

Number 4.4 - VERIFICATION OF ELIGIBILITY FOR EMPLOYMENT

Effective Date: March 1, 1996

Applicable To: All classified employees, as well as temporary, exempt, appointed, and exempt, and applicants for classified service employment with the Executive Branch of the State of Vermont

Issued By: Department of Personnel

Approved By: William H. Sorrell, Secretary of Administration

PURPOSE AND POLICY STATEMENT

All applicants for appointment to the State service shall be authorized to work in the United States. The Federal Immigration Reform and Control Act of 1986 requires individuals to provide, to an employer, proof that they are authorized to work in the United States if hired.

Residence in the State of Vermont shall not be a prerequisite for application or appointment.

GENERAL GUIDELINES

Employment Eligibility Verification, Form I-9 (See Attachment A) was developed for verifying that persons are eligible to work in the United States. Agencies/departments should have a completed Form I-9 on file for everyone hired after November 6, 1986. The law requires the State as an employer to:

- Review document(s) establishing each employee's identity and eligibility to work;
- Properly complete Section 2 of the Form I-9;
- Make the Form I-9 available for inspection to an officer of the Immigration and Naturalization Service (INS), the Department of Labor, or the Office of Special Counsel for Immigration Related Unfair Employment Practices upon request.

To satisfy the employment eligibility verification requirements, agencies/departments cannot request that an employee present more or different documents than are required. They also cannot refuse to honor documents which on their face reasonably appear to be genuine and to relate to the person presenting them.

Section 1 of the form must be completed by the hiring agency/department for new hires when the employee begins work. The hiring agency/department must then review the employee's document(s) and complete Section 2 of the form within three (3) business days of the hire.

Completed forms should be kept in the employee's official personnel file.

Additional copies of Form I-9 may be ordered from the INS at the following address:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

In addition, the INS publishes a brochure, *Handbook for Employers, Instructions for Completing Form I-9*. [Download I-9 Form \(PDF Format\)](#)