



March 14, 2018

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To: WIOA Subrecipients of the Orange County
Development Area

From: Brian Rayburn
Interim Director

Subject: Employment Eligibility Verification Form (Form I-9)
Information Notice No. 17-OCDB-17
Supersedes Information Notice 12-OCWDA-14

PURPOSE:

This policy establishes the requirement to use the Employment Eligibility Verification Form (Form I-9) for participants.

This policy supersedes Information Notice 12-OCWDA-14 (Revised Employment Eligibility Verification Form) dated March 21, 2013.

EFFECTIVE DATE:

This notice is effective on the date of issuance.

REFERENCES:

- Section 274A(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(1)(B))
- Revised Form I-9 and the Employer Handbook
- Federal Register: December 17, 2008 (Volume 78, Number 46)

BACKGROUND:

Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States and for participation in WIOA programs. All employers/subrecipients must ensure proper completion of Form I-9 for each individual they enroll or hire for employment in the United States. This includes citizens and noncitizens.

Employers/subrecipients and certain agricultural recruiters and referrers for a fee (referred to collectively as "employers") are required to verify on Employment Eligibility Verification Form (Form I-9) the employment authorization and identity of each individual they hire (or recruit or refer for a fee if applicable), for employment in the United States. The Form I-9 and The Handbook for Employers are available on the USCIS Web site www.uscis.gov.

POLICY AND PROCEDURES:

- Employees/participants and employers/subrecipients (or authorized representatives) must complete the form.
- On the form, an employee/participant must attest to his or her employment authorization.



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- The employee/participant must also present his or her employer/subrecipient with acceptable documents evidencing identity and employment authorization.
- A copy of the acceptable documents evidencing identity and employment authorization must be kept in the employee's/participant's file.
- The employer/subrecipient must examine the employment eligibility and identity document(s) an employee/participant presents to determine whether the document(s) reasonably appear to be genuine and to relate to the employee/participant and record the document information on the Form I-9.
- The list of acceptable documents can be found on the last page of the form.
- Employers/subrecipients must have a completed Form I-9 on file for each participant who is required to complete the form.
- Employers/subrecipients must retain Form I-9 for a designated period and make it available for inspection by authorized government officers.
- The Spanish version of Form I-9 may be filled out by employers and employees in Puerto Rico ONLY. Spanish-speaking employees/participants may print this for their reference, but may only complete the form in English to meet employment eligibility verification requirements.
- A preparer or translator may be used to help employees/participants complete the form (i.e. for people with disabilities or those who are English Language Learners). Follow the appropriate instructions if a preparer or translator was used.
- Employers/subrecipients must utilize the most recent edition of the Form I-9.
- The Form I-9 and related documents can be accessed here: <https://www.uscis.gov/i-9>

ACTION:

Bring this policy and procedure to the attention of all staff.

INQUIRIES:

If you have any questions regarding this policy, please contact your Contract Administrator at 714-480-6500.