

PROCEDURE 203-4

VERIFICATION OF IDENTITY AND ELIGIBILITY TO WORK IN THE UNITED STATES

Effective 05-01-2021, Resolution No. 014-21

All employees must be eligible to work in the United States. In accordance with federal law, all new employees, including those previously employed by the County, are required to complete Form I-9 on or before their first day of employment and to submit documentation to verify their identity and eligibility to work in the United States within three (3) business days after their first day of employment. Employees working under a temporary employment authorization are required to submit proof of current eligibility to work in the United States before their temporary employment authorization expires.

Human Resources Responsibility

The Department of Human Resources is responsible for I-9 compliance, for monitoring the eligibility status of employees working under a temporary employment authorization, and ensuring that verification of continued employment eligibility for such employees is provided within the required time frames. The Department of Human Resources may implement practices to ensure compliance with federal immigration laws. The Department of Human Resources will maintain I-9 forms and copies of the supporting documentation unless it has authorized a department/agency/office to maintain the forms and documentation for its employees.

Department/Agency/Office Responsibility

Departments/agencies/offices may not allow any employee to work who has not completed a required I-9 form and provided the required documentation within the required time frame or whose work authorization has expired. Departments/agencies/offices must notify the Department of Human Resources if they learn that an employee's eligibility status is in question or has expired. Departments/agencies/offices must comply with practices implemented by the Department of Human Resources to ensure compliance with federal immigration laws.

Separation from Employment

Employees who fail to complete a required Form I-9 or submit required documentation within the required time frame, and employees whose work authorization has expired, are ineligible for employment and, as required by federal law, will be separated from employment upon expiration of the deadline. Absent extraordinary circumstances and approval of the Department of Human Resources, such employees will not be allowed to take paid or unpaid leave pending receipt of required documentation. Such employees will be eligible for rehire with the required documentation, but are not entitled to rehire or to the same position. Employees working under temporary authorization are encouraged to seek updated authorization as soon as possible to avoid separation. Employees separated under this procedure are ineligible to have their separation reviewed under the Dispute Resolution Policy.