



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

B. Original Documents

The documents presented must be the *original* documents and the CUA employee reviewing the documents must attest, under penalty of perjury, that he or she has verified, by examining *original* documents, that the new employee is not an unauthorized alien. The one current exception to this is that a certified copy of a birth certificate may be used to establish employment eligibility.¹ All new hires should be given a copy of the list of acceptable documents and informed that the *original* document(s) must be presented on the first day of work.

The policy at CUA is to make a copy of all documents presented. These copies should be kept with the I-9 form. Note that, if an employer copies documents, documents for all new employees must be copied, not just for non-citizens, as this would be considered employment discrimination. Therefore, the CUA policy should be uniformly followed for each and every completed employment eligibility verification I-9 form. Making copies of the documents is not a substitute for the employer's obligation to completely fill in the information requested on Section 2 of the I-9 form. However, making copies of the documents may help to demonstrate an employer's good faith effort to comply with the law and facilitate corrective measures in the event the employer is subject to an audit by the Department of Labor or the INS.

1. Once the final regulations and new I-9 form are issued, birth certificates will no longer be acceptable documents. The social security card will then become the most often used document to establish employment eligibility. Copies of the social security card are not acceptable.

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