

LEGAL STATUS REQUIREMENT

Within three business days of hire, the Chief Human Resources Officer shall physically examine the documentation presented by the employee establishing his/her identity and employment authorization as set forth in U.S. Citizenship and Immigration Services Form I-9. The employee may present either an original document which establishes both employment authorization and identity or two separate original documents which establish authorization and identity. Only unexpired documents are acceptable. [8 CFR 274a.2]

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 – Reasonable Accommodation)

The Chief Human Resources Officer shall: [8 CFR 274a.2]

1. Ensure that the documents presented appear to be genuine and relate to the individual
2. Complete the “Employer Review Verification” section and sign the attestation with a handwritten signature or electronic signature on Form I-9.

Persons employed for three business days or less must provide such documentation on their first day. [8 CFR 274a.2]

If unable to provide satisfactory documentation because the document was lost, stolen, or damaged, the employee shall furnish a receipt indicating that a replacement document has been requested. This receipt must be presented within three business days of the hire, and the replacement document must be provided within 90 days of the hire. [8 CFR 274a.2]

If an individual’s employment authorization expires, the Chief Human Resources Officer must re-verify Form I-9, by noting the document’s identification number and expiration date on the form, no later than the date the work authorization expires. The employee shall present a document that shows either continuing employment authorization or new grant of work authorization. [8 CFR 274a.2]

The Monterey County Office of Education shall retain an individual’s Form I-9 for three years after the date of the hire or for one year after the date his/her employment is terminated, whichever is later [8 CFR 274a.2]

(cf. 3580 – District Records)

The Chief Human Resources Officer shall copy documents presented by an individual for verification and shall retain them with the individual's Form I-9. The documents shall be kept confidential and used only as needed to help justify the County Office's decision to accept the documents as valid.

(cf. 4112.6/4312.6/4312.6 Personnel Files)