

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

9.1.12

Employment Eligibility  
Verification Form I-9  
& E-Verify Policy

10/5/2020

### Policy Statement

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

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### Policy Manager and Responsible Department or Office

The Office of Human Resources and the Career Center are responsible for the administration and implementation of this Policy.

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### Policy

#### 1.0 Introduction

The College of Charleston ("the College") must comply with the Immigration Reform and Control Act ("IRCA"), which requires all newly hired employees to complete an Employment Eligibility Verification Form I-9 ("I-9 Form") and requires the College to verify each new hire's identity and employment eligibility to work in the United States. The I-9 Form is required to be completed for all employees hired by the College, including full-time, part-time, temporary and student employees. This requirement does not apply to employees hired before November 7,

1986, who have been continuously employed by the College. The College also is an E-Verify employer. E-Verify confirms whether the information provided on the I-9 Form matches government records for purposes of determining employment eligibility in the United States.

IRCA establishes strict deadlines and requirements for the proper completion of the I-9 Form and imposes severe monetary penalties for any failure to comply. Accordingly, to ensure that these requirements are met, it is imperative that hiring managers coordinate all new hires with the Office of Human Resources or the Career Center, as appropriate, prior to the new hire beginning employment. No new hire shall be allowed to start work until the Office of Human Resources or the Career Center, as appropriate, has approved the hire and has a complete I-9 Form on file.

Hiring managers must ensure that all new employees have reported to the Office of Human Resources or the Career Center, as appropriate, on or before their first day of employment to fill out Section 1 of the I-9 Form and present the document(s) required to establish identity and employment authorization. ***Hiring managers are responsible for ensuring compliance with this policy and must not allow the employee to work until the employee has completed the I-9 Form, presented appropriate documentation, and confirmation has been received from the Office of Human Resources or the Career Center, as appropriate.***

## **2.0 Employment Offers**

Once the College has authorized a hiring proposal and upon making a job offer, all new hires must be informed that employment is contingent upon verification of identity and employment eligibility. This process will be conducted through completion of the I-9 Form in the Office of Human Resources or Career Center, as appropriate. Following acceptance of a job offer and prior to beginning employment, all new hires must report to the Office of Human Resources or the Career Center, as appropriate, on or before the first day of work to complete Section 1 of the I-9 Form. In addition, prior to beginning work, an employee is required to present the appropriate documentation of their choice from the approved list of documents from the last page of the I-9 Form:

<http://www.uscis.gov/sites/default/files/files/form/i-9.pdf>. Once the I-9 Form has been authorized, the employee will then be permitted to begin work.

## **3.0 All Administrative Staff and Faculty and the Office of Human Resources**

All new full-time, part-time and temporary staff, athletics staff, and all faculty members, including adjunct faculty, must report to the Office of Human Resources on or before their first day of employment to complete the I-9 Form. After an employee has accepted a job offer from the College and no later than the first day of employment, the employee must complete, sign and date Section 1 of the I-9 Form. The Office of Human Resources must review Section 1 to ensure that it is properly complete. Employees also must present appropriate documentation (from the list of acceptable documents on the I-9 Form) to an authorized representative of the College. The authorized representative will: (i) examine the documentation to verify that it reasonably appears to be genuine and relates to the employee; (ii) complete, sign and date Section 2 of the I-9 Form; and (iii) complete the E-Verify report no later than the third business day after the employee starts work. Once the I-9 Form has been authorized, the employee will then be permitted to begin work. The completed I-9 Form will be retained in the Office of Human Resources in a file separate from the personnel file.

#### **4.0 All Student Employees and the Career Center**

Student employees are required to report to the Career Center on or before their first day of employment to complete the I-9 Form. After a student employee has accepted a job offer from the College and no later than the first day of employment, the student employee must complete and sign Section 1 of the I-9 Form. The Career Center must review Section 1 to ensure that it is properly complete. In addition, prior to beginning work, a student employee is required to present appropriate documentation to an authorized representative of the Career Center. The authorized representative will: (i) examine the documentation to verify that it reasonably appears to be genuine and relates to the employee; (ii) complete, sign and date Section 2 of the I-9 Form; and (iii) complete the E-Verify report no later than the third business day after the employee starts work. Once the I-9 Form has been authorized, the employee will then be permitted to begin work. The Career Center retains the completed I-9 Form in a file separate from the personnel file. In the event a student employee graduates or is no longer enrolled as a student, yet continues to work for the College, the Career Center is responsible for immediately submitting the completed I-9 Form to the Office of Human Resources for retention.

#### **5.0 Remote Employees**

In the rare event that an employee is hired in a dual-employment or other situation where the employee is located outside of the Charleston, South Carolina area and will not physically work at the College, the College may utilize the services of an authorized representative, such as a notary public or other responsible person, to carry out the I-9 Form responsibilities on the College's behalf. The designated representative completes the I-9 Form following the same rules for completing the I-9 Form as described in this policy. The designated representative will provide the original I-9 Form to the Office of Human Resources or the Career Center, as appropriate.

#### **6.0 Re-verifications and Re-Hires**

The College is required to re-verify the I-9 Form in certain situations:

**a. Re-Hires** – For an employee who is re-hired by the College within three (3) years of the completion of an I-9 Form, if the previously completed I-9 Form indicates that the re-hired employee is still eligible to work, appropriate personnel must record the re-hire date in Block B, and sign and date the form in Section 3 of the previously completed document. If the employee's employment authorization has expired, appropriate personnel also must record the new employment authorization in Block C, and sign and date the form in Section 3 of the previously completed document. If the individual is re-hired after three (3) years of the completion of the original I-9 Form, a new I-9 Form must be completed.

Additionally, a new E-Verify report must be completed for all re-hires.

**b. Expiring Work Authorization** - When an employee's work authorization is about to expire, re-verification is required and the employee must present a current document authorizing employment. Appropriate personnel must record the new document information in Section 3 of the I-9 Form and sign and date the form no later than the date of expiration of the original work authorization. NOTE: U.S. citizens and noncitizen nationals do not require re-verification; therefore, expired U.S. Passports or expired Permanent Resident Cards should not be re-verified. Also, no new E-Verify report should be created to re-verify the work authorization of an existing employee. Employees with expiring work authorizations should file the necessary paperwork well in advance of the

expiration date to ensure continuous employment authorization. If an employee does not have a valid work authorization on file and cannot produce proof of current work authorization, the employee is not eligible to work and will be terminated.

#### **7.0 Retention Requirements**

I-9 Forms must be maintained in a secure location and in a file separate from the personnel file. I-9 Forms must be retained for either three (3) years after the date of hire or one (1) year after the date of termination, *whichever is later*. After the expiration of the retention period, I-9 Forms should be discarded.

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### **Departments/Offices Affected by the Policy**

This Policy applies to all departments and offices who hire employees of any type (faculty, including adjunct faculty, staff, including athletics staff, student, full-time, part-time, and temporary employees) to work for the College. The I-9 Form is required to be completed for all employees hired by the College, except for employees hired before November 7, 1986, who have been continuously employed by the College.

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### **Procedures Related to the Policy**

Should procedures be adopted for the implementation of the Policy, those procedures shall be distributed and/or published by the Office of Human Resources and the Career Center.

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**Related Policies, Documents or Forms**

Employment Eligibility Verification Form I-9 and Instructions  
USCIS Handbook for Employers

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**Issue Date: 5/1/2015**  
**Date of Policy Review: 10/5/2020**

**Next Review Date: 10/8/2025**

**POLICY APPROVAL**

**(For use by the Office of the Board of Trustees or the Office of the President)**

Policy Number: 9.1.12

President or  
Chairman, Board of Trustees



**Date: 10/5/2020**