

POLICY ON EMPLOYMENT VERIFICATION I-9 AND E-VERIFY

Supersedes: March 18, 2014

Dated: July 28, 2014

I. Purpose

To establish guidelines for the verification and employment authorization of all employees at the College.

II. Policy

- A. It is the policy of NYMC to comply with Federal Laws: Immigration Reform and Control Act of 1986 (IRCA) for Form I-9 completion for all employees and with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) to utilize the Government E-Verify program. E-Verify is an Internet-based system that compares information from an employee's Form I-9 Employment Eligibility Verification form to the U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.
- B. Reverification on Form I-9 is required for all employees who have a change in status, such as name or immigration/citizenship status.

III. Scope

This policy applies to all College faculty, staff and CBU employees at time of hire and for reverification at time of status change for name or citizenship/immigration status. The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub.L.99-603 (8USC1324a)

IV. Procedure

- A. Prior to the date of hire or within the first three days of work, the Human Resources Department ("HR") will provide the prospective new employee a copy of the I-9 Form to complete and sign Section I and attach supporting documents from either List A or a combination of documents from Lists B and C. Such employee shall return the signed I-9 form and documents to Human Resources to be included with new hire forms.

- B. HR shall review the documents and complete Section 2 of the I-9 listing the documents in either List A (document title, number and expiration date) or list a combination of documents from List B and List C in order to establish Identity and Employment Authorization (document title, issuing authority, document number and expiration date.) and completes the Certification.
- C. HR shall attach the completed I-9 form and supporting documents to the new hire's Personnel Action Form ("PAF") for processing through Human Resources.
- D. Updating and Reverification – HR shall complete Section 3 for the following changes: name, documents, visa status change, and/or expiration date. In the alternative, the employee may complete a new I-9 form for any change to name, status, documents or expiration dates.
- E. The new employee must submit the required documentation **within 3 days of hire**. If the Department Administrator knows that the employee cannot come to HR within 3 days of hire, then the Department Administrator shall be responsible for printing the I-9 form from the HR website and having the employee fill out Section 1, collecting the necessary documentation and returning all documents to HR.
1. If the employee is a U.S. Citizen, attach US Passport or US Passport Card
 2. If the employee is a Permanent Resident (Green Card Recipient), attach a Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
 3. If the employee is on an F1 Visa, the I-20, attach a copy of the Foreign Passport, (picture page with visa type) and I-94 (cardboard document in visa). Effective date and expiration date are on SEVIS report as begin date and end date of program).
 4. If the employee is on a J visa, the DS-2019, attach a copy of the Foreign Passport (picture page with visa type) and I-94. Effective date and expiration date are listed on the DS-2019 (on SEVIS report it is begin date and end date of program).
 5. If the employee is on a H1B visa, attach a copy of the Foreign Passport (picture page with visa type), the copy of the I-797 Notice of Action and I-94. The effective date and date of expiration is listed on the I-797 Notice of Action.

- F. Avoid over documentation - providing a passport and supporting documents, driver's license, social security card and/or birth certificate is considered over documentation.
- G. HR shall retain all electronic and paper I-9 files in accordance with the College's Record Retention Policy. Files will be updated as visa, resident alien or citizenship status changes.
- H. If the employee is rehired within three (3) years of completing the first I-9, HR will review the previous I-9 and complete Section 3 or prepare a new I-9.
- I. If the College discovers that the Social Security Number is a "no match" in the E-Verify System (the federal database), HR will continue its investigation and continue to employ under "safe harbor" employment until affirmation is made as to whether the employee is legal or illegal and then determine whether to retain or terminate the employee based on findings.
- J. E Verify – electronic employment eligibility verification program. As a Federal Contract employer, the College must utilize this program for verification of employment eligibility. If an employer enrolls, every new employee will have to be checked through this program.

V. Effective Date

This policy is effective as of the date signed below.

VII. Policy Management

Responsible Officer: Senior Vice President and Chief Financial Officer
 Responsible Executive: Associate Vice President for Human Resources
 Responsible Offices: Human Resources Department and Hiring Department

Approved:

 EC Halperin
 Edward C. Halperin, M.D., M.A.
 Chancellor for Health Affairs and
 Chief Executive Officer

 4/30/14
 Date