HRM-022

Employment Eligibility Verification (Completing Form I-9)

Effective Date Monday, September 20, 2010

Status Final

Last Revised Tuesday, April 29, 2025

Policy Type University

Contact Office UVA Human Resources Compliance

Oversight Executive
Vice President and Chief Human Resources Officer

Applies To Academic Division, the Medical Center, and the College at Wise.

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Reason for Policy

The University is committed to complying with federal laws concerning employment eligibility of employees hired to work in the United States. In accordance with the Immigration Reform and Control Act (IRCA) of 1986, the University is required to verify the identity and employment authorization of all employees by completing the federal Employment Eligibility Verification Form I-9. Under IRCA, the University must not knowingly hire or continue to employ any person not authorized to work in the United States and must not discriminate because of national origin against U.S. citizens, lawful permanent residents, or authorized aliens.

Definition of Terms

Form I-9

Description

A United States Citizenship and Immigration Services form mandated for use by employers in the United States to verify the identity and employment authorization of individuals hired for employment within the United States.

Human Resources Management System (HRMS)

Description

The current human resources management system or human resources information system used for tracking and maintaining an electronic record of employee time and attendance, leave, benefits administration, pay details, performance management, and related human resources documentation.

Policy Statement

Pursuant to the Immigration Reform and Control Act of 1986 (ICRA), all U.S. employers must properly complete Form I-9 for each employee they hire. UVA Human Resources (UVA HR), or their authorized designee, must verify identity and employment eligibility of all newly hired and rehired employees, and those employees whose employment authorization has expired. Employment eligibility must be documented using the Form I-9 process in the Human Resources Management System (HRMS) for each employee hired or rehired after November 7, 1986. UVA HR, or their authorized designee, is required to inspect documents produced by employees for authenticity to substantiate employee identity and employment eligibility.

The Immigration Reform and Control Act (IRCA) requires that the I-9 employment verification process be completed in person or remotely by UVA HR.

The Form I-9 must be completed in a timely fashion and the employee must provide the required documentation both through upload in UVA's HRMS and either in person or remotely within three business days of the commencement of employment.

1. **Responsibilities:**
   The ***employee*** is responsible for:
   - Accurately and truthfully completing Section 1 of Form I-9 no later than the close of business on the first day of employment.
   - Uploading appropriate documentation to meet the requirements of Section 2 of Form I-9 into UVA's HRMS prior to presenting that documentation to UVA HR.
   - Presenting prescribed, genuine, original documents establishing identity and employment authorization to UVA HR no later than three business days after commencing employment.

   The ***Manager*** is responsible for:
   - Directing newly hired or rehired student wage, faculty, and staff employees to complete Section 1 of the Form I-9 no later than the close of business of the employee's first day at work.
   - Confirming that Section 2 of Form I-9 is completed by UVA HR no later than three business days after the new or rehired employee commences employment. Section 2 completion includes both the upload of appropriate documentation into UVA's HRMS and the physical presentation of the document in person or remotely to UVA HR.

   UVA Human Resources is responsible for:
   - Overseeing the I-9 process for all student wage, faculty, and staff hires.
   - Verifying that the employee has accurately completed Section 1 of Form 1-9 no later than the close of business of the employee's first day of employment.
   - Accurately completing Section 2 of Form I-9 no later than the close of business on the third day of the employee's employment.
   - Reverifying employment authorization for employees whose authorization has expired.
   - Coordinating in person or remote Form I-9 completion by authorized representatives of the University and confirming that I-9s completed by such representatives are submitted to the U.S.

Citizenship and Immigration Services.
- Managing the University's employment verification process and monitoring compliance with federal and state laws and policies, including completion of the E-Verify process.
- Tracking all employees for whom no I-9 has been submitted and notifying departments.
- Taking appropriate actions through UVA's HRMS for employees having no I-9 on file, including initiation of the termination process if compliance is not met.
- Tracking the expiration of employment authorization documents and notifying employees of the approaching expiration.
- Maintaining completed Form I-9s per federal regulations.
- Responding to requests from auditors regarding the I-9 process.

2. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

   The failure of a department to verify timely completion of the Form I-9 or of the employee to provide the required documentation within three business days of the commencement of employment will result in removal of the employee from the payroll system until the documentation is completed and submitted.

   Direct questions about this policy to UVA Human Resources Compliance.

Procedures

I-9 and E-Verify
Procedures for Conducting Employment Eligibility Verification (I-9)
Offsite New Hire Employment Verification (I-9) Instructions

Major Category Human Resource Management

Next Scheduled Review Saturday, April 29, 2028

Revision History

Confirmed 4/29/25; Revised to reflect change in law to allow remote verification 12/6/24; Revised 8/26/22; Added Compliance section 7/20/21; Updated 3/21/13, 9/20/2010.

Supercedes Policy Text

New Hire Employment Eligibility Verification (I-9)

Approved By Policy Review Committee

Approved Date Wednesday, May 13, 2009