immigrant, violated status and remained in the United States without authorization.

Immigrant: A non-citizen who has been lawfully granted the privilege of residing and working permanently in the United States.

Immigration and Nationality Act of 1952 (INA): The Act (INA), which, along with other immigration laws, treaties, and conventions of the United States, relates to the immigration, temporary admission, naturalization, and removal of non-citizens.

Immigration Reform and Control Act of 1986 (IRCA): Public Law 99-603 (Act of 11/6/86), which was passed in order to control and deter illegal immigration to the United States. IRCA has been revised several times. Employers must be alert to changes in its provisions.

Immigrant Visa: A document, issued by a United States Department of State consulate or embassy abroad, which authorizes a non-citizen to apply for admission as an immigrant to the United States. This document does not grant work authorization. (An I-551 admission stamp, together with an immigrant visa, does grant work authorization.)

Initial Verification: When Form I-9 information is submitted to E-Verify, it initiates an automated query of the Social Security Administration and if necessary the Department of Homeland Security
databases. Results will either verify employment eligibility or require additional verification, which is conducted through the E-Verify system.

**Invalid Query:** A resolution option for a duplicate query or incorrect data input in E-Verify.

**Lawful Permanent Resident:** A non-citizen who has been lawfully granted the privilege of residing and working permanently in the United States.

**Lists of Acceptable Documents (revised 02/02/09 N):** The documents that establish identity and/or employment eligibility for verification purposes when the employer is completing the Form I-9. Employers cannot specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration may also constitute illegal discrimination.

**Noncompliance:** A violation of Federal law which can result in criminal penalties, civil fines, and debarment from U.S. Government contracts for the individuals involved, for the department, and for UNC-Chapel Hill as a whole. Noncompliance by one department can adversely affect the entire University.

**Non-Immigrant:** A non-citizen who enters the United States temporarily for a specific period of time and purpose. This category includes foreign government officials, visitors for business and pleasure, students and temporary workers.

**No Show:** A response received following a **Notice to Employee of Tentative Non-confirmation** when the employee did not contact the Department of Homeland Security to resolve his or her case and 10 Federal Government workdays have passed since the date of referral. The No Show response is considered a **Final Non-confirmation**.

**Notice to Employee of Tentative Non-confirmation:** This is a computer generated notice given to an employee after a **Tentative Non-confirmation** response has been received from the Social Security Administration or the Department of Homeland Security. If an employee contests the Tentative Non-confirmation response, he or she must contact the appropriate Government Agency to resolve the discrepancy to continue employment. If the employee does contest, he/she has 8 Federal Government workdays to report to the appropriate agency.

**Passport:** Any travel document issued by competent authority showing the bearer's origin, identity, and nationality, if any, which is valid for the entry of the bearer into a foreign country. If this document is used for **Form I-9** purposes as a List “A,” it must be unexpired with either an I-551 stamp or a **Form I-94** indicating unexpired employment authorization.

**Permanent Resident or Lawful Permanent Resident:** A non-citizen who has been lawfully granted the privilege of residing and working permanently in the United States.

**Permanent Resident Card, Form I-551, DEC 1997:** Issued by the former INS after December 1997, this card is the current version given to Permanent Resident Aliens. The document is valid for 10 years. In this version of the I-551, the card title was changed from Resident Alien to Permanent Resident Card.

**Receipt Rule:** Employees who do not possess the required documentation when employment begins may not submit receipts showing that they have applied for initial applications for documents or for
applications for extension documents. As explained in How to Enforce the Form I-9 Receipt Rule (above) and in DHS’s Form I-9 Process in a Nutshell, an employer may accept receipts only for the following:

- A replacement document in lieu of the required document if a document was lost, stolen, or damaged. The replacement document must be presented within 90 days of the date of hire or, in the case of re-verification, the date employment authorization expires.

- The arrival portion of the Form I-94 containing both an unexpired temporary I-551 ADIT stamp (indicating temporary evidence of permanent resident status) and a photograph of the individual. This type of receipt is valid until the expiration date stated on the document. If no expiration date is indicated, an employer may accept the document as a receipt for one year from the date the Form I-94 was issued. The “green card” (i.e., Form I-551) itself should be presented by the end of the receipt validity period.

Two other forms of this receipt are accepted: An unexpired foreign passport containing an unexpired temporary I-551 stamp (valid as a receipt until the stamp expiration date) and an unexpired foreign passport containing an Machine Readable Immigrant Visa (MRIV) with temporary I-551 language (valid as a receipt until one year from the date of DHS endorsement.).

- A Form I-94 containing a refugee admission stamp. The employer can accept this as a receipt as long as the employee presents one of the following: 1) the departure portion of Form I-94 containing an unexpired refugee admission stamp, which is designated for purposes of this section as a receipt for a Form I-766, Form I-688B, or a social security card that contains no employment restrictions; and 2) within 90 days of the date of hire, or in the case of re-verification, by the date employment authorization expires, presents an unexpired Form I-766 or Form I-688B, or a social security card that contains no employment restrictions together with a document described in List B. This type of receipt is sufficient to evidence both identity and employment authorization for the 90 day receipt validity period.

Referral Notice: An employee contesting a E-Verify Tentative Non-confirmation response from the Social Security Administration or the Department of Homeland Security is provided with the appropriate agency referral notice instructing him or her to contact the Government within 8 Federal Government workdays from the date of referral to resolve any discrepancy in his/her record.

Refugee: Any person who is outside their country of nationality and who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Unlike asylees, refugees apply for and receive this status prior to entry into the United States. This status is covered by Section 207 of the Immigration and Nationality Act.

Resident Alien Card, Form I-551, AUG 1989: This card was introduced in August 1989 and was the first Resident Alien Card to contain an expiration date. The card was issued to both conditional and lawful permanent residents. This card is valid only for a limited period of time - 2 years from the date of admission/adjustment for conditional permanent residents and 10 years from issuance for lawful permanent residents. The expiration date indicates when the card expires and must be renewed. It does not indicate that the non-citizen's status expires. The expiration date is stated on the front of the card. This version is rose-colored with a blue logo. It was modified in January 1992 when a white box was added behind the fingerprint.

Resident Alien Card, Form I-551, JAN 1977: This card was introduced in January 1977 and phased in over a period of time. Although this card is no longer issued, it is valid indefinitely. In addition to the photograph, the I-551 will contain the bearer's signature. This card was issued to lawful permanent residents.
Social Security Administration: A Federal Government agency that administers a national program of contributory social insurance whereby employees, employers, and the self-employed pay contributions that are pooled in special trust funds. The Social Security Administration and the Department of Homeland Security are jointly conducting the E-Verify Program.

SPA: Subject to State Personnel Act.

Student Employees: Special considerations apply to students who are employed at the University incident to their student status. Students may be hired in one of three ways: As a Work-Study Aid recipient applying for a job paid out of his or her awarded aid, as an EPA student employee (Graduate Assistant, Teaching Assistant, Research Assistant, or Undergraduate Assistant), or as a Direct Hire Temporary Employee. The procedures in this Manual have been written to handle all three cases.

Tentative Nonconfirmation: The employee information was compared to Government records and could not be confirmed. This does not mean that the employee is not work authorized, or that the information provided was incorrect. The employee must contact either the Social Security Administration or the Department of Homeland Security to resolve the discrepancy in order to continue employment.

Tickler File: A tickler file is a file or calendar containing reminders to take action on a particular date in the future. It ordinarily contains only reminder notes with the name and PID of each employee whose Form I-9 is due for renewal and the date by which it must be renewed. Such a tickler file of reminders can be kept on a calendar or in a spreadsheet. Best practice is to remind employees How to Renew a Form I-9 Work Authorization six months in advance of the expiration date and, a week prior to the expiration date, to contact the EEV Specialist to prepare terminate employment on the expiration a week in the absence of a renewal. Foreign employees whose work authorization is sponsored by the University may be assisted by their sponsoring department and ISSS when renewing their work authorization.
## Document Revision History

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| 01/26/2009 | 1. Revised to take into account new Form I-9 (Rev. 02/02/09 N) and the new *Handbook for Employers* (Form M-274, rev. 11/01/2007 N) both published in November 2007. Retained some references to the *Form I-9 Process in a Nutshell*, published in October 2005 as an update to the 1991 edition of the handbook, because several important notices it included there have yet to be published anywhere else.  
2. Revised all references to OHR departments and Academic Personnel to reflect recent reorganization.  
3. Added *Quick Reference Guide* to processing new hires.  
4. Procedures for Section Two when a foreign passport is presented now require recording the effective date and visa number of the most recent visa adjacent to Column A. E-Verify requirements announced in late 2007 require input of the most recent visa number in certain cases; recording the visa effective date helps assure that this is the most recent visa when a passport contains multiple visas.  
5. Revamped explanation of how to determine work authorization expiration date in discussion of Section Two of the Form I-9, updating the chart of *How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented* and adding a chart of *Expiration Dates and Category-Specific Rules for Employment Authorization Cards*.  
6. *How to Correct Errors and Omissions* now discusses the correction of substantive errors and administrative errors separately.  
7. *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment* now includes a chart of the offices to notify when an EEV-related termination seems imminent. (The offices vary by employee type.)  
8. *Payroll-related Procedures for Nine-Month Faculty and Certain Student Employees* now reflects new direct deposit enrollment procedures.  
9. *Non-Resident Alien Student Employees in F-1 Status* was revised to reflect the changes announced by USCIS 4/8/08, extending Optional Practical Training (OPT) for certain students in science, technology, engineering or mathematics (STEM).  
10. A new section on *How to Verify a Pending I-129 Petition for a Nonimmigrant Worker* explains revised procedures for verifying work authorization in two situations where an automatic temporary authorization is granted.  
11. Numerous minor clarifications.  
12. Procedures were not updated to reflect DHS’s proposed “Safe Harbor Procedures for Employers Who Receive a No-Match Letter” as announced in the Federal Register (72 FR 45611, 73 FR 15944). University procedures will be revised when and if the federal court injunction enjoining implementation of these rules is lifted. |
| 08/17/2007 | 1. Added a section in the overview describing the *Federal and State Requirements*, which explains why compliance is so important and timing is so crucial. The bulk of the original overview is in a new overview section, *Division of Labor and Assignment of Responsibility*.  
2. The main part of the manual is now titled *Regular Duties*. A section titled *When Eligibility is Not Verified, Place Employee in Leave Status or Terminate Employment* has been added. It documents procedures already in place, and makes clear that all suspensions and terminations related to the EEV process must be approved by OHR to insure consistent compliance. (Federal Regulations deny employment to individuals who do not prove their eligibility to work. This section describes how the University complies.)  
3. The section *Steps to Complete and Verify a Form I-9* now has illustrations, explains how to determine if documents contradict each other or section One, and provides a chart with common examples showing in those cases *How to Determine the Work Authorization Expiration Date when a Form I-94 Is Presented*. It includes a much clearer explanation of how to *Determine if a new Form I-9 and an EEV check are required*.  
4. Added specific references to EPA Student employees and Postdocs.  
5. Added the printable template *Instructions to an Employee to Report to the EEV Specialist for Follow-up*.  
6. Provided a more detailed explanation of *How to Enforce the Form I-9 Receipt Rule*.  
7. Added explanation of *How to replace missing Forms I-9*.  
8. *How to Correct Errors and Omissions* now requires a printed name as well as a signature on any correction. This is essential so that we can tell later who made a correction. |
9. *How to Transmit the Form I-9 to a New Home Department or Organizational Unit* now explains what to do when the employee is a work-study student or a non-resident alien. (The name of this section was changed from “transfer” to “transmit” since copies are transmitted, and each department ends up with a copy on file.)

10. The section in the previous edition on *Zero-Salary Faculty, Existing Employment, and Lump-Sum Payments* was split in two, a section called *When a Form I-9 is Not Required* and a second section on cases of *Existing Employment and Continuing Student Employment*.

11. The section on *Employees Paid with One-Time Payments* was moved to a section by itself. All references to lump-sum payments were changed to refer to one-time payments instead, to conform to current usage.

12. The subsection on *Additional Employment within the University* was renamed *Existing Employment and Continuing Student Employment*. Instead of contacting the EEV Specialists, the office responsible for processing the Form I-9 for a new hire contacts OHR/Records (for current SPA employees) or the department the employee already works in or previously worked for (all other cases) to verify current or past employment and student status. Much clearer rules for determining whether a Form I-9 is needed are provided.

13. *Payroll-related Procedures for Nine-Month Faculty and Certain Student Employees* now correctly explains that payroll actions are forbidden and paychecks are held until after Form I-9 Sections One and Two are completed and verified. (The original stated, in error, that payroll actions were forbidden and paychecks were held until the date employment begins.)

14. Added a new section, *Remote Hires*, which explains how we handle the Form I-9 process and the EEV check when the employee is not physically present in the hiring unit. In the past, hiring units have handled Form I-9 processing for remote hires in consultation with the EEV Specialists. Henceforth, the EEV Specialists will handle all Form I-9 processing for remote hires.

15. *Non-Resident Aliens* was rewritten to better explain when a department or hiring unit should contact ISSS.

16. Added new section, *Non-Resident Alien Student Employees in F-1 Status*, which explains how to process a Form I-9 for someone on an F-1 visa. This is a common occurrence on college campuses, and is not explained in available DHS documentation for the Form I-9 process or for Basic Pilot.


18. Added Conditions of Appointment / Employment links to *Forms, Handbooks, and Web Pages*.

19. Added a *Glossary* under *Reference Material*.

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