



## Human Resources Policies and Procedures

Policy Title: <b>Immigration Law Compliance</b>	Policy Number: 3.4
Effective: October 30, 2005	
Supersedes: 1988 Rules and Regulations #37, p.46	
Approval:	Page 1 of 2

### 1.0 Scope

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Full time          | <input checked="" type="checkbox"/> Salaried     |
| <input checked="" type="checkbox"/> Part time          | <input checked="" type="checkbox"/> Union        |
| <input checked="" type="checkbox"/> Temporary/Contract | <input type="checkbox"/> Independent Contractors |

*Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts if this policy conflicts with the language in the contract.*

### 2.0 Purpose

To outline the steps necessary to comply with Federal law regarding the pre-employment verification of eligibility to work in the United States.

### 3.0 Policy

The Immigration Reform and Control Act of 1986 requires employers, by completion of an I-9 form, to verify that each person hired is authorized to work in the United States. The law affects employees hired since November 7, 1986. It is the City's responsibility to ensure that the identity and the employment eligibility of all persons employed by the City have been reviewed and that they are eligible for employment.

### 4.0 Responsibility

The hiring manager is responsible for informing all employees they will not be permitted to work or be placed on payroll until an I-9 form has been completed by close of business on first day of employment. A Human Resources Services or other designated representative will be responsible for reviewing the documentation to make sure it reasonably appears to be genuine and the I-9 form is completely accurate.

#### DISCLAIMER

The information contained in this Human Resources Policies and Procedures Manual supersedes all previous Human Resources rules, policies and administrative regulations. The manual is not legally binding and does not create a contract of employment, either express or implied. The City retains the right to modify, suspend, interpret or cancel any provision at any time, at the City's complete and sole discretion without prior notice.

## 5.0 Procedures

- 5.1 The City requires all new hires to complete an I-9 form on or before the first day of employment. Timely completion of an I-9 form is a condition of employment. Non-resident aliens are required to maintain a valid work authorization and provide updates in a timely manner. Failure to comply with these procedures will result in immediate discharge.
- 5.2 The hiring manager should instruct new employees to bring proper documentation when they report to complete the I-9 form. A list of approved documentation is detailed on the back of the I-9 form. Upon completion of all sections of the I-9 form, Human Resource Services will retain the form in a file separate from the employee's personnel file.
- 5.3 No employee will be permitted to work or receive a City paycheck unless a current, valid I-9 form has been completed by a representative of Human Resources Services or other designated representative.
- 5.4 If a US citizen is rehired at the City within one year, the I-9 form remains valid. If it has been over one year since one was separated from the City, a new I-9 form must be completed for the former employee.
- 5.5 Non-resident aliens must complete an I-9 form every time the non-resident alien is re-employed at the City, since the visa may have expired or the type of visa may have changed.
- 5.6 Employees hired prior to November 1986 were not required to complete an I-9 form. However, if such an employee separates and returns to the City, as a new hire, including retirees, who return either through temporary employment or a post-retirement assignment, an I-9 form must be completed for the employee.
- 5.7 An employee who provides false documentation will be subject to immediate discharge.

**DISCLAIMER**

The information contained in this Human Resources Policies and Procedures Manual supersedes all previous Human Resources rules, policies and administrative regulations. The manual is not legally binding and does not create a contract of employment, either express or implied. The City retains the right to modify, suspend, interpret or cancel any provision at any time, at the City's complete and sole discretion without prior notice.