Employment Eligibility Policy and Procedure	Procedure Number	404
	Effective Date	June 1, 2024

1.0   PURPOSE

The purpose of this policy is to ensure that the University of Arkansas Pulaski Technical College (UA-PTC) complies with U.S. Citizenship and Immigration Services (USCIS) regulations concerning Employment Eligibility Verification, thereby avoiding civil fines, criminal penalties, and debarment from government contracts. The U.S. Citizenship and Immigration Services developed the Form I-9 pursuant to the passage of the Immigration Reform and Control Act of 1986 (IRCA). The Act requires all employers to verify the identity of newly hired employees and that they are eligible to work in the United States no later than the third business day the employee start work for pay. Accordingly, every individual, both citizen and noncitizen, must complete the Employment Eligibility Verification Form I-9 at the time of hire.

1.1   Policy Statement

UA-PTC requires all employees (faculty, staff, and student workers) who work in the United States to complete Form I-9 to verify their identity and employment authorization. This policy outlines the retention requirements, storage procedures, and auditing practices to maintain compliance with federal law.

2.0   REVISION HISTORY

Adopted on:
Revised on:
Supersedes:

3.0   PERSONS AFFECTED

This policy applies to all UA-PTC employees (faculty and staff) who work in the United States including those on the main campus, satellite campuses, or in remote locations. It also applies to UAPTC students who work for the college in the United States or receive a stipend as part of their admission to a UA-PTC program (student workers).

4.0   DEFINITIONS

United States Citizenship and Immigration Services (USCIS): A federal agency in the Department of Homeland Security that oversees lawful immigration to the United States. Its functions include: granting employment authorization to eligible foreign nationals; issuing documentation of foreign national employment authorization; maintaining Forms I-9; and administering the E-Verify employment eligibility verification program.

Immigration Reform and Control Act of 1986 (IRCA): An act of Congress passed into law to control and deter illegal immigration to the United States. Its major provisions stipulate legalization of undocumented foreign nationals who had been continuously unlawfully present since 1982, legalization of certain agricultural workers, sanctions for employers who knowingly hire undocumented workers, and increased enforcement at U.S. borders.

E-Verify: E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States. E-Verify electronically compares information from an employee's Form I-9, Employment Eligibility Verification, against government records, including the Social Security Administration (SSA) and the Department of Homeland Security (DHS).

Form I-9: The form used to verify identity and employment authorization. All U.S. employers must ensure proper completion of Form I-9 for each individual they hire for employment in the United States

5.0   PROCEDURE

5.1 Retention Requirements

Forms I-9 must be retained and stored by UA-PTC either:
- For three years after the date of hire, or
- For one year after employment is terminated, whichever is later.

5.2 Storage Procedure

To ensure compliance and facilities efficient record-keeping.
- All Active employees' documentation is stored in one file.
- Terminated employee documentation is stored in a separate file.
- I-9 forms for both active and terminated employees are kept in separate folders from personnel records.

5.3 Electronic System of Record

The HR department completes the I-9 process through the Workday electronic system, which serves as the official place of record.

5.4 Reverification Procedures

If an active employee's form contains expired dates, HR must:
- Complete Section 3 of the form or attach a new I-9 form.
- Note the employee's name in Section 1 and complete Section 3 with the latest information, including current employment authorization (document from List A or C).

Note: Non-citizen nationals and U.S. citizens never need re-verification.

5.5 Annual Audits

The UA-PTC Human Resources department conducts annual I-9 audits to ensure ongoing compliance with USCIS regulations. During these audits:
- Any missing information should be obtained and noted on the form with "information corrected during self-audit."
- Corrected information should be dated and initialed.

6.0   COMPLIANCE

Noncompliance with this federal law places UA-PTC at risk for civil fines, criminal penalties, and debarment from government contracts. All employees involved in the hiring process must adhere to this policy to ensure UA-PTC remains compliant with the Immigration Reform and Control Act (IRCA).

Any employee or student worker found to be in violation of this policy or the related guidance document is subject to disciplinary action, up to and including termination of employment.

UA-PTC does not discriminate against any class of persons in the administration of the Form I-9 process.

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s) Name(s):	Regina Fossette / Office of Human Resources	5/30/2024
Ratified by:	College Council	12/13/24
Recommended by Chancellor (signature)	*[signature]*	11/20/24
UA Policy Alignment:	N/A	