



# **Catholic Diocese of Dallas (I-9) Compliance Booklet**

## **What is an I-9?**

It is an immigration and U.S. citizenship form. It is the legal document that verifies that an employee is eligible to work in the United States.

## **What is the purpose of this form?**

To document that each new employee (both citizen and non-citizen) hired after November 6, 1986 is authorized to work in the United States.

## **When should the I-9 form be used?**

All employees, citizens and noncitizens, hired after November 6, 1986 and working in the United States must complete an I-9 form.

## **Who does not need an I-9?**

Independent contractors, temps, employees hired before November 6, 1986 and former employees that were terminated more than one year ago only if the hire date was more than 3 years ago. Before an individual is hired as an independent contractor, they must provide proof of their eligibility to work in the United States. We must not hire anyone (a temp, independent contractor, etc.) when we willingly know that they are not legally eligible to work in the United States.

## **Where should I-9s be kept?**

All employee I-9s should be kept in a I-9 file or folder that is separate from the employee personnel files. All original I-9 forms for Deacons and Priest should be sent to the Human Resources Department at the Pastoral Center.

## **Which version of the I-9 form should be used?**

The 2/2/2009 version of the I-9 form is the most up-to-date version of the form. It is the form that should be used for new hires until notified otherwise.

## **Why is I-9 compliance important?**

If audited by ICE (U.S. Immigration and Customs Enforcement), you can face criminal penalties and civil fines as an employer and as an individual.

## Filling Out the I-9 Form:

### Section 1:

- Employee (not employer) complete each field, signs and dates
- Deadline: first day of employment
- Preparer/Translator field should only be filled out if there was a translator used for the employee to better understand the form
- SSN in this section is optional
- Employees tend to overlook the date of birth, citizenship status, signature and signature date in this section. Please do not let this happen, as the form is seen as incomplete without these.

### Section 2:

- Employer (not employee) completes each field, signs and dates
- Deadline: third day of employment  
(If the documentation cannot be provided after the third day of employment, the employee cannot work until the documents are presented. If the documents are not able to be presented at all, this will have to result in termination of the employee).
- Employer must inspect the ORIGINAL employee documents for the information that is to be put on the I-9 form
- Employer cannot specify which documents the employee is to use from the approved list. You may show the employee the approved list that accompanies the I-9 form.
- The entity location and address should be put in the employer location and address section
- Make sure to either fill out column A by itself or column B and C together. Any other sequence will void the form.
- Please note that new social security cards have the surname on a second line and an issue date down on the bottom right hand corner under the signature date

### Section 3:

- Used by the Employer (not the employee) when updating and/or reverifying expired authorization forms (not for correcting errors during an audit).
- Fill out block A in this section if the employee's name has changed at the time you are doing the updating and/or reverifying in this section
- An expired driver license or passport does not need to be reverified
- May be used for rehires if the form is complete and current and the rehire takes place within three years of the previous termination date

## What do acceptable employee documents include?

Employee must present original and unexpired documents. The documents must be facially valid when including a photo. The documents must reasonably appear to be valid and relate to the employee.

Receipts for replacement documents (not renewal applications) are valid for 90 days while Employment Authorization documentation renewal/extension receipts are valid for 240 days. If the documentation cannot be provided after the validity dates of the receipts expire, the employee cannot work until the documents are presented. If the documents are not able to be presented at all, this will have to result in termination of the employee.

The Diocese's policy recommendation is to **NOT** make or retain copies of the eligible documents.

### I-9 Retention:

I-9s should be kept for all current employees that were hired after November 6, 1986. I-9s for terminated employees should be kept one year from the termination date or three years from the hire date, whichever is later.

### To Conduct an I-9 Self Audit:

- Start with a current payroll list
- Separate I-9s forms into current and terminated
- Note termination date in upper right hand corner of those terminated
- Apply document retention guidelines to the terminated I-9s
- Review I-9s to be sure that all applicable fields are completed
- **\*Do NOT backdate any document**
- Redline any errors and initial and date any changes
- Complete a new I-9 and attach it to the old I-9 if verification errors require examining the employee's documents or the work authorization has expired and the I-9 on file is not the 2/2/2009 version.