

## **I. Purpose:**

This document provides information to all WIOA service providers and includes instruction on how to verify that participants are eligible and authorized to work in the United States and are eligible to participate in registered WIOA services.

## **II. Background:**

The 1-9 Form is a United States Citizenship and Immigration Services document used by employers to verify employee's identities and establish that workers are eligible to accept employment in the United States. It is officially known as the Employment Eligibility Verification Form. Employers are legally required to have employees complete the 1-9 Form, including providing required original supporting documents to establish the identity and eligibility of any individual to perform work for an employer in the United States. Citizenship is not required for WIOA eligibility. Applicants may present documentation of either citizen status or legal right to work in the United States. Individuals meeting the requirements set forth in **TEGL 02-14** (Eligibility of Deferred Action for Childhood Arrivals [DACA]), along with participants for Title I and Wagner-Peyser Act programs, are granted relief under the DACA Initiative with employment authorization documents. In addition, **WIOA Section 188(a)(5)** specifies that participation in WIOA is available to citizens and nationals of the U.S., lawfully admitted permanent resident aliens, refugees, asylees and parolees, and other immigrants authorized by Attorney General to work in the United States. Individuals with employment authorization qualify as "immigrants authorized by the Attorney General to work in the United States." Therefore, workforce participants with employment authorization may access any WIOA services for which they otherwise would qualify.

**Note:** Before providing employment services to individuals, AJC staff must verify if the individual is authorized to work in the United States. This includes citizens and noncitizens. Both employees and employers (or authorized representatives of the employer) must complete the form. On the form, an employee must attest to his or her employment authorization. Please ask the individual to fill in the 1-9 Form, complete with date and signature, or go online to find the form at <https://www.uscis.gov/i-9>.

## **III. Instructions:**

The 1-9 Immigration and Naturalization Form is used when determining Identity and Authorization to Work. WIOA service providers also use this form to determine eligibility for Adult, Dislocated Worker and Youth programs. To ensure compliance with **TEGL 02-14**, WIOA title I staff must ask WIOA participants to self-attest as to their citizenship status prior to receiving individualized career or training services. Staff must make a copy of the documents used to verify employment eligibility and upload the information into the participant's Virtual One-Stop file for monitoring and audit purposes. In alignment with **WIOA Section 188**, the individual may identify as any of the following:

- Citizen of the U.S.
- Lawfully admitted permanent resident alien
- Refugee, asylee, or parolee
- Other immigrants authorized by the Attorney General to work in the U.S.
- None of the above

If any individual responds that he/she is a DACA recipient, then AJCs must ask if they are authorized to work in the US.

- DACA recipient with authorization to work are eligible for all WIOA Title I services. Training services include: On-the-Job training, short term skills upgrade, transitional training services, Work based training, entrepreneur training, apprenticeship, and incumbent worker training.
- DACA recipient who are not authorized to work are eligible for basic career services. Basic career services include: eligibility determination, outreach and intake, assessment, LMI services, local performance information, information on support services, information regarding UI benefits, assistance in establishing eligibility for education and financial assistance.

WIOA title I staff may ask the individual to fill in the Employment Eligibility Verification 1-9 Form. This document will establish both the identity and employment authorization of the individual. Self-attestation is acceptable as long as the individual self-attests his or her employment authorization on the 1-9 Form.

Documentation needed to verify Employment Authorizations includes:

- A U.S. passport or U.S. Passport Card
- A Permanent Resident Card or Alien Registration Receipt Card (1-551 Form)
- Foreign passport that contains a temporary 1-551 stamp or temporary 1-551 printed notation on a machine-readable immigrant visa
- Employment Authorization Document that contains a photograph (1-766 Form)

U.S. Citizenship and Immigration Services, through the Department of Homeland Security, issued the attached notice to provide the most recently amended 1-9 Form for "Employment Eligibility Verification." This updated 1-9 Form contains a list of acceptable identity and employment authorization documents that reflect current regulations. As of January 23, 2017, the amended 1-9 Form is the only valid version used for identity and employment verification for employment purposes (see attachment). To ensure that WIOA program participants referred for employment purposes have valid identification, it is important that AJCs use the updated list "A" documents.

**Federal Register and Additional Guidance:**

Each AJC should use the instructions and information on this subject and the additional information provided online on February 3, 2017 at: <https://www.uscis.gov/i-9>.

Please read the instructions carefully and pass them to staff directly dealing with participants who need to be informed that they must have legal documents for employment. For the most current guidance, see "Guidance for Employers Conducting Internal Employment Eligibility Verification Form I-9 Audits" (As of February 3, 2017 this document was available at: <http://www.justice.gov/crt/file/798276/download>

**AUTHORIZED BY:**



9/12/18

Michele Holt, Director, Workforce Development

Date

**APPROVED BY:**



9-12-18

Tony Cates, Chair, Workforce Development Board

Date

*Verifying Identity and Employment Eligibility; Effective 3.14.18, Revised 9.12.18*



**Employment Eligibility Verification**  
**Department of Homeland Security**  
 U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-9**  
 OMB No. 1615-0047  
 Expires 08/31/2019

▶ **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Attestation** *(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number □□□□ - □□ - □□□□		Employee's E-mail Address		Employee's Telephone Number	

**I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.**

**I attest, under penalty of perjury, that I am (check one of the following boxes):**

<input type="checkbox"/> 1. A citizen of the United States	
<input type="checkbox"/> 2. A noncitizen national of the United States <i>(See instructions)</i>	
<input type="checkbox"/> 3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____	
<input type="checkbox"/> 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i>	
<p><i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9: An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i></p> <p>1. Alien Registration Number/USCIS Number: _____  <b>OR</b>          2. Form I-94 Admission Number: _____  <b>OR</b>          3. Foreign Passport Number: _____          Country of Issuance: _____</p>	
QR Code - Section 1 Do Not Write In This Space	

Signature of Employee	Today's Date (mm/dd/yyyy)
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**Preparer and/or Translator Certification (check one):**  
 I did not use a preparer or translator.     A preparer(s) and/or translator(s) assisted the employee in completing Section 1.  
*(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)*

**I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.**

Signature of Preparer or Translator		Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)		City or Town	State ZIP Code



*Employer Completes Next Page*





**Employment Eligibility Verification**  
**Department of Homeland Security**  
 U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-9**  
 OMB No. 1615-0047  
 Expires 08/31/2019

**Section 2. Employer or Authorized Representative Review and Verification**

*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")*

<b>Employee Info from Section 1</b>	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
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List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title		Document Title		Document Title
Issuing Authority		Issuing Authority		Issuing Authority
Document Number		Document Number		Document Number
Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)
Document Title		Additional Information		QR Code - Sections 2 & 3 Do Not Write In This Space
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				
Document Title				
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				

**Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.**

**The employee's first day of employment (mm/dd/yyyy):** \_\_\_\_\_ **(See instructions for exemptions)**

Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)	Title of Employer or Authorized Representative	
Last Name of Employer or Authorized Representative	First Name of Employer or Authorized Representative		Employer's Business or Organization Name	
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	ZIP Code

**Section 3. Reverification and Rehires** *(To be completed and signed by employer or authorized representative.)*

<b>A. New Name (if applicable)</b>			<b>B. Date of Rehire (if applicable)</b>	
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)	

**C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.**

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
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**I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.**

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Name of Employer or Authorized Representative
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## LISTS OF ACCEPTABLE DOCUMENTS

### All documents must be UNEXPIRED

Employees may present one selection from List A  
or a combination of one selection from List B and one selection from List C.

<b>LIST A</b> <b>Documents that Establish Both Identity and Employment Authorization</b>	OR	<b>LIST B</b> <b>Documents that Establish Identity</b>	AND	<b>LIST C</b> <b>Documents that Establish Employment Authorization</b>
<ol style="list-style-type: none"> <li>1. U.S. Passport or U.S. Passport Card</li> <li>2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</li> <li>3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</li> <li>4. Employment Authorization Document that contains a photograph (Form I-766)</li> <li>5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status:                             <ol style="list-style-type: none"> <li>a. Foreign passport; and</li> <li>b. Form I-94 or Form I-94A that has the following:                                     <ol style="list-style-type: none"> <li>(1) The same name as the passport; and</li> <li>(2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</li> </ol> </li> </ol> </li> <li>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</li> </ol>	OR	<ol style="list-style-type: none"> <li>1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>3. School ID card with a photograph</li> <li>4. Voter's registration card</li> <li>5. U.S. Military card or draft record</li> <li>6. Military dependent's ID card</li> <li>7. U.S. Coast Guard Merchant Mariner Card</li> <li>8. Native American tribal document</li> <li>9. Driver's license issued by a Canadian government authority</li> <li style="text-align: center;"><b>For persons under age 18 who are unable to present a document listed above:</b></li> <li>10. School record or report card</li> <li>11. Clinic, doctor, or hospital record</li> <li>12. Day-care or nursery school record</li> </ol>	AND	<ol style="list-style-type: none"> <li>1. A Social Security Account Number card, unless the card includes one of the following restrictions:                             <ol style="list-style-type: none"> <li>(1) NOT VALID FOR EMPLOYMENT</li> <li>(2) VALID FOR WORK ONLY WITH INS AUTHORIZATION</li> <li>(3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION</li> </ol> </li> <li>2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)</li> <li>3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal</li> <li>4. Native American tribal document</li> <li>5. U.S. Citizen ID Card (Form I-197)</li> <li>6. Identification Card for Use of Resident Citizen in the United States (Form I-179)</li> <li>7. Employment authorization document issued by the Department of Homeland Security</li> </ol>

**Examples of many of these documents appear in Part 13 of the Handbook for Employers (M-274).**

**Refer to the instructions for more information about acceptable receipts.**