



Human Resource Services

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TO: HR Liaisons and Business
FROM: Dr. Gena Jones, Assistant Vice President, HRS
ACTION REQUIRED: HR Liaisons to forward to all departments within the College/Division
CC: HRSHelp, TeamHRS
RE: Effective March 1, 2020: Electronic I-9 and E-Verify Compliance
DATE: February 27, 2020

We are looking forward to a successful implementation of the electronic I-9 system and complete compliance. Effective **March 1, 2020**, the New Mexico State University System will become an E-Verify employer. To ensure compliance, an electronic Form I-9 management system will be implemented. The system is web-based providing 24/7 access for new and rehired employees to complete the Form I-9 and initiate a case in E-Verify. This is a significant and important endeavor for the university, thank you in advance for your leadership and support in the achievement of this effort.

E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States. E-Verify employers verify the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form I-9, Employment Eligibility Verification, against records available to the Social Security Administration (SSA) and the Department of Homeland Security (DHS).

Benefits to the University System

- Ability to hire STEM OPT students
- Assists in providing a positive on-boarding experience for our newly hired employees
- Improves the accuracy of wage and tax reporting
- Helps U.S. employers maintain a legal workforce
- Assists in prevention of fraud and identity theft

The New Process

- All NMSU locations will use the web-based I-9 system to enter electronic I-9's and to ensure employment eligibility for new hires (**E-Verify**). Paper I-9 forms will no longer be used.
- All new or rehired employees completing new hire paperwork after March 1, 2020, must complete the Form I-9 electronically.

Continued Deadlines for I-9 Completion

- Each newly hired employee should complete and sign Section 1 no later than the **first day of employment**, regardless of his or her immigration status.
- The department must complete Section 2 by physically examining evidence of identity and employment authorization within **three business days of the employee's first day of employment**.
- HR Liaisons have been strongly encouraged to exam the hiring processes in their departments to ensure compliance.

Roles and Responsibilities

HR Liaisons will serve as the unit/college liaison with HRS in the successful implementation, communication, establishment, and promotion of the deployment and administration of the electronic I-9 system. Training and communication for HR Liaisons on proper completion of the Form I-9 have been extensive over the past two years. Given the importance and severity of the fines associated with non-compliance, completion of **I-9 form training is mandatory** before receiving access to the electronic system or posting of a new position for recruitment.

Late Hiring Action Impact

Non-compliance with the federal requirements subjects the University to high fines. Departments are encouraged to start new employees on the **1st and 16th** of each month to ensure successful execution of the hiring process, including the timely completion of the I-9 form.

Consequences for Non-compliance

- Denied access to the hiring system.
- Department required additional training completed before new positions are approved for posting and department monitored for compliance.
- Discontinue preparation of manual checks for new hires for departments out of compliance.
- Disciplinary action appropriately administered in the department.

Document Retention Policy

- NMSU has updated the document retention policy for the form I-9 to only retaining and storing electronically those documents that are required by E-Verify.
- E-Verify photo matching will prompt the E-Verify user to compare the employee's photo document with a photo displayed during creation of the E-Verify case. This helps ensure that the document the employee provided matches records available to DHS.
- The four List A documents that will trigger photo matching are the U.S. passport, passport card, Permanent Resident Card (Form I-551) and Employment Authorization Document (Form I-766). When the employee presents one of these documents, employers must copy the front and back of the document (or in the case of a U.S. passport, copy the Passport ID page and the Passport Barcode page) and retain the copies with Form I-9. If the employee's Form I-9 information matches records available to DHS, E-Verify displays the employee's photo from the document presented.
- If scanned and saved to the NMSU computer, the electronic copy of the required document must immediately be discarded following successful upload and attachment to the form I-9.

New Hire Access to Section 1

- The updated offer letters must be used following March 1, 2020
 - The letter will provide the information required of the employee to access the electronic system.
 - The specific location of the position where the employee will be working
 - The start date in which the employee will begin working for pay

Gaining Departmental Access to the Electronic I-9 System

- All access must be requested through the **Electronic I-9/E-Verify System Access Form**.
 - A NON-Disclosure Statement must be attached to the Access Form
- Human Resources will approve and process the access to the system after it is submitted.

- All new authorized users will be required to attend an Electronic I-9 Implementation and E-Verify Compliance training session.

Resources

- [HRS I-9/E-Verify Website](#)
- [FAQs](#)
- [Access Form](#)

Thank you for your work in this endeavor. Although like other new changes, there may be some bumps in the road. Please be patient, we will work together to smooth out issues as soon as possible.

If you have any questions, please email hrhelp@nmsu.edu or call at 575-646-8000.