

MEMORANDUM

TO: All Personnel Officers


DATE: December 15, 1990

FILE NO:

TELEPHONE NO: 465-4430

THRU:

SUBJECT: Personnel Memorandum 90-3
(Supersedes Personnel
Memorandum 87-1)

FROM: David K. F. Otto 
Director
Division of Personnel
Department of Administration

The Immigration Reform and Control Act of 1986 requires all employers, including the State of Alaska, to verify and document each new employees' identity and authorization to work in the United States. The verification/documentation requirement applies to all new employees hired after May 31, 1987, regardless of position status (permanent/probationary, nonpermanent, emergency hire, part-time, seasonal, etc.), service (classified, partially exempt or exempt), bargaining unit, or duration of employment.

Form I-9, "Employment Eligibility Verification Form," has been designated by the Immigration and Naturalization Service as the form to be used in complying with the Act. On the first day of employment, a new employee must complete Section 1 of Form I-9 and present to the appointing authority original documentation establishing their identity and eligibility for employment in the United States.

The following documents are acceptable to prove both identity and employment eligibility:

1. Native American tribal documents (acceptable are standard identification letters or cards issued by Alaska Native Regional Corporations formed pursuant to the Alaska Native Claims Settlement Act of 1971);
2. United States passport;
3. Certificate of United States Citizenship, INS Form N-560 or N-561;
4. Certificate of Naturalization, INS Form N-550 or N-570;
5. An unexpired foreign passport which:
 - a. contains an unexpired stamp therein which reads, "Processed for I-551. Temporary Evidence of Lawful Admission for permanent

residence. Valid until _____. Employment authorized." or

- b. has attached thereto a Form I-94 bearing the same name as the passport and contains an employment authorization stamp, so long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the Form I-94.
6. Alien Registration Receipt Card, INS Form I-151 or Resident Alien INS Form I-551, provided that it contains a photograph of the bearer;
7. Temporary Resident Card, INS Form I-688;
8. Employment Authorization Card, INS Form I-688A;

The following documents are acceptable to establish identity only:

1. A state-issued driver's license or state-issued identification card containing a photograph. If the driver's license or identification card does not contain a photograph, identifying information should be included such as: name, date of birth, sex, height, color of eyes, and address;
2. School identification card with a photograph;
3. Voter's registration card;
4. United States military card or draft record;
5. Identification card issued by federal, state, or local government agencies or entities;
6. Military dependent's identification card;
7. United States Coast Guard Merchant Mariner Card;
8. Driver's license issued by a Canadian government authority.

The following are acceptable documents to establish employment authorization only:

1. A social security number card other than one which has printed on its face "not valid for employment purposes";
2. An unexpired reentry permit, INS Form I-327;
3. An unexpired Refugee Travel document, INS Form I-571;
4. A Certification of Birth issued by the Department of State, Form FS-545;

5. A Certification of Birth Abroad issued by the Department of State, Form DS-1350;
6. An original or certified copy of a birth certificate issued by a state, county, or municipal authority bearing a seal;
7. An employment authorization document issued by the Immigration and Naturalization Service;
8. United States Citizen Identification Card, INS Form I-197;
9. Identification card of use of resident citizen in the United States, INS Form I-179.

The appointing authority (person doing the hiring) must physically examine the documents presented and then complete Section 2 of Form I-9 within three business days of the hire. If the individual has been hired for a duration of less than three business days, Section 2 must be completed before the end of the employee's first working day.

If an individual is unable to provide the required documents, the individual must present a receipt showing they have applied for the document or documents within three days of the hire and present the required document or documents within 21 days of the hire.

The federal regulations do not require that copies be made of the documents that are presented by the new employee, but we recommend that copies be made. If copies are made, they must be attached to the completed Form I-9.

The original of the completed Form I-9 should be attached to the appointing Personnel Action that is transmitted to the Division of Personnel.

The above documentation/verification requirements apply only to initial employment with the State of Alaska. It is not necessary to reverify employment eligibility for subsequent personnel actions such as transfers between agencies, return from leave of absence or layoff. If a former employee is reemployed by the State of Alaska, a new Form I-9 is not required if, upon review of the original Form I-9, it is determined that the individual is still eligible to work in the United States AND the individual is reemployed within three years of the initial execution of the Form I-9.

Please do not hesitate to contact the Division of Personnel if you have any questions.

DKFO/KR/gyr
14/4/2750093k.kp