THE UNIVERSITY OF IOWA
I-9/E-VERIFY BEST PRACTICE GUIDE

OVERVIEW

The purpose of this guide is meant to assist the University of Iowa (UI) staff members in the completion when applicable of Form I-9 and/or E-Verify with their employee. This resource pulls together information from the Department of Homeland Security, the UI Human Resources, Equifax I-9 Management System, UI I-9 FAQ’s, and successful UI employees in the field whose responsibility is to complete I-9’s on behalf of their unit, department and or division. Please continue to refer to the current resources available for help with I-9/E-Verify completion in addition to this guide.

TABLE OF CONTENTS

CHAPTER 1: Standard Operating Procedures for Employment Eligibility – Form I-9
CHAPTER 2: Equifax I-9 Management System
CHAPTER 3: Equifax I-9 Management System Formatting of Form I-9, Including Sections 1, 2 and 3
CHAPTER 4: Reverification, Rehire and Name Change
CHAPTER 5: Remote University of Iowa Employee Hires
CHAPTER 6: H1B Portability (AC21) – H1B Transfers to the University of Iowa
CHAPTER 7: HR Reports – What to Run/When to Run and Transaction System Messages
CHAPTER 8: I-9’s and Appointing Foreign Nationals in the UI HR Transaction System
CHAPTER 9: Types of UI Hires and When a New I-9 may be Required
CHAPTER 10: Important Reminders/Tips from Those in the Field
CHAPTER 11: Who to Contact for Help/Training/Questions
CHAPTER 12: E-Verify – FAR E-Verify Clause
CHAPTER 13: Division of Sponsored Programs (DSP) E-Verify Notification
CHAPTER 14: I-9 Locations for E-Verify – How to Request a Location
CHAPTER 1

STANDARD OPERATING PROCEDURES
EMPLOYMENT ELIGIBILITY VERIFICATION (FORM I-9)

The UI use the I-9 Management System through Equifax Workforce Solutions (Equifax), formerly known as TALX Corporation. This is an online system that the UI began using on 4/1/2010. Paper forms are generally no longer accepted unless there are special circumstances as documented below.

The UI strives to comply with the federal Immigration Reform and Control Act (IRCA) of 1986 which governs how employers verify an employee’s work authorization status in the United States. This guide details how 1) UI HR staff are authorized to use Equifax I-9 Management System to complete I-9s, 2) time frames for I-9 completion, 3) how the UI monitors compliance, and 4) situations when the UI accepts paper I-9 forms. Also discussed are UI E-Verify procedures and I-9 records retention.

AUTHORIZING HR STAFF TO USE THE I-9 MANAGEMENT SYSTEM

Senior Human Resource representatives identify staff members within their respective college(s) to be authorized to process I-9s. Users are formally authorized when they are added to the TALX Access Manager table through Employee Self Service/Administration/System Tools/TALX Access Manager.

Users are assigned to either HR Subdept, HR Dept, HR Org, or HR Manager access. Categories are listed in increasing levels of security access:

- **HR Subdept** – can complete I-9s for specific sub-departments
- **HR Dept** – can complete I-9s for specific departments (all subdepts included) and assign user access at the subdept level
- **HR Org** – can complete I-9s for specific orgs (all depts/subdepts included) and assign user access at the dept/subdept level
- **HR Manager** – can assign I-9 access at the org level and assign user access at the org, dept, and subdept levels.

TIME FRAME FOR I-9 COMPLETION

Section 1 of the I-9 is required to be completed on the first day of employment. Section 2 is required to be completed by the third working day for pay. For example, if employment begins on Monday then section 1 should be completed on Monday and section 2 should be completed by Thursday of the same week. The hiring department is responsible for the timely completion of the I-9 form.
HR REPORTS/COMPLIANCE MEASURES

The UI has created several HR reports (shown below) for users to assist in I-9 compliance. The reports are located in Employee Self Service/Administration/Reports/I-9 Management Reports:

The UI sends weekly e-mails to Senior HR representatives listing staff members in their Org(s) who have not completed an I-9 in the required timeframe. Additional e-mails are sent to the employee and employee supervisor on the staff member’s second and fourth day of employment. The e-mail on the second day are sent to the employee, supervisor and HR Rep. The email sent on the fourth day is sent to the employee, supervisor, HR Rep and Senior HR Rep.

PAPER FORMS

There are two situations where the UI accepts paper I-9s, 1) when an H-1B employee is changing employers (AC-21) and 2) remote hires.

AC-21 - H-1B employees changing employers (porting) Under the American Competitiveness Act in the Twenty-first Century (AC-21), an H-1B employee who is changing employers within the H-1B program may begin working for the UI as soon as a Form I-129 petition is filed on his or her behalf. Employing departments must complete a new Form I-9 for this newly hired employee. An H-1B employee’s Form I-94/Form I-94A issued for employment with the previous employer, along with his or her foreign passport, would qualify as a List A document. Form I-9 completers should write “AC-21” and enter the date Form I-129 was submitted to USCIS in the margin of Form I-9 next to Section two.

REMOTE EMPLOYEES

If an employee is a remote hire, i.e., not working on campus, then the hiring department must find someone close to the employee to complete the I-9. These I-9s are completed on paper and then sent (along with a department memo authorizing the completer to complete the I-9) on behalf of the
University) to the UI Payroll office. Payroll staff input the I-9 into the I-9 Management System. The paper I-9 is then imaged for long term retention.

E-VERIFY

The UI has federal contracts that require (per the FAR E-Verify clause) those working on the contract to be E-Verified. Department HR representatives send I-9s to E-Verify by using a specific E-Verify department location within I-9 Management System. Section 1 of the I-9 is required to be completed on the first day of employment. Section 2 is required to be completed by the third working day for pay. For example, if employment begins on Monday then section 1 should be completed on Monday and section 2 should be completed by Thursday of the same week. The hiring department is responsible for the timely completion of the I-9 form and E-verification.

RECORD RETENTION

In addition to the I-9 Management System, the UI also used Equifax’s The Work Number for employment verifications. These two systems enable TALX to monitor record retention for I-9s per federal guidelines (one year after termination or three years after hire, whichever is longer). Paper I-9s are monitored by payroll staff within the document imaging system. I-9s outside the retention requirements are deleted.
CHAPTER 2
EQUIFAX AND I-9 MANAGEMENT

EQUIFAX WORKFORCE SOLUTIONS (EQUIFAX CORPORATION)

Effective April 1, 2010, UI began using the Equifax Workforce Solutions online Employment Eligibility Verification I-9 Management tool/product, also referred to as I-9 eXpress. This application is primarily used to complete and maintain online (I-9) forms for new hires. It is also used to reverify (Section 3) employment eligibility for rehired employees and to update employment eligibility dates for UI nonimmigrant employees.

I-9 MANAGEMENT

The UI uses the I-9 Management online system to complete and submit Form I-9, and submit to E-Verify when required. Paper copies of Form I-9 are not accepted except as outlined in Chapter 1 of this guide.

To access the I-9 Management System go to UI Home Page, choose Self Service and then select the External Links tab which will link you directly to the I-9 Management software application. Instructions within the I-9 Management application will guide you through the I-9 completion process.

Please Note: federal regulations require that an employee not work past three days until and unless a completed I-9 form is on file.

Failure to properly complete, retain, and/or make available for inspection I-9 forms as required by law, may result in civil monetary penalties for each violation (per person/per day). Criminal penalties apply to persons or entities convicted of a pattern or practice of knowingly hiring unauthorized aliens.

The online I-9 process consists of two main steps:
Step 1 - **Login** to the I-9 System to complete I-9 together with new employee

- **Employer Code** – 13072
- **University ID** – 8-digit number on your UI ID card (not the user’s SSN)
- **PIN default** - last 4 digits of SSN+year of birth (YYYY). After first time successful login users will complete a one-time enhanced security enrollment and change PIN. The user’s new PIN must be between 4-16 numbers. The user will use their PIN to maneuver through the system.

**Resetting passwords** – use either the "My Account" link on the main menu or the "Forgot your PIN?" link on the Login screen. Resetting the PIN affects both the I-9 and The Work Number applications.

Step 2 – Resolve issues noted in the HR Reports under the Administration function on Employee Self Service.
IMPORTANT TIP

Please refer to a more complete listing of FAQ’s located on the UI Website under the Faculty and Staff Immigration Services webpage. Additionally detailed instructions on completing an I-9 are available in the ‘HELP’ Section of I-9 Management. Reports can be found on the UI Employee Self Service web portal within the Administration Tab and Human Resources Reports.

Back to top
CHAPTER 3

EQUIFAX I-9 MANAGEMENT SYSTEM FORMATTING OF FORM I-9,
INCLUDING SECTIONS 1, 2 AND 3

I-9 MANAGEMENT SYSTEM FORMATTING IMPORTANT NOTE:

The latest release of I-9 Management changed formatting when using an employment authorization
document (EAD) card for Section 2, List A.

Category and Country default for EAD card

The online form now defaults as if the EAD card is for an employee who holds Temporary Protected
Status (TPS). To override this default and use the EAD card from your employee that is not TPS
(examples include: J2, L2, F1 OPT, AOS, etc.) choose in the two drop downs ‘OTHER’ as you enter the
EAD card information. ‘OTHER’ will be used with the drop down menu for TPS countries and ‘OTHER’
will be used for the code listed on the EAD card. By choosing ‘OTHER’ both times the EAD card is
recorded correctly on the Form I-9.

Defaults if the EAD card is for an employee who holds Temporary Protected Status (TPS)
FORM I-9 SECTION 1:

Complete the Form I-9 with both the HR staff member and the employee physically present (if remote employee, we will discuss I-9 process in detail in CHAPTER 5*). Section 1 the employee must complete. The staff member should review the required fields checking alongside with the employee for any accidental misspellings or birth date errors. Please note for the I-9 the social security number is NOT a required field that must be completed UNLESS the form is being completed in relation to E-Verify (FAR E-Verify Clause). If completed for E-Verify the Social Security number is a required field. Detailed information on this requirement is discussed in CHAPTER 13*.

The department staff member completing Form I-9 with the employee will choose a location code from the Section 1 drop down menu in the I-9 Management System that matches the area where the employee will be working. For example: 07-10000-0000 Human Resources. Please be certain you use the correct location.

ONLY use a location with an ‘E’ in front of it if you are completing an E-Verify Form I-9 for your employee who will be working on a federal contract (per FAR E-Verify clause). Accidentally using an ‘E’ location when not required is a violation of federal law.

This is because it would create an E-Verify case for an employee when it is not required. Consequences may include the loss of contract funding, funding which is critical to the mission of the UI. There is not a way to undo this action once it has begun and the Department of Homeland Security monitors all E-Verify cases. Please be especially careful when choosing the work location for the employee.
Instructions for completing Section 1 of Form I-9 when using the auto-extended EAD 180 day rule: Selection the option ‘An Alien Authorized to Work Until’; and; enter the date that is 180 days from the ‘card expires date of their EAD as the ‘employment authorized’ date.

FORM I-9 SECTION 2:

The HR staff member fills out Section 2 using the correct original document(s) the employee provides for employment eligibility from the list of acceptable documents. The list of acceptable documents shown below comes directly from the Department of Homeland Security – United States Citizenship & Immigration Services (USCIS) who oversee Form I-9. The employer should provide prior to meeting to complete the I-9 form the list of acceptable documents. If the employee or the HR staff member are unsure on a certain type of document name or its use, it is important to contact Faculty and Staff Immigration Services and/or Payroll Services within Central Human Resources. Assistance with any Form I-9 question is available 8:00 am to 5:00 pm, M - F. More information on who to contact and specific contact information can be found in CHAPTER 12*.

Instructions for completing Section 2 of Form I-9 when using the auto-extended EAD 180 day rule: Enter 180 days after the expired EAD card in the ‘expiration date’ field. Then enter the receipt number (Form I-797C) in the ‘document number’ field.

FORM I-9 SECTION 3:

Section 3 of Form I-9 can be used for a two reasons: Reverification of Work Authorization and Rehire.

Use Section 3 Reverification when a UI Nonimmigrant employee (student, staff, faculty, temporary) has a change in work authorization.

These two topics along with name changes are discussed in more detail in CHAPTER 4*.
# Lists of Acceptable Documents

All documents must be UNEXPIRED

Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

<table>
<thead>
<tr>
<th>LIST A</th>
<th>Documents that Establish Both Identity and Employment Authorization</th>
<th>OR</th>
<th>LIST B</th>
<th>Documents that Establish Identity</th>
<th>AND</th>
<th>LIST C</th>
<th>Documents that Establish Employment Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>U.S. Passport or U.S. Passport Card</td>
<td></td>
<td>1.</td>
<td>Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</td>
<td></td>
<td>2.</td>
<td>ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</td>
<td></td>
<td>3.</td>
<td>Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Employment Authorization Document that contains a photograph (Form I-766)</td>
<td></td>
<td>4.</td>
<td>Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>For a nonimmigrant alien authorized to work for a specific employer because of his or her status:</td>
<td></td>
<td>5.</td>
<td>U.S. Military card or draft record</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>Foreign passport; and</td>
<td></td>
<td>6.</td>
<td>Military dependent's ID card</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b.</td>
<td>Form I-94 or Form I-94A that has the following:</td>
<td></td>
<td>7.</td>
<td>U.S. Coast Guard Merchant Mariner Card</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) The same name as the passport; and</td>
<td></td>
<td>8.</td>
<td>Native American tribal document</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</td>
<td></td>
<td>9.</td>
<td>Native American tribal document</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</td>
<td></td>
<td>For persons under age 18 who are unable to present a document listed above:</td>
<td>10. School record or report card</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>11.</td>
<td>Clinic, doctor, or hospital record</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>12.</td>
<td>Day-care or nursery school record</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Form I-9 07/17/17 N

Back to top
CHAPTER 4

REVERIFICATION, REHIRE AND NAME CHANGE

It is important never to reverify:

- U.S. Citizens
- Lawful Permanent Residents (LPR’s) who presented a Permanent Resident Card (Form I-551) for Section 2
- List B Documents

REVERIFICATION

Reverification should be done if the UI Non US Citizen employee’s work authorization expires and is extended or if the immigration status changes.

It is important to remind the UI nonimmigrant employee approximately 90 days in advance of the current expiration date of their valid work authorization status, to provide updated documentation for either List A or List C. The Form I-9 Section 3 Reverification can be done immediately upon the UI nonimmigrant employee providing the newly updated information.

REHIRE

If a former UI employee is rehired within three years of termination, the HR staff member may complete a new Form I-9 for the employee. Or they may complete Section 3 of the previously completed Form I-9 utilizing the rehire option.

To complete Section 3 for rehires:

Confirm that the original Form I-9 relates to the UI employee being rehired. If the rehired employee previously worked in a different UI department, please contact Payroll Services or UI Faculty & Staff Immigration Services for assistance reviewing the Form I-9 on file. Staff in these two offices are immediately able to assist with this compliance requirement.

Review the original Form I-9 to determine if your employee is still authorized to work, including whether employment authorization documentation presented in Section 2 (List A or List C) has expired. Review the guidelines to determine if reverification applies.

If the UI rehire employee is still authorized to work, and his or her employment authorization documentation is still valid, enter the date of rehire in the space provided in Section 3. If the UI rehire employee is no longer authorized to work or their employment authorization documentation presented for Section 2 (List A or List C) has expired, request that the employee present an unexpired List A or List C document. Do not reverify an employee’s List B (identity) document.

Enter the document information and the date of rehire in the spaces provided in Section 3.
If the current version of Form I-9 is different from the previously completed Form I-9, you must complete Form I-9 in the I-9 Management System. Electronically Sign Section 3 and submit.

**REHIRE PROCESS OVERVIEW**

What follows is an easy Step by Step Check List for a Rehire I-9.

Find the I-9 Date. You can look up an employee’s I-9 date in the HR Data Access Administrative Reports: HR Reports/Employee Information/I-9 Date by Employee

I-9 Date By Employee Report

From the search results, look for the I-9 date on file for an employee. If the date is greater than 3 years from the actual begin date of the new “Rehire” appointment, you must complete a new I-9 form. Contact your employee to set up a time for completing a new I-9 with you. Remember to send them a copy of the List of Acceptable Documents in advance.

OR, you may go to the I-9 Management System to look for the I-9 Date. From the Main Menu, choose the “Search For Employee” option (see figure A). Complete the Search Criteria fields and click on the “Search” button (see figure B)
You may find that your employee cannot be located in the I-9 Management System.

This is most likely because they completed a paper I-9 form with the UI prior to 4/1/2010. These paper forms are not available for update and you will need to complete a new I-9 form with your employee. Contact your employee to set up a time for completing a new I-9 with you. Remember to send them a copy of the List of Acceptable Documents in advance.

From the search results, look for the “Employment Start Date” field. For our purposes, the “Employment Start Date” means the same thing as I-9 completion date. If the date is greater than 3 years from the actual begin date of the new “Rehire” appointment, you must complete a new I-9 form. Contact your employee to set up a time for completing a new I-9 form with you. Remember to send them a copy of the List of Acceptable Documents in advance.

If the original date of completion is less than 3 years from the actual begin date of the “Rehire” appointment, you must review the original I-9 form information to determine if you will be able to rely on the I-9 already completed. Click on the “Name” link to open the Employee Detail screen.

Scroll to the bottom of the Employee Detail screen and look for “I-9 History”. To review, click on the Original I-9 link. The I-9 form will open as a PDF in a new window.

If the status in Section 1 is unchanged, AND the List A and List C documents used in Section 2 are unexpired, you do not need to complete a new Form I-9. Add today’s date in the rehire field and continue. You do not need to add new document information.

IMPORTANT! If you intend to rely on the original I-9 form, you must add a Rehire Date! Return to the Employee Detail screen and click on the “Section 3” button.
You will be prompted to review the information and sign by entering your PIN.

IMPORTANT REMINDERS:
The Transaction System forms used to move your “Rehire” employee back into a paid position will display a message that is designed to help remind you to review the I-9 status at the point of “Rehire”.
The message should read:
“Please review I-9 status for this person. You may need to complete a new Form I-9”

If you have ANY questions or concerns, please send an email to electronic-i9@uiowa.edu, or contact Laura Prince, Marianne Stratton, or Denise Fuller

NAME CHANGES (E-VERIFY)
You are not required to update Form I-9 when your employee has a legal change of name UNLESS the employee also went through E-Verify. E-Verify regulations require that employees present documentation to show that they have changed their name.
CHAPTER 5
REMOTE UNIVERSITY OF IOWA EMPLOYEE HIRES

Many UI Departments today are hiring employees to work remotely. Many of these employees will never physically be present on the UI campus located in Iowa City. However, as the employer we are still required to correctly complete Form I-9 for all employees including those that work at a location within the United States for the UI.

UI employees working remotely require additional assistance when completing the Form I-9. They must complete the form within 3 days of hire however the process differs because the form cannot be completed within I-9 Management System, it must be done on a paper form with an Agent and the original paper Form I-9, along with the Agent Authorization form should be sent to UI Payroll Services by the hiring department.

Please contact Faculty and Staff Immigration Services 319-383-4481 or 319-335-1167 or Payroll Services 319-335-2381 with any questions regarding remote UI new employee hires. It is important to understand that just because the person works remotely may not mean they must complete the I-9 on paper with an Agent. If the new hire would ever come to campus upon hire or for initial training it may be possible at that time to complete the I-9 within I-9 Management System within the first 3 days of hire. Additionally those individuals who reside within the State of Iowa may be close enough that a paper I-9 is not appropriate. Examples include an employee who works from home or at a site location in Des Moines, Ottumwa, the Quad Cities or Marion, Iowa. These individuals would be required to make a trip to Iowa City to complete the Form I-9 with their hiring department. Those employees living more than 2 hours away from Iowa City could complete an Agent I-9 form.

The following pages summarize the process and procedure of how to complete an Agent I-9 remotely. Please contact Faculty and Staff Immigration Services and/or Payroll Services with any questions.

Back to top
Remote Employee I-9 Form Completion Using a Designated Agent (Representative)

The Department of Homeland Security (USCIS) requires all employers to complete Form I-9 for all employees within three (3) days from the date of hire. Both employees and employers (and/or authorized representatives of the employer) must complete the form together.

The University of Iowa (UI) recognizes that some of their employees may not work on campus in Iowa City or the state of Iowa, but work at an alternate location within the U.S. If the employee is working from outside of the U.S. no I-9 should be completed until the employee enters the U.S. If the employee does not come to the U.S. for work then no I-9 at any time is to be completed (current I-9 regulations).

If the employee is working in the U.S. but not able to come to the hiring unit to complete the I-9, the I-9 form is still required to ensure lawful employment is maintained by the UI under current U.S. employment and immigration regulations. The form must be completed by the remote employee and a designated ‘Agent’ (representative).

The ‘Agent’ can be any person that the employee might know at the location in which they work or a person that the hiring unit locally arranges. If the hiring unit and the remote employee are not able to arrange an individual to be the agent and complete the I-9 please refer to the handout that specifically deals with obtaining a Notary Public to complete Form I-9.

The following process is what a hiring unit should follow to complete the ‘Agent I-9’ (while keeping in mind the compliance deadline of three (3) days from the date of hire the I-9 must be met).

1. Provide employee with the List of Acceptable Documents and supporting ‘Agent I-9’ instructions and documents which includes:
   a. Form I-9 (blank)
   b. The UI’s instructions to the Agent (representative), which includes the remote hire notice form.
   c. Envelope with prepaid postage for remote hire to return the completed I-9.
2. Employee must complete Section 1 of the I-9 form no later than the close of business on his/her first day of work.
3. Employee must take all of the above forms along with his/her original identity/employment eligibility documents (page 3 of Form I-9) to the designated Agent (representative).
4. Employee provides identity/employment eligibility documents to the Agent.
5. Agent reviews/inspects document(s) and completes Section 2 of the I-9 form.
6. Agent must complete Section 2 within three (3) days from the date of hire of the remote employee.
7. The UI Agent must mail the I-9 form that has been completed along with the remote hire notice form to the hiring unit (instructions listed on notice).

Back to top
Remote Employee I-9 Form Completion Using a Designated Agent (Notary)

The Department of Homeland Security (USCIS) requires all employers to complete Form I-9 for all employees within three (3) days from the date of hire. Both employees and employers (and/or authorized representatives of the employer) must complete the form together.

The University of Iowa (UI) recognizes that some of their employees may not work on campus in Iowa City or the state of Iowa, but work at an alternate location within the U.S. If the employee is working from outside of the U.S. no I-9 should be completed until the employee enters the U.S. If the employee does not come to the U.S. for work then no I-9 at any time is to be completed (current I-9 regulations).

If the employee is working in the U.S. but not able to come to the hiring unit to complete the I-9, the I-9 form is still required to ensure lawful employment is maintained by the UI under current U.S. employment and immigration regulations. The form must be completed by the remote employee and a designated ‘Agent’.

The ‘Agent’ can be any person that the employee might know at the location in which they work however many times the employee does not know anyone that is able to complete the form. The situation calls for the employee to enlist the services of a Notary Public. Notaries can be found at Financial Banking Institutions. There will be a fee for the Notary to review and complete the form. Hiring units should have a policy on whether to reimburse this fee to the employee or not. Consistency is important when reimbursing employees.

The following process is what a hiring unit should follow to complete the ‘Agent I-9’ through a Notary (while keeping in mind the compliance deadline of three (3) days from the date of hire the I-9 must be met).

8. Provide employee with Form I-9 and supporting ‘Agent I-9’ instructions and documents which includes:
   a. Form I-9 (blank)
   b. Notary Form (blank)
   c. The UI’s instructions to the Notary, which includes the remote hire notice form.
   d. Envelope with prepaid postage for remote hire to return the completed I-9.

9. Employee must complete Section 1 of the I-9 form no later than the close of business on his/her first day of work.

10. Employee must take all of the above forms along with his/her original identity/employment eligibility documents (page 3 of Form I-9) to a Notary Public.

11. Employee provides identity/employment eligibility documents to the Notary.

12. Notary reviews/inspects document(s) and completes Section 2 of the I-9 form.

13. Notary Public completes the Notary form and affixes their notary seal on completed form.

14. Employee pays the Notary Public’s fee for the services provided. The fee on average is between $15 - $25. Employee should keep receipt if hiring unit has reimbursement policy.

15. Notary must complete Section 2 and Notary form within three (3) days from the date of hire of the remote employee.

16. UI Agent must mail the I-9 form that has been completed along with the Notary form to the hiring unit.

Remote Hire I-9 Form Instructions for Designated Agent

Back to top
Form I-9 Compliance:
The University of Iowa (UI) is requesting you to be our ‘Agent’ or Representative to review U.S. employment eligibility documents for our new remote employee. The Department of Homeland Security (USCIS) requires every employer in the U.S. to verify each employee’s work authorization documents to ensure employment eligibility in the workplace. The University of Iowa (UI) needs your assistance to examine the remote employee’s documentation and sign the attached I-9 form confirming such.

Please find attached Form I-9, the Agent Authorization Confirmation Form and (if being completed by a Notary Public) the Designated Agent – Notary Public form. We ask that you verify the employee has completed Section one of the I-9 form prior to you completing Section two of the same form. The remote employee may provide employment eligibility documents as listed on the ‘List of Acceptable Documents’ page three of the I-9 instructions.

The employee can present one or more of the following combinations:

- Any ONE document from List A
- TWO total documents, one from List B and one from List C

Please complete Section two – Employer Review Verification. Please view only original documents. Faxes, scanned copies, laminated social security cards and photocopies are unacceptable documents and cannot be used in any combination to complete the I-9 form.

The Certification section of the I-9 (below Section two) additionally must be completed as follows:

1. Enter the remote employee’s date of hire (listed on Agent Authorization Confirmation Form)
2. Sign the Authorized Representative (Employer’s Agent) section.
3. Date the I-9 the day you review the employee’s employment eligibility documents and complete the form.
4. If you are a Notary Agent please additionally complete the attached notary form and place your notarial seal at the bottom of the form where indicated.

If you have questions please contact the hiring unit contact name listed on the Agent Authorization Confirmation Form.

Please provide all completed and signed forms to the remote employee. The remote employee is responsible for sending them to the designated hiring unit contact. Thank you!
Agent Authorization Confirmation Form
Give this Form First to Agent PRIOR to Form I-9 being completed

Hiring Unit Information:

Hiring Unit Name: ____________________________________________________________
Hiring Unit Contact Name: ____________________________________________________
Hiring Unit Contact Job Title: _________________________________________________
Hiring Unit Contact Phone Number: _____________________________

Hiring Unit Contact Signature: ___________________________ Date __________

Remote Employee Information:

Remote Employee Name: _______________________________________________________
Remote Employee Date of Birth: ________________________________________________
Remote Employee Date of Hire: ________________________________________________

Please note Date of Hire must be entered into the certification section of the completed I-9 by the authorized Agent

Agent (Representative) Information:

Agent Name: __________________________________________________________________
Agent Organization: ____________________________________________________________
Agent Address: __________________________________________________________________
Agent Signature: __________________________________________________________________

The UI, specifically the (hiring unit name) ___________ authorizes the above Agent to act as our Representative for purposes of completing the I-9 form for our employee named in Section one of the said form. The UI authorizes the above representative (Agent) to sign in Section two as (on behalf of) the employer once they have reviewed and confirmed the correct documentation that verifies the remote employee’s employment eligibility.

PLEASE RETURN THIS FORM TO: Payroll Services Office, 120-30 USB, Iowa City, IA  52242
WITH THE COMPLETED I-9 AND SUPPORTING DOCUMENTS.
Designated Agent – Notary Public

Date: _______________________

I attest that I am a Notary Public commissioned by the State of ________________ which expires ________________________.

Before me has appeared in person, the individual with the name of:

______________________________________________________________________

And address of:

______________________________________________________________________

And birthdate of:

______________________________________________________________________

As required by the Immigration and Control Act (IRCA) of 1986, I further attest that:

i. The person named above has filled out Section 1 of the attached I-9 form;
ii. I have examined the original documents presented to me;
iii. I have completed Section 2 of the I-9 form;
iv. The attached copy of document(s) presented to me appear to be genuine and relate to the person presenting them, and;
v. I have signed and dated the attestation in Section 2.

NOTARY PUBLIC

Name:  _____________________________________________

Address:  ____________________________________________

AFFIX SEAL HERE:

Back to top
Instructions for Remote Hire Employee Working Outside the US

Employers are NOT required to complete Form I-9 for employees who are not physically working in the United States.* Hiring department completes an HR Transaction System form and includes a statement indicating that “All Work Is Performed Outside the United States”.

Hiring department will send a separate e-mail to the Payroll Services Office, electronic-i9@uiowa.edu. The e-mail should state that “All Work Is Performed Outside the United States”. It should include the Employee ID number and name of the Remote Hire Employee Working Outside the United States, the HR Transaction System form number, and the start date of employment.

The Payroll Services Office will flag the record to prevent I-9 compliance notices.

*The *United States includes all 50 States, District of Columbia, Guam, Puerto Rico, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands Individuals not physically working in the U.S.
CHAPTER 6

H1B PORTABILITY (AC21) – H1B TRANSFERS TO THE UNIVERSITY OF IOWA

The UI recognizes new hires from around parts of the globe. Many of these employees come to work here in the status of H1B from a prior employer while holding the same status. A few of these new hires end employment at one employer in valid H1B status and start at the UI the following day in valid H1B status – this is called H1B Portability (or transfer). These types of I-9’s can be challenging and staff are encouraged to contact Laura Prince in UI Faculty & Staff Immigration Services for assistance with completing Form I-9 in this type of situation.

Under the American Competitiveness Act in the Twenty-First Century (AC21) an H1B employee who is changing employers within the H1B Program may begin working for the new employer as soon as the new employer (University of Iowa) files the H1B I-129 Petition on the new hire’s behalf with USCIS. To qualify for AC21 benefits, the new petition must not be frivolous and must have been filed prior to the expiration of the individual’s period of authorized stay. The staff member must complete Form I-9 for the newly hired employee. An H1B I-94 issued with the previous employer, along with his or her valid foreign passport qualifies as a List A document. The staff member must write “AC21” and enter the date form I-129 (H1B) was submitted. If the receipt has been issued it is additionally important to attach this to the I-9.

This type of I-9, where the end date of the previous H1B for the old employer has expired and the UI has filed prior to that date with a new start date the following day after (example – the employee finishes working at the old employer on June 30, 2016 and starts work for the UI on July 1, 2016) MUST BE COMPLETED USING A PAPER I-9 FORM – it cannot be completed in I-9 Management. Once the staff has completed Form I-9 they must then send the completed form to Payroll in the UI Services Building. Payroll works with Equifax to record the paper copy into the system.

More information regarding AC21 Portability I-9’s can be found in the I-9 Handbook for Employers (M-274) on the USCIS website USCIS.gov. Attached is an example of a correct I-9 under AC-21
### Section 2. Employer or Authorized Representative Review and Verification

Employer or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents."

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Document Title</th>
<th>Document Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passport</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Issuing Authority:**

<table>
<thead>
<tr>
<th>Document Number</th>
<th>Document Number</th>
<th>Document Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>A208190</td>
<td></td>
<td></td>
</tr>
<tr>
<td>06/13/2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Expiration Date:**

<table>
<thead>
<tr>
<th>(if any)(mm/dd/yyyy)</th>
<th>(if any)(mm/dd/yyyy)</th>
<th>(if any)(mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/13/2019</td>
<td>06/13/2019</td>
<td>06/13/2019</td>
</tr>
</tbody>
</table>

**Issuing Authority:**

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Document Title</th>
<th>Document Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Issuing Authority:**

<table>
<thead>
<tr>
<th>Document Number</th>
<th>Document Number</th>
<th>Document Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Expiration Date:**

<table>
<thead>
<tr>
<th>(if any)(mm/dd/yyyy)</th>
<th>(if any)(mm/dd/yyyy)</th>
<th>(if any)(mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/13/2019</td>
<td>06/13/2019</td>
<td>06/13/2019</td>
</tr>
</tbody>
</table>

### Additional Information

- OR Code – Sections 2 A 
- Do Not Write in This Space

**Signature of Employer or Authorized Representative:**

<table>
<thead>
<tr>
<th>Last Name of Employer or Authorized Representative</th>
<th>First Name of Employer or Authorized Representative</th>
<th>Employee's Business or Organization Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thompson</td>
<td></td>
<td>The University of Iowa</td>
</tr>
</tbody>
</table>

**Employee's Business or Organization Address (Street Number and Name):**

<table>
<thead>
<tr>
<th>W. Preston St, 121-20 OSB</th>
<th>City or Town</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Iowa City</td>
<td>IA</td>
<td>52246</td>
</tr>
</tbody>
</table>

### Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)

<table>
<thead>
<tr>
<th>A. New Name (if applicable)</th>
<th>B. Date of Rehire (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name (Family Name)</td>
<td>First Name (Given Name)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Department Title:**

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Document Number</th>
<th>Expiration Date (if any)(mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signature of Employer or Authorized Representative:**

<table>
<thead>
<tr>
<th>Today's Date (mm/dd/yyyy)</th>
<th>Name of Employer or Authorized Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy): **06/13/2017** (See instructions for exemptions)
CHAPTER 7

HR Reports – What to Run/When to Run and Transaction System Messages

1. What to Run? When to Run?

   The Standard Report Frequency Recommendations list in an excellent resource for the recommended periodic review of many key Human Resources reports at the unit/department level. It is found on the Employee Self Service website under the Administration Tab/HR Inquiry. Recommendations are for the minimum suggested guidelines, and you may need to review more often. Review your I-9 reports every week and follow up on all results.

   **BI WEEKLY - TO BE REVIEWED EVERY OTHER WEEK:**
   - Non U.S. Citizenship Status

   **WEEKLY - TO BE REVIEWED ON A WEEKLY BASIS:**
   - I-9 Edit Report
   - E-Verify Edit Report

   The **Non U.S. Citizenship Status Report** shows the Non U.S. Citizens employee's work status and should be reviewed every two weeks.

   The **I-9 Edit and the E-Verify Edit Reports** show an employee I-9 and E-Verify status, regardless of citizenship status.

2. In addition, you will find a separate Report Category in the list of Available Reports at: Employee Self Service/Administration/HR Data Access/HR Reports

   If you need any assistance with this report category please contact your HR Unit Representative or send an e-mail to: electronic-i9@uiowa.edu
3. Transaction System I-9 Messages:

To assist in determining I-9 status, I-9 Messages have been included within each HR Transaction System form for an Appointment, Transfer, or Change of Status that may have an impact on the I-9 Employment Eligibility Verification process. I-9 Messages in the Transaction System are designed to compare I-9 information, if any, currently on file at the UI with the new transaction activity to help determine I-9 compliance.
CHAPTER 8
I-9’s AND APPOINTING FOREIGN NATIONALS IN THE UNIVERSITY OF IOWA
HR TRANSACTION SYSTEM

When appointing foreign nationals it is recommended to view original documents. There are times when it is not possible to look at original documents. In those circumstances viewing the documents for the appointment via fax or a scan through email is acceptable.

However if the foreign national employee is able to provide original documents for their appointment it is recommended at that time to ask them to also complete their Form I-9.

Common Foreign National I-9 Examples & Document Requirements

- **J1 Scholar or Medical Trainee**: DS-2019 (notation to work in department), Valid Passport and current I-94 card
- **J1 Student**: DS-2019 (notation as a student), Valid Passport, current I-94 card and Employment Authorization Letter written and provided by the International Student & Scholar Services (ISSS) office (please contact ISSS with questions 319-335-0335)
- **J2**: Valid EAD (employment authorization document) card
- **F1**: I-20, Valid Passport and current I-94 card with F1 notation (can only work 20 hours on campus during semester/40 hours during breaks)
- **F1 CPT**: Endorsed I-20 confirming employment with University of Iowa Department for set period, Valid Passport and current I-94 card with F1 notation
- **F1 OPT**: Valid EAD (employment authorization document) card
- **F1 OPT STEM (E-Verify) Extension**: Receipt Notice confirming EAD card extension has been filed (I-765). This receipt is valid for 180 days and then the EAD card must be in hand or the employee is required to go onto a leave until the card arrives.
- **F2**: NONE – has no work authorization of any kind
- **H1B**: Valid Passport and current I-94 with H1B notation
- **H4**: Employee must present Valid EAD (employment authorization document) card. The appointment requires the EAD card be attached to it when submitted into Workflow
- **TN**: Valid Passport with current I-94 TN notation University of Iowa
• **TD**: NONE- No work authorization of any kind

• **O1**: Valid Passport with current I-94 O1 notation

• **O3**: NONE – No work authorization of any kind

• **ASYLEE**: EAD (employment authorization document card) OR Document from List B and List C (Unrestricted Social Security Card). When appointing Asylees who present a List B document and Unrestricted Social Security Card because they have unlimited work authorization please enter a twenty year date (start and end) in the appointment form

• **REFUGEE**: EAD (employment authorization document) card OR I-94 stating Refugee status work authorized

• **TPS (Temporary Protected Status)**: EAD (employment authorization document) card

• **AOS (Adjustment of Status)**: EAD (employment authorization document) card

• **LPR (Lawful Permanent Resident)**: Permanent Resident Card – Alien Registration Card – ‘Green Card’ OR I-551 Immigrant Visa (IV) stamp OR I-551 stamp

**DACA (Deferred Action Childhood Arrival)**: EAD (employment authorization document) card

**Important Note:**

January 17, 2017, USCIS issued the Automatic Extensions of EAD Provided by the ‘Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High-Skilled Nonimmigrant Workers’ final rule. This allows for automatic extensions of the validity periods of certain Employment Authorization Documents (Form I-766) for up to 180 days for the individuals who have filed to renew their Employment Authorization Document (EAD) card prior to their cards current expiration date. Who are applying to renew their EAD in the same category as the previous EAD and are a category that is eligible for the extension.

To determine if the EAD is auto-extended for 180 days, you will need to check the category code on the EAD and make sure it is in one of the following categories: A03, A05, A07, A08, A10, C08, C09, C10, C16, C20, C22, C24, C31 and A12 or C19 (A12 or C19 are considered the same category code and are interchangeable meaning the first card may say A12 but the extension says C19). Check the ‘received date’ on the receipt notice for the new card (Form I-797C) and make sure it is on or before the ‘card expires date listed on the EAD. Finally make sure the category code on the EAD is the same category code on Form I-797C.

Link to pictures of acceptable I-9 documents: [I-9-Central](#) and [I-9-Central Acceptable Documents](#)
CHAPTER 9

TYPES OF UNIVERSITY OF IOWA HIRES AND WHEN A NEW I-9 MAY BE REQUIRED

All employers must complete and retain Forms I-9 for every person they hire for employment on or after Nov. 6, 1986, in the United States as long as the person works for pay or other type of compensation.

NEW I-9s ARE REQUIRED FOR:

- New hires (faculty, staff, student employees, temp employees)
- Job transfers from a fellowship or complimentary appointment to a paid appointment
- A rehired employee with a break in paid service ≥ one business day (or re-verify an existing I-9 if you have access to it)
- An overseas UI employee returning to employment in the U.S. at the UI
- Current employees paid from a new federal contract requiring E-Verify

EXCEPTIONS

- Individuals hired on or before Nov. 5, 1986 and have remained continuously employed
- Independent contractors
- Individuals not physically working in the United States
- Fellowship appointments
- Complimentary appointments
- Academic year appointees returning after an academic break
- Transfers from another UI department with no break in paid service

For any information or assistance, please contact:

Faculty and Staff Immigration Services: 319-383-4481 or 319-335-1167 or immigration@uiowa.edu,
Payroll Services: 319-335-2381 or electronic-i9@uiowa.edu.

Back to top

CHAPTER 10
IMPORTANT REMINDERS/TIPS FROM THOSE IN THE FIELD

- Provide the I-9 form acceptable documents list prior to start date for all employees.
- Encourage your new hire to complete their I-9 prior to their employment start date.
- NEVER complete Form I-9 for a complimentary (Pay Basis 9) appointment and never for independent contractors, unpaid volunteers and academic fellowships.
- DO NOT send copies of documents to UI Payroll Services office unless it is a requirement for an E-Verify case.
- When completing Section 3 of the I-9 form for Reverification do not fill in the “rehire” date – leave this field blank.
- DO NOT complete an I-9 or E-Verify case for an employee that has been continuously employed at the UI since November 6, 1986. These employees are exempted from the I-9/E-Verify requirement per federal immigration law.
- When doing a new I-9 and receiving the message “is this the same person” say yes/agree unless you are certain it is not. If not do further follow-up and contact Payroll Services or Faculty and Staff Immigration Services.
- Compliance messages within the transaction system are current and have been updated to assist departments.
- Use the Faculty & Staff Immigration Services website for help including FAQ’s and other important information.
- Helps have been put into the Transaction system to assist Departments completing forms.
- If the message “Duplicate SSN” is received when in I-9 Management System this is because it has been entered into the Work # and the transaction system. Say yes to the message to move the screen forward.
- Ensure birth certificates are issued by a U.S. State or the U.S. State Department (if birth abroad).
- NEVER choose the E-Verify I-9 location for an employee unless DSP and UI Human Resources have provided the appropriate email confirmation of the signed contract. Please contact DSP, Payroll Services or Faculty and Staff Immigration Services if unsure.
- A Social Security Number is required to complete Form I-9 for those UI employees that will additionally have E-Verify submitted on their behalf.
- Unless a new hire to UI, any employee that requires E-Verify must complete a new I-9 form with the E-Verify option.
- Once the employee has been E-Verified they should not be E-Verified again unless there was a break in service and the employee was rehired.
CHAPTER 11

Where to go for Help?

For assistance with access to the Data Access HR Reports, please contact your Supervisor.

Access to the I-9 system is granted to users by their department administrator or HR Unit Representative. You can find you HR Unit Rep on the Employee Self-service under the Personal Tab/General category.

If you have any password issues, please call us:
Payroll Office 319-335-2381
Faculty & Staff Immigration Services 319-383-4481 or 319-335-1167

You will also find information about completing the I-9 form any time in the following resources

UI Faculty & Staff Immigration Services Website – I-9 information and FAQ’s.
I-9/E-Verify Best Practices Guide AND Remote/Agent I-9 Procedures and Instructions coming soon to all of campus

I-9 manual: Handbook for Employers

For any information or assistance, please contact:

Faculty and Staff Immigration Services:
319-383-4481 or 319-335-1167 or immigration@uiowa.edu,
Payroll Services: 319-335-2381 or electronic-i9@uiowa.edu.

Back to top
CHAPTER 12

E-VERIFY – FAR E-VERIFY CLAUSE

E-Verify is an Internet-based system that compares information from an employee’s Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility. A presidential Executive order and subsequent Federal Acquisition Regulation (FAR) rule (clause) required federal contractors to use E-Verify to electronically verify the employment eligibility of employees working under covered federal contracts. The order and the rule reinforce Federal government policy that the Federal government does business only with organizations that have a legal workforce. The UI is required to use E-Verify for those individuals who work on a FAR E-Verify Federal U.S. Contract (or subcontract). The Division of Sponsored Programs manages all Federal contracts as they come into the University. Chapter 14 discusses this process and provides detailed information regarding the contract and what is required to complete the E-Verify requirement.

FEDERAL CONTRACTOR INFORMATION

The following three pages provide specific information on the UI’s status as a Federal Contractor and what rules and responsibilities are associated with this status. Additionally there are exceptions to the Federal Contractor Rule. The exceptions are noted within this chapter. Please contact UI Human Resources (Laura Prince) or Sponsored Programs with additional questions.

Back to top
Who is Affected by the E-Verify Federal Contractor Rule

The E-Verify Federal Contractor Rule only affects Federal contractors who were awarded a new contract on or after the effective date of the rule, September 8, 2009, that includes the Federal Acquisition Regulation (FAR) E-Verify clause (found at 48 C.F.R., Subpart 22.18). Some existing Federal contracts may also be bilaterally modified to include the FAR E-Verify clause after the effective date of the rule.

Government contracting officials, not E-Verify, decide if a Federal contract qualifies for the Federal Acquisition Regulation (FAR) E-Verify clause. To qualify, the contract must meet the following criteria:

- The contract was awarded on or after the E-Verify Federal contractor rule effective date of September 8, 2009, and includes the FAR E-Verify clause;
- The contract has a period of performance that is for 120 days or more;
- The contract’s value exceeds the simplified acquisition threshold of $150,000;
- At least some portion of the work under the contract is performed in the United States.

FAR Subcontractors

The E-Verify Federal contractor rule requires certain Federal prime contractors to require their subcontractors to use E-Verify when:

- The prime contract includes the Federal Acquisition Regulation (FAR) E-Verify clause;
- The subcontract is for commercial or noncommercial services or construction;
- The subcontract has a value of more than $3,000; and
- The subcontract includes work performed in the United States.

Indefinite-Delivery/Indefinite-Quantity (IDIQ) Contracts

Government contracting officials may modify IDIQ contracts on a bilateral basis to include the FAR E-Verify clause for future orders, in accordance with FAR 1.108(d)(3), when:

- The remaining period of performance extends at least six months after the effective date of the rule; and
- The amount of work or number of orders expected under the remaining period of performance is substantial.

If the FAR E-Verify clause is included in a modified IDIQ contract, the employer must participate in E-Verify within 30 calendar days of the modification date.
EXCEPTIONS TO FEDERAL CONTRACTOR RULE

Federal contractors with the FAR E-Verify clause are not required to verify the following employees:

- Any employee who was hired on or before November 6, 1986.

**NOTE:** Individuals hired for employment in the Commonwealth of the Northern Mariana Islands (CNMI) on or before November 27, 2009 are also not subject to Form I-9 or verification through E-Verify.

- Any employee who has been granted and holds an active U.S. government security clearance for access to confidential, secret or top secret information in accordance with the ‘National Industrial Security Program Operating Manual.’

- Any employee who has undergone a completed background investigation and been issued credentials pursuant to Homeland Security Presidential Directive (HSPD)-12, Policy for a Common Identification Standard for Federal Employees and Contractors.

Federal contractors participating in E-Verify **MUST NOT:**

- Use E-Verify to prescreen an applicant for employment.
- Check the employment eligibility of an employee hired before their company signed the E-Verify MOU.
- Take any adverse action against an employee based on a case result unless E-Verify issues a final nonconfirmation.
- Specify or request which Form I-9 documentation a newly hired employee must use.
- Use E-Verify to discriminate against ANY job applicant or new hire on the basis of his or her national origin, citizenship or immigration status.
- Selectively verify the employment eligibility of a newly hired employee.
- Share any user ID and/or password.
DIVISION OF SPONSORED PROGRAMS (DSP) E-VERIFY NOTIFICATION

The Division of Sponsored Programs (DSP) manages all federal contracts on behalf of the UI. Their office works in partnership with UI Human Resources and Grant Accounting to ensure compliance for the E-Verify requirement that is part of the federal contract or subcontract. DSP receives the contract and then sends an initial email to the Principal Investigator (PI) explaining the E-Verify requirement and the next steps of the process.

Date: [Date]
To: [PI and Dept. Administrator]
From: [Contract reviewer, DSP]
Re: [Contract number and project title]

The contract we have received from [Name of Sponsor] for the study above referenced contains a federal government requirement that all employees working on projects funded by a federal contract be verified as eligible for employment in the United States. The verification process is to be carried out through the Department of Homeland Security’s E-Verify online system.

Do not perform the e-Verify verification until you receive notice from DSP that the contract has been fully signed. Premature e-verification jeopardizes funding for this contract as well as other federal funding received by the UI. The purpose of this message is to give you advance notice to prepare to e-Verify your employees working on the contract. Until the contract is fully signed do not e-Verify for any reason.

Federal law requires verification of the affected employee to begin within ninety (90) days following the award of the contract, which occurs when both the UI and the federal contract sponsor have signed the agreement. Your department is responsible for initiating this process; however, UI Human Resources will work with your appropriate departmental Human Resources representative.

Immediate Departmental Actions:

- List employees (and volunteers) who will work on this project. It is important to note that individuals who are volunteers may need to go through the E-Verify process even though they are not UI employees. Please contact laura-prince@uiowa.edu with questions.
- Notify your appropriate HR representative that a federal contract is expected to be awarded with the e-verify provision, and send the list of employees to the representative as soon as possible.
Next Steps:

When the contract has been signed by both parties, the Division of Sponsored Programs will send the department a second notice. The ninety day deadline to e-Verify employees commences when the contract has been signed by both parties.

Employees assigned to the contract must complete a new I-9 Employment Eligibility form. The information in the form will be matched against the E-Verify system and the system will return a notice of eligibility. Should there be a tentative determination of ineligibility the employee will be given explicit instructions on how to try to resolve the problem. Your Departmental Human Resources representative will be able to assist you with the procedures.

Ongoing Responsibilities:

If a current UI employee is assigned to the project during the contract period, the newly assigned employee is required to be verified within thirty (30) days if they have not been verified already.

When hiring a new UI employee to work on a federal contract, that new employee must be verified within three (3) business days of beginning work.

If you will be collaborating with another entity and subcontracting for services or if you will be purchasing services or paying for construction from an outside vendor in connection with a covered federal contract, include the words “FAR Employment Eligibility Verification clause #52.222-54 applies to this purchase order” in the Vendor Comments box of the PReq. This will help to provide the required notice to subcontractors and vendors that they must also comply with e-Verify for subcontracts and procurements over $3,000.

Contacts:

For more information or questions on the E-Verify process: Contact Payroll Services Office, 319-335-2381 or Faculty & Staff Immigration Services, 319-383-4481 or 319-335-1167.

For more information, questions, or concerns on the E-Verify clause in federal contracts: Contact the Division of Sponsored Programs, 319-335-2123 or dsp-contracts@uiowa.edu.

__________________________________________________________________________________

Once the contract has been signed by both parties, the Division of Sponsored Programs sends a second and final email with next steps. This email confirms the contract has now been signed and E-Verify should be done on those who will be working on the contract.

__________________________________________________________________________________

Back to top
Date: [Date]
To: [PI and Dept. Administrator]
From: [Contract reviewer, DSP]
Re: [Contract number and project title]

The above referenced contract was completed (signed by both parties) on [date]. As we have previously advised you, this contract is subject to e-Verify, the federal government’s requirement that employees working on federal contracts have their eligibility to work in the United States verified.

The ninety (90) day time limit for verifying the project employees began running on the date above. Please be in touch with your unit’s Human Resources representative immediately. Your HR rep will carry out the verification process.

Your department is responsible for continuing to comply with the e-Verify provision during the full term of the study. Here are your ongoing responsibilities:

If a current UI employee is assigned to the project during the contract period, the newly assigned employee is required to be verified within thirty (30) days if they have not been verified already.

When hiring a new UI employee to work on a federal contract, that new employee must be verified within three (3) business days of beginning work.

It is important to note that individuals who are volunteers may need to go through the E-Verify process even though they are not UI employees. Please contact laura-prince@uiowa.edu with questions.

If you will be collaborating with another entity and subcontracting for services or if you will be purchasing services or paying for construction from an outside vendor in connection with a covered federal contract, include the words “FAR Employment Eligibility Verification clause #52.222-54 applies to this purchase order” in the Vendor Comments box of the PReq. This will help to provide the required notice to subcontractors and vendors that they must also comply with e-Verify for subcontracts and procurements over $3,000.

Contacts:

For more information or questions on the E-Verify process: Contact Payroll Services Office, 319-335-2381 or Faculty & Staff Immigration Services, 319-383-4481 or 319-335-1167.

For more information, questions, or concerns on the E-Verify clause in federal contracts: Contact the Division of Sponsored Programs, 319-335-2123, or dsp-contracts@uiowa.edu.
CHAPTER 14

I-9 LOCATIONS FOR E-VERIFY – HOW TO REQUEST A LOCATION

When a Department obtains a new Federal contract and is required to E-Verify those employees who will be working on the contract they must first check to make sure that the “E” location has been set up for where the employees will have E-Verify assigned. Below is an example of locations including several “E” locations. If the Department attempts to do a new I-9 using E-Verify and they don’t use an “E” designated location, E-Verify will not be performed. The Department will need to provide an eleven number location with description to Laura. Once the location and description have been given Laura works with Information Management within UI Human Resources to have the new “E” located added. The following business day the location should be available in the drop down for the Department to then begin using.

Back to top