

E-Verify Program Frequently Asked Questions:

I thought we had three days to do the I9 process, now you are telling me that I must have it completed on the first day of work. Why?

In order to ensure UNCG is in compliance with federal and state law, it is necessary that we begin the process of completing the I9 form and the E-Verify process on the first day a new employee reports to work. That gives HRS time to catch any persons who do not comply before the three day time limit is reached. You can imagine what would happen if HRS waited until the third day to do any follow up phone calls to get new employees to HRS to fill out the required forms. Unfortunately, after the third day has expired and the forms are not completed, it is too late and the new employee must be terminated according to the statute and the Memorandum of Understanding that UNCG signed and is legally binding.

Can you tell me the penalties for noncompliance with the new three day rule? What penalties will be assessed against a department that may be employing someone who didn't complete the I9 or E-Verify process in the required three days?

Penalties include:

Monetary fines if the I9 is not completed in a timely manner. The last I heard was \$155.00 per day the I9 is late. If the person is more than three work days late in completing the I9, he/she will be terminated.

Monetary fines from DHS for not completing the E-Verify process in a timely manner are between \$500 and \$1500 per incident. As in the I9 process, if a person has not been entered into the E-Verify program within three days of beginning work or does not clear up negative feedback from either SSA or DHS within eight federal work days will be terminated from UNCG.

What about graduate assistants? Should they report to HRS before starting their work in January?

Graduate Assistants are handled by the Student Employment Office; Chad Collins is in charge of the I9/E-Verify programs for Student Employment. New Grad Assistants should report to Student Employment Office to complete the I9 and E-Verify processes.

Can the I9, E-Verify clearance be done BEFORE a new employee is hired, perhaps even before we interview someone. If they are not eligible, then we went through a process - and let go other candidates - that has to be done over.

Federal law specifically prohibits doing an I9 or entering information in the E-Verify program for an applicant. You may only do the I9 and subsequently the E-Verify program after the person is formally offered and accepts the position. These two programs must be done sequentially. You must complete the I9 first and then the E-Verify process.

If a faculty member is rehired for the next semester, do they have to go through E-VERIFY?

If a former employee has filled out an I9 previously and has not been off payroll for more than one year, they do not have to do a new I9 or be processed in the E-Verify program. Only new employees or those who have left employment with UNCG and have been gone more than one year must do a new I9 and the E-Verify process.

What about retirees? Do we have to do an I9 and E-VERIFY process on them?

Retirees who previously have filled out an I9 with UNCG and have been gone less than one year do not have to complete a new I9 or the E-Verify process. Retirees who were “grandfathered” in prior to the inception of the I9 program and do not have an I9 on file would have to do an I9 and be processed in the E-Verify program upon their return to employment with UNCG.

What about employees (faculty or staff) who work and live outside of Greensboro and will conceptually never come to campus to work?

New employees who work in “remote” locations and may never come to campus while working for UNCG will be responsible on their first day of work to sign the I9 form in front of a notary public and fax the completed I9 and notarized statement to HRS. (The I9 form is available on the UNCG HRS web site or HRS can fax or email a copy to the new employee.)

The new employee must immediately send the original I9 to HRS via US Mail. All costs incurred in this process will be the responsibility of the new employee.

HRS will obtain the social security number and complete the E-Verify process. If there is any negative feedback from either the SSA or DHS, the employee will be contacted by HRS and will need to get it resolved within 8 federal workdays or risk being terminated from UNCG. Failure to complete these steps will result in termination of employment with the University after three work days.

Is E-Verify required of all new employees, including those hired under a Dual Employment form (these individuals who are State employees from another institution).

Any new employee who will be paid for their services has to complete an I9 form and information submitted to the E-Verify Program system.

E-VERIFY is not required for the following employment situations:

- a. Seasonal employees who have worked for UNCG in the past and already completed the I9 process unless there is a break in service of over one year, then a new I9 and E-Verify must be completed.*
- b. Faculty and staff who have been reappointed and completed the I9 process as part of an earlier appointment. This applies to both non-tenure track (part- and full-time) and probationary tenure-track reappointments unless there is a break in service of over one year, then a new I9 and E-Verify must be completed.*
- c. Phased Retirees who give up tenure and then return to a new term appointment unless there is a break in service of one year or longer.*
- d. "Special Appointments" such as one-month appointments which are sometimes offered in advance of a new hire's ongoing appointment. They must go through E-Verify when they begin their new ongoing appointment.*

What if the first day of work is a weekend?

If a new employee begins work on a weekend, you start counting the days from the first work day following the day the person started to work.

If someone orientated in another county but reported to work at a later date with UNCG, when should the I9 be done?

You begin counting from the first day the person reports to work, regardless of where he/she reported to work.

Are Student Employees going to be given the verification form to turn in to their supervisors?

Student employees will continue to be given a slip of paper that indicates they have completed their I9 form. This serves as notice that they have also completed the E-Verify process.

Will the employees automatically be given this form because I have received some inter-office mail.

Generally the employee will be given the "Employment Authorized" form when they come to HRS to do their I9 and E-Verify processes. If the E-Verify process cannot be completed at that time, the employee will be given a slip of paper that indicates they have completed their I9 form and are in "queue" to have the E-Verify process completed when their first official day of work comes up. After the E-Verify process is completed, the form will be sent via confidential mail to the HR Liaison.

Are pending cases allowed to continue working?

Yes, the E-Verify regulations require the employer to allow the employee to continue working until the E-Verify process is totally completed with either an authorization of a final

How are scholars handled?

Anyone who gets a paycheck from UNCG, must do an I9 and be processed in the E-Verify system.

Who would be fined?

The University as the employer would be fined, but the fine will be assessed against the departmental budget of the department where the violation occurred.

What if the applicant has been offered employment but a Letter of Offer has not been extended yet?

As long as a departmental representative will vouch that the person has been given a formal offer of hire and accepted, HRS will process the person through the I9 and E-Verify programs.

Can a Temporary employee come to HR to fill out their I9 before their start date if the EAF has not been done?

Yes they can. HRS may call the department to verify the person has actually been offered a position.

When you say a person cannot be off the payroll more than one year if you do not want them to do a new I9 and go through the E-Verify program, please define a year.

The person cannot be off payroll longer than 12 months from the day he/she leaves the university until the day he/she is put back on payroll. Twelve months and one day would require a new I9 and going through E-Verify.

If a Tentative Non-Confirmation comes back on an employee who is notified, what will be done?

The employee is notified as he/she has to make some decisions in writing regarding how to proceed with an appeal. The departmental representative will be notified, however they must continue to let the person work until the tentative non-confirmation is resolved.

If an employee moves from Student to Temporary to Staff, do they need to redo their I9?

If a student moves from student payroll to either temporary or regular payroll, the student is now an employee and must do a new I9 and go through E-Verify.

In regard to the 8 Federal Workdays, does the department keep up with that or will HRS keep up with it?

The E-Verify system keeps up with the eight workday timeline and will notify HRS when the eight days have expired and HRS will in turn notify the department to terminate the employee if nothing has been resolved.

Do Temporary Employees need a letter of hire now to bring to HRS?

No, but HRS may contact the departmental representative to make sure the person has a job offer before we will process their I9 and E-Verify.

If the employee is not in the system, does the department have to send something with them when they come to HRS to fill out their paperwork?

A department can either send something with the employee to verify the person has been offered a job, or HRS will contact the department to verify the formal job acceptance before we can process the person through I9 and E-Verify.

How are employees handled that work at UNCG but are hired by another university?

The other university is responsible to do the I9 and E-Verify process, however they may ask UNCG HRS to assist in that effort and we will be happy to help them out.

Can camp employees fill out their I9's at other universities?

Yes, UNCG has asked other universities to assist us in the past with doing the I9 form on employees who work off site and will continue to do that when feasible.