



EMPLOYMENT ELIGIBILITY (I-9) VERIFICATIONS

No.: S-21

Date: October 2016

Authority: Wisconsin Statutes §36.115

<https://docs.legis.wisconsin.gov/statutes/statutes/36/115>

University of Wisconsin System UPS Operational Policy HR 11:

<https://www.wisconsin.edu/ohrwd/download/policies/ops/hr11.pdf>

United States Code 8 USC § 1101 http://uscode.regstoday.com/8USC_CHAPTER12.aspx

U.S. Code of Federal Regulations 8 CFR § 274a <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;rgn=div5;view=text;node=8:1.0.1.2.54;idno=8;sid=9ae7235d05c16b4b4d7bf9bdfd103f35;cc=ecfr>

Initiator: Vice Chancellor, Finance & Administrative Affairs

Responsible Party: Department of Human Resources

Purpose: To promote compliance with the federal laws and regulations that govern the employment eligibility verification process for all employees.

Policy Background: Wis. Stat. §36.115(2) requires the Board of Regents to develop personnel systems that are separate and distinct from the personnel system under Wis. Stat. Chapter 230, effective July 1, 2015.

The U.S. Department of Homeland Security (DHS), through the U.S. Citizenship and Immigration Services (USCIS), states that employers have the obligation to document verification of the identity and employment authorization of each new employee (both citizen and non-citizen) to work in the United States.

The authority for collecting this information is the Immigration Reform and Control Act of 1986

(IRCA), which is administered by USCIS, requires all employers to verify the identity and employment eligibility of employees who are hired on or after November 7, 1986.

Definitions

Please refer to 8 CFR § 274a.1 for definitions relating to this policy.

POLICY AND PRACTICE

It is the policy of the University of Wisconsin-Milwaukee (UWM) to verify the eligibility of individuals for employment at UWM to preclude the unlawful hiring of aliens who are not authorized to work in the United States. UWM is considered an employer under Federal law, and as such, must verify the eligibility of each individual for employment hired on or after November 7, 1986.

USCIS Form I-9 <http://www.uscis.gov/files/form/i-9.pdf> is the document used to verify an individual's identity and employment eligibility. Both the employee and the UWM representative complete the Form I-9. The employee has responsibility for completing section 1 on or before the first date on which the employee begins receiving pay (e.g. beginning of contract period for academic staff and faculty) and the UWM representative completes section 2 within three business days of the first date on which the employee begins receiving pay. The Form I-9 provides step-by-step instructions to complete the document.

Employers will use this information as a record of the basis for determining eligibility of an employee to work in the United States. The Form I-9 will be kept by the employer and made available for inspection by officials of the U.S. Citizenship and Immigration Service, the Department of Labor, and other authorized agencies related to unfair employment practices.

Contact Information

For information about the operation of the complaint procedure, contact the Personnel Representative for your respective school, college, division or department or the Employment Relations Manager in the Department of Human Resources.