Employment Eligibility Verification – Form I-9

FAQs

Who is required to complete an I-9?

Any person receiving pay for work from UNLV must complete an I-9.

When should an I-9 be completed? When may an I-9 be completed?

Section 1 must be completed by the new hire no later than on the first day of employment.

Section 1 may be completed by the new hire after acceptance of a job offer and an employment start date has been agreed upon.

Section 1 must never be completed before acceptance of a job offer.

Section 2 must be completed by the hiring AA or supervisor within 3 days of the new hire’s first day of employment, but should be completed on the employee’s first day of work.

Section 2 may be completed and signed by the hiring AA or supervisor after acceptance of a job offer and an employment start date has been agreed upon.

Section 2 must never be completed before acceptance of a job offer.

Can I wait until the employee’s third day of employment to complete the I-9?

No. Section 1 must be completed no later than the first day of employment. Section 2 should be completed no later than the first day of employment, leaving the employee two days to remedy any document issues, e.g., employee presented copies instead of originals, employee presented two documents from List B instead of one from List A and one from List B, etc.

Can I view the documents for Section 2 using a video conference app, e.g., FaceTime, Go-to-Meeting, Zoom, etc.?

No. Documents must be physically examined by the AA or other authorized representative and the employee must be physically present with the document examiner. Copies of the documents should not be made or kept by the department.

What do I do if an employee presents a document that I am unfamiliar with?

Chapter 13 in the U.S. Citizenship and Immigration Services’ (“USCIS”) “Handbook for Employers” has images of acceptable documentation that you can use to compare with what the employee presented. This handbook is available here. Chapter 7 “Evidence of Status for Certain Categories” may also be helpful.
What do I do if an employee does not bring proper documentation on the first day of employment? e.g., copies not originals, brings the wrong documents, etc.

The employee may complete that day’s shift and must be instructed to bring the appropriate documentation the following day. Beyond working the first day of hire, no one should be allowed to work unless and until Step 2 of the verification process is complete. If the employee cannot provide original documents, or an acceptable receipt for a document by the third business day following the hire, the employee may be terminated but in no instance should be allowed to work until the proper documentation is presented. If this situation arises, please contact Salary Administration, 702-895-3504.

I have an employee who will only work remotely. How do I complete the I-9 and remain compliant?

Once the employee accepts the offer of employment, please contact Penny LauRae in Central HR at 702-895-3504 to arrange the process to have the I-9 completed at an approved alternate location.

Can I tell my employee which documents to bring?

No. The employee must be allowed to choose which document(s) they will present from the Form I-9 Lists of Acceptable Documents. You cannot specify which document(s) an employee will present from the list. You can, however, tell the employee that a passport or driver’s license plus an unrestricted Social Security card are common forms of documents employees present but you must also tell the employee that they are free to choose from any of the acceptable documents from List A or Lists B and C. Do not tell the employee what they must present.

Who completes and signs Section 2 of the I-9?

Anyone with the AA role for the supervisory organization serves as the authorized representative for purposes of completing Section 2.

I thought I heard that I should always use a paper I-9 from now on?

No. Workday should always be the first choice for completing the I-9 task when onboarding a hire or rehiring an employee. The “Hire” business process should be successfully completed before the employee’s first day of work.

The advantage of having this information in Workday is that if you have a rehire or need to re-verify eligibility for employment because an employee’s employment authorization has expired, the business process in Workday will prompt you to complete “Section 3: Reverification and Rehires” of the previously completed I-9. You will not need to complete a whole new I-9.

When do I use the paper I-9?

The paper I-9 should only be used if the I-9 task is not available to be started in Workday on the employee’s hire date. Remember, Section 1 must be completed no later than the first day of employment, so the paper form should only be used as an alternative to Workday in order for the university to remain compliant with the law.

If I use a paper I-9, how do I complete the I-9 task in Workday when it becomes available? What happens if I get errors?

When the I-9 task becomes available in the “Onboarding” process in Workday, the employee will still need to complete Section 1 in Workday in order for Section 2 to become available for you to complete using the information from the paper I-9.

Workday will auto-populate the form using the current date, i.e., the day you are entering in the information. If you are prompted to put a reason for the delay in completing the form outside of the 3-
day window, select the option “other” and type in “paper form completed.” Attach the Form I-9 to the “Complete Form I-9” business process before you click “Submit.” All three pages, including the list of acceptable documents, should be uploaded. Because of the confidential information on the form, it’s very important to delete the electronic scanned copy you used for the upload from your computer.

If you receive an error message, please contact Salary Administration, (702) 895-3504.

HR will be initiating a request to HCM (the NSHE body that votes on business process changes in Workday) to update the business processes in Workday in order for the I-9 form to be available within the proper timeframe. You will be notified as we learn more.

What do I do with my paper I-9s?

Once you have completed Section 2 in Workday and attached the scanned Form I-9, keep the paper form securely stored and separate from an employee’s personnel file. Remember, the I-9 must be completed in Workday.

Paper I-9s should not be destroyed unless and until the record retention requirement has been met. If you are uncomfortable housing paper I-9s in your area, please contact HR and we will arrange an alternative. Because of the highly confidential information on the I-9, please do not send them to HR via campus mail or by email.

Why can’t we just go back to the old I-9 management system?

Workday has been mandated by NHSE as our HRMS system.

Why doesn’t UNLV use E-Verify?

Currently, UNLV uses E-Verify only for employees who are being paid through a grant account that has the “Federal Acquisition Regulation” clause (F.A.R.) associated with the grant. HR will be exploring the pros and cons of implementing E-Verify more broadly.