

MISSOURI SOUTHERN STATE UNIVERSITY POLICY

Policy #:		Effective:	July 2017*	Category:	All University Employee Policies
Name:	IMMIGRATION REFORM AND CONTROL ACT (IRCA)				

1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

2.0 SCOPE

University Employee Policy

3.0 POLICY

The Immigration Reform and Control Act (IRCA) was implemented November 9, 1986 and made employers responsible for verifying the employment eligibility and identity of any employee hired to work in the United States. Potential employees who are not current citizens or lawful permanent residents may need to apply for Employment Authorization to establish eligibility to work in the United States. University departments responsible for hiring will need to work in coordination with the Human Resources office to ensure compliance. As a result of this law, Missouri Southern is required to verify both the identity and employment eligibility of all regular, temporary employees, and student employees hired after November 6, 1986, and complete and retain a one-page form (INS Form I-9) documenting this verification. Failure to comply with these requirements may result in both civil and criminal liability with the imposition of substantial fines. Most importantly, failure to verify a new employee's identity and employment eligibility may result in the termination of employment for that employee.

Based on the requirements of the Immigration and Reform and Control Act of 1986, all new employees of Missouri Southern must complete a Form I-9 within their first three days of employment. Employees who do not complete a Form I-9 within their first three days of work will not be able to continue working at the University until a Form I-9 has been completed.

HR will obtain the completed I-9 during the on-boarding process while adhering to the three-day rule noted above. New employees will complete Section 1 of the Form I-9 electronically when completing on-boarding forms through the applicant tracking system. If not using the electronic system, HR will obtain the completed form in person with the new employee.

HR utilizes the E-verify system to verify employment eligibility. Use of E-verify requires a social security number be documented in Section 1 of the Form I-9. Additionally, documents establishing identity and employment eligibility are copied and stored with the Form I-9.

Rehires are required to complete a new Form I-9 if the original form was completed over three years ago and had previously been destroyed. New calendar year tax forms will need to be completed if more than a year has elapsed since previous employment.

Non-citizen employees may be required to provide updated employment eligibility documents upon expiration of originally provided eligibility documents. HR will monitor those cases and will notify affected employees when necessary.

If the University learns that an employee whose documentation for the I-9 form appeared to be in order but is not actually authorized to work in the United States, the employee will be contacted and provided with the opportunity to present appropriate I-9 form documentation proving eligibility to work. If unable to present the appropriate documents, employment will be immediately severed.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

5.0 RELATED DOCUMENTS