

TO: Managers, Supervisors, Department HR and Payroll Administrators  
FROM: Yvonne Deshayes, Payroll Manager  
DATE: 04/23/2007  
SUBJECT: Records Management Compliance

The “Immigration Reform and Control Act” requires all U.S. employers to verify the employment eligibility and identity of all employees hired to work in the United States.

It is the responsibility of the hiring supervisor or departmental personnel representative to comply with this law. Failure to do so can result in fines and sanctions imposed on the University by the Department of Homeland Security and the Internal Revenue Service, the cost of which will be borne by the hiring department.

The Campus Payroll office serves as the office of record for hiring packets (including I-9, Oath and Patent, W-4 and IDOC). We will continue to monitor and enforce compliance in this area. To fulfill the Federal<sup>1</sup> and State<sup>2</sup> laws we are asking your compliance with the specific requirements described herein:

#### **Form I-9**

- **Section 1** of Form I-9 must be completed and signed by the new hire and re-hire employees no earlier than the date employee signs the Offer Letter and no later than the hire date; if Section 1 is completed prior to date of hire a copy of the Offer Letter must be enclosed
  - **Section 2** of I-9 must be completed by an authorized department representative no earlier than the date of hire and no later than three days after the date of hire.
  - **Section 3** of the I-9 must be completed for **re-hires** and also when there is a name change or change in work eligibility for the employee. For re-hires or name change, the process is known as re-verification of the I-9. Re-verification of the I-9 does not require completion of the entire form – please make a photocopy of the old Form I-9 and complete section 3 only, and remember to write the name of employee in Section 1 or complete the entire I-9 form, sections 1, 2 and 3.
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- All employees who receive remuneration from UC and are entered into OLPPS i.e. WOS appointments are required to fill out an I-9 form. The only exceptions are the volunteers who are not considered employees of UC, **therefore are not entered in the OLPPS** and don't receive any type of compensation or fringe benefits.
  - Remember, for identity and work eligibility verifications employer should not advise a new-hire what documentation to bring from lists A, B or C.
  - Department of Homeland Security Employer Sanctions fines employers between \$500 to \$10,000 per instance for knowingly employing an unauthorized worker or failing to properly complete, present or retain Form I-9.

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<sup>1</sup> U.S. Department of Homeland Security Citizenship & Immigration Services Employment Eligibility I- 9.

<sup>2</sup> California Constitution Article XX Section 2, California Government Codes, Section 3100-3102 implemented as the University of California State Oath of Allegiance (form UPAY 585r).

### **State Oath of Allegiance and Patent Acknowledgment Form**

- New hire and re-hire employees have from the date of signing the Offer Letter until the hire date to sign the Oath & Patent form.
- The witness must sign immediately after the employee signs.
- Non-U.S.-citizen employees are not required to complete the Oath section of the Oath & Patent form; however, all employees must sign the patent section.

### **Other Reminders:**

- Please include your campus box number in the address box of Section 2., and write the employee UC ID on top, (e.g. UCID 02-XXXXXXX).
- For employees without a Social Security Number please enter 000-00-0000, do not enter 999-99-9999.
- All employees hired must provide their full legal name as it appears on their Social Security cards (for foreign nationals passport is the acceptable document). Also Nickname is not acceptable, but middle initial in lieu of middle name is acceptable.
- Payroll is the office of records for Form I-9 and Oath & Patent, therefore Payroll requires original documents.
- If changing an I-9 or Oath & Patent form please remember to change the date in OLPPS as well.
- I-9, Oath & Patent forms are legal documents; please print legibly, don't use whiteouts and don't use arrows. Please cross-out errors, write in and initial corrections; or attach a note on a departmental letterhead with a date and signature explaining the omission.

For more information regarding the hiring packets and other forms please click here [http://acctg.ucsf.edu/payroll/customer service/Payroll Forms Reference Guide.pdf](http://acctg.ucsf.edu/payroll/customer_service/Payroll_Forms_Reference_Guide.pdf). Payroll website is at <http://acctg.ucsf.edu/payroll/index.htm>. Also, go to <http://ucsfhr.ucsf.edu/hrupdate/article/1907> for Human Resources update "Special Communication on Employment Practices".

Please mail your hiring packets **no later than 5 business days** after the hire/re-hire/updates to Payroll CSU, Box 0812. Incomplete or inaccurate forms will be returned to the department for correction.

Please contact us at our new Customer Service hotline 476-3836 or e-mail [payroll@ucsf.edu](mailto:payroll@ucsf.edu) with any questions in this regard or with your payroll related inquiries.

cc: Assistant Controller Cotterman  
Acting Assistant Vice Chancellor and Controller Lin  
Director Tyburski