



## DELIVERING STRATEGIC SOLUTIONS ACCA'S 2000 ANNUAL MEETING

### THE CATHOLIC UNIVERSITY OF AMERICA

*Office of the General Counsel*

Immigration Compliance at CUA

Employment Eligibility Verification Form I-9

#### C. Use of Receipts in Lieu of Original Documents

In rare circumstances, new hires may not be able to present the required documentation within three business days of hire. Pursuant to an interim rule published on February 9, 1999, at 64 Fed. Reg. 6187, **three types of receipts may be presented to temporarily establish employment eligibility.** The employer should have a system in place to trigger the necessary follow up to make sure the actual documentation is presented in the time frame listed below.

\* **Application for replacement document.** In this instance, the new hire presents a receipt that shows they have applied for a document evidencing eligibility. This situation covers an individual whose original document was lost, stolen or damaged. The receipt must be presented within three business days of hire, and the actual document must be presented within 90 days of the hire date.

\* **Lawful permanent residents.** In this instance, the new hire presents the arrival portion of Form I-94 containing an unexpired "temporary I-551" stamp and a photograph of the individual. This will serve as a **receipt for Form I-551.** The actual Form I-94 must be presented by the expiration date of the temporary stamp or, if the stamp has no date, within one year of the issuance date of the arrival portion of Form I-94.

\* **Refugees.** In this instance, the new hire presents the departure portion of Form I-94, containing an unexpired refugee admission stamp. This will serve as the **receipt for Form I-766, Form I-688B, or a social security account number card that contains no employment restrictions.** The actual documents must be presented within 90 days of hire or, in the case of re-verification, by the date the employment authorization expires. When the document presented is the social security card, note that a document establishing identity is also required.

If the receipt appears to be genuine and to relate to the individual, the employer cannot ask for more or different documents, as this may constitute illegal employment discrimination on the basis of national origin or citizenship status. Note that receipts cannot be used when employment is for less than three days. In that instance, the documentation must be presented on the first day of work.

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