

## Frequently Asked Questions about Employment Eligibility Verification, Form I-9

**Question 1:** Must all UC employees complete an I-9 Form?

**Answer:** Yes, except a non-resident of the United States who works and lives outside the United States while employed by UCSF. Anyone receiving remuneration must complete an I-9 form. Remuneration is anything of value given in exchange for labor or services rendered by an employee, this includes food and lodging.

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**Question 2:** Do I need to complete an I-9 form for volunteer/WOS employees?

**Answer:** If the individual has been entered into OLPPS, the department is implying that an employer/employee relationship has been established; therefore an I-9 form is required. However, if a volunteer is not entered into OLPPS, there is not an I-9 Form requirement.

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**Question 3:** What are the timelines for completing the I-9 form?

**Answer:** The employee must complete section 1 of the I-9 form no earlier than the acceptance signature date of Offer Letter and no later than the hire date. If employee signs the I-9 form before hire date and after signing the Offer Letter the department must attach a copy of the Offer Letter to the I-9 form before forwarding to the Payroll Department. Departmental personnel must complete section 2 and the Certification section of the form by the end of the 3rd business day of the employment date. Section 2 of I-9 form must be completed by a UC representative or a notary public on the date of hire or no later than 3 working days after the date of hire.

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**Question 4:** Can I have the new employee complete the I-9 form prior to actually working?

**Answer:** Yes, Section 1 can be completed after employee has signed an offer letter. Section 2 can be completed on the day of hire and no later than the 3<sup>rd</sup> business day after hire date.

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**Question 5:** I understand that I cannot have copies of the I-9 form and its supporting documents in the employee's personnel file, but can I add it to their file once the employee has separated from the University?

**Answer:** No. The I-9 form and all supporting documents must always remain in a separate file from the personnel file, regardless of the employee's status.

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**Question 6:** What is the difference between an Admission number and an Alien number?

**Answer:** An Admission number is 11 digits in length and is found on the I-94 document or the I-20 form. An Alien number is 8 or 9 digits in length, begins with the letter "A" and is on an I-551 document and on Employment Authorizations documents (I-688B, I-766, etc.).

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**Question 7:** What is the difference between a Passport and a U.S. Visa?

**Answer:** The passport is an internationally recognized travel document that verifies the identity and nationality of the bearer. The Visa is a document presented to request permission to enter another country. Remember a visa stamp in the passport does not replace a work authorization document.

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**Question 8:** Can I specify which documents on the Acceptable Documents List, on the back of the form I-9 I will accept for verification?

**Answer:** No. It is illegal to instruct employees on what documents they must bring to you. You can only present employees with a list of Acceptable Documents, a blank I-9 form, and instruct them to bring any document(s) from either one document List A or one document each from List B & C. The employees determine which documents they would like to present to establish identity and employment verification. However the departments need to see a Social Security card (Passport for foreign nationals) for hiring purposes to establish a correct Social Security number and the correct name.

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**Question 9:** What are the differences between Lists A, B, and C documents?

**Answer:** List A documents establish both identity and employment eligibility. List B documents establish identity only and List C documents establish employment eligibility. That is why List B & C must be used jointly.

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**Question 10:** What documents are not acceptable to verify identity and work eligibility any more?

**Answer:** In 1997 Immigration and Naturalization Services (today's Department of Homeland Security) updated its list of acceptable documents. The updated catalogue excludes the following documents from items previously on list A of form I-9:

- Certificate of U.S. Citizenship (Form N-560 or N-561)
  - Certificate of Naturalization (Form N-550 or N-570)
  - Alien Registration Receipt (I-151)
  - Unexpired Reentry Permit (Form I-327)
  - Unexpired Refugee Travel Document (Form-571)
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**Question 11:** Is it okay that my student worker reviews the necessary documents and completes section 2 of the form, but I sign and date the Certification section of the I-9 form?

**Answer:** No. Whoever reviews the documents entered in section 2 of the I-9 must sign and date the Certification section of the form. The person who completes the Certification section is attesting to the fact that she/he has reviewed the documents and they appear to be genuine and relate to the person presenting them.

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**Question 12:** What is document abuse?

**Answer:** Document abuse occurs when an individual is asked to provide more documents than necessary or different documents than those presented during the I-9 process. For example, if you have an employee present document(s) for all three lists, only record what is necessary.

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**Question 13:** What if the employee cannot provide the necessary documents within 3 business days of the date of hire?

**Answer:** If an employee is unable to provide the required document(s) within the time period specified, the individual must present a receipt for the application for a replacement of the document(s) within three business days of the date of hire. The employees must have indicated, by having checked an appropriate box in Section 1 that they are already eligible to be employed in the United States.

When they provide you with a receipt showing that they have applied for a replacement of a document evidencing that eligibility, you should record the document title in Section 2 of the I-9 Form and write the word "**receipt**" and any document number in the "Document #" space. Forward a copy of the I-9 to Payroll Department and retain the original so that it can be completed once the replacement documents are received.

The employee must present the actual document within 90 days of the date employment begins. At that time, on the original I-9 you should cross out the word "receipt" and any accompanying document number, insert the number from the actual document presented, and initial and date the change. Forward the original I-9 form to Payroll Department.

Hiring departments are responsible for following up and ensuring that certification takes place within 90 days and that a completed Form I-9 is forwarded to Payroll. If the employee cannot produce the necessary documents within the time limit, Payroll Department should be contacted immediately.

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**Question 14:** My student employee's parents have his original Social Security Card. Can they fax me a copy now and later send me the original card?

**Answer:** No. You are required to view original documents at the time of hire. Photocopies or faxes may not be accepted for I-9 purposes. A certified copy of a birth certificate is the only exception.

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**Question 15:** Can I accept documents that have already expired?

**Answer:** In some circumstances, yes, you may accept an expired document. You may accept an expired U.S. Passport and an expired document from List B to establish identity. You may not accept any other expired documents. Remember, all documents must appear genuine and relate to the person presenting it.

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**Question 16:** The employee did not fully complete section 1 of the I-9 form. Since I'm only responsible for Section 2 and the Certification section, my job is complete, right?

**Answer:** No. It is the responsibility of the hiring department to ensure that section 1 of the I-9 form is fully and properly completed. No documentation is required to substantiate section 1 information provided by the employee.

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**Question 17:** I forgot to process an I-9 form for an employee who has been working for a month, what should I do now?

**Answer:** Immediately process an I-9 form with the employee. Do not back date the form. Include a note on a departmental letterhead explaining the situation, date and sign.

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**Question 18:** I'm hiring 100 employees who are only going to work one or two days for a special event. I don't have to process an I-9 form for them because they are working for less than 3 business days, right?

**Answer:** Wrong. You must complete an I-9 form for everyone who receives compensation from the University. You must follow all of the same I-9 rules; the only exception is if someone is employed for less than 3 days the entire I-9 form must be completed by the day of hire.

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**Question 19:** Can I accept a laminated or metal Social Security card for employment verification?

**Answer:** No. A laminated Social Security Card renders the card invalid. Metal or plastic reproductions are also not acceptable.

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**Question 20:** Do rehired employees need to complete a new I-9 form?

**Answer:** Yes. UCSF procedures require all rehired employees (anyone who has at least a one day break in service) to complete a new I-9 form.

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**Question 21:** Who do I contact if I have questions regarding the I-9 form?

**Answer:** You can contact the Payroll Records Compliance Coordinator at 476-3988 or Payroll Customer Service Supervisor at 476-1661.

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**Question 22:** I received an I-9 form back from the Payroll department. I don't understand what is wrong with the form, what do I do?

**Answer:** Each returned I-9 form has detailed instructions attached for correcting the form; if you need further help, please contact the Payroll Records Compliance Coordinator at 476-3988 or Payroll Customer Service Supervisor at 476-1661.

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**Question 23:** The documents I have reviewed appear genuine, but I'm just not sure. What do I do?

**Answer:** The USCIS asks that each employer verify that documents appear to be genuine (check front and back of document) and relate to the person presenting it. If you are still unsure, please contact the Payroll Customer Service Supervisor at 476-3988.

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**Question 24:** Is there a training class to learn about I-9 form?

**Answer:** Yes. You can find the I-9 "Quick Training" PowerPoint on Payroll website under New-Hires tab. Payroll Department has also added a half hour I-9 and Oath/Patent crash course to the OLPPS Entry/Update classes that are conducted quarterly. This short introduction to I-9 form will expand into a half day class in the near future.

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**Question 25:** Where do I send the complete I-9 Form?

**Answer:** Hiring departments are responsible for submitting a completed I-9 Form to Payroll Department within 3 days of the employment date.

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