

Chapter 7 - Human Resources

AP 7125 Verification of Eligibility for Employment – Immigration Status

References:

8 U.S.C Section 1324a; Immigration Reform and Control Act (IRCA, Public Law 99-603); United States Citizenship and Immigration Services Form I-9

In accordance with Federal law, the College will not hire any person for employment that is not authorized to be employed in the United States (U.S.). In addition, the College will not sponsor any individual for employment. However, the College, at its own discretion, may work with an individual's attorney to facilitate the process required to maintain employment eligibility. The College will not pay any of the individual's legal fees.

The College will not discriminate against any work-authorized individual in hiring, discharge, recruitment, or referral for a fee, or in the employment eligibility verification (Form I-9) process based on that individual's citizenship status, immigration status, or national origin. Screening and Selection Committee members are prohibited from asking questions regarding a job applicant's citizenship/authorization to work in the U.S. Any concerns regarding an applicant's possible non-citizenship status are to be referred to Human Resources.

Employment Eligibility Verification Form (I-9) is required for employment from all persons employed by the College. Section 1, "Employee Information and Attestation," must be completed and signed by the employee no later than the first day of employment. Section 2, "Employer or Authorized Representative Review of Verification," must be completed within three business days of hire. All documents used to establish identity employment authorization must be unexpired. Failure to comply with these requirements carries monetary penalties and the possibility of criminal prosecution and imprisonment for each impropriety. For employees who provide an employment authorization expiration date in Section 1, the College must re-verify employment authorization on or before the date provided. Section 3, "Re-verification and Rehires," is provided for this purpose. Any questions or concerns regarding future expiration dates, and/or documentation of identity and/or employment authorization must be directed to Human Resources. The refusal to hire an individual because documentation presented has a future expiration date may constitute illegal discrimination.

A list of documents which may be used to establish evidence of identity and employment authorization, as set out in Federal law, appears on the Form I-9, which may be obtained through the United States Citizenship and Immigration Services or Human Resources.

In accordance with Federal law, the College CANNOT specify which documents(s) it will accept from an employee.

The College will retain completed I-9 forms for three (3) years after the date of hire or one (1) year after the date employment ends, whichever is later.

Additional information regarding the processes described in this administrative procedure are available through Human Resources and is available through the United States Citizenship and Immigration Service at <http://www.uscis.gov/i-9-central>.

The College will protect the privacy of the information it collects pursuant to this procedure.

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