



RIGHT TO WORK AND I-9 DOCUMENTATION

The Immigration and Naturalization Service has the authority to determine the right of individuals to work in the United States and has created a form and process to monitor employment. The I-9 form is required by the Immigration and Naturalization Service to verify a person's identity and eligibility for employment. Employers must keep the I-9 on file for a minimum of three years from the date of hire or one year after the employee leaves the company, whichever occurs later.

Educators and School-to-Career staff should prepare students to demonstrate their right to work by ensuring that students have the proper identification and know how to complete the I-9 form. For students who are U.S. citizens, a social security card and either a driver's license or state ID constitute proper identification. All students placed in paid experiences will need to comply with this regulation as a condition of hire.

Responsibility

All U.S. employers are responsible for verifying each new employee's right to work and completing and retaining Form I-9 for each individual they hire. This includes citizens and non-citizens. The employer must verify the employment eligibility by viewing specific documents presented by the employee and recording the information on the Form I-9. Acceptable documents are listed on the back of the form.

Filing

No filing with the Immigration and Naturalization Service is required. The employer must keep the form either for three years after the date of hire or for one year after employment is terminated, whichever is later. The form must be available for inspection by authorized U.S. Government officials.

Regulatory Authority

I-9 documentation falls under the authority of the U.S. Immigration and Naturalization Service

For more information download:

INS Handbook for Employers (Form M-274)

<http://www.ins.usdoj.gov/graphics/lawsregs/handbook/hnmanual.htm>