I-9 Process Change Clarification

October 7th, 2020
The Process

We will begin utilizing the remote Section 2 in-person verification for all new hires. This process will negate the additional verification once normal operations resume for the new/rehired employees going forward.

Effective 9/28/2020

• In the ‘New hire/Rehire’ ServiceNow ticket – the remote (not BFS Payroll staff) contact information is required.

• Enter the name, email address and relationship to the employee or job title for the person verifying the employee’s documents in Section 2.

• The verifier will receive an email from Tracker with a one-time link to verify the documents.

• The employee will present the original documents in person to the verifier. The verifier will enter in the appropriate information into Tracker and upload an image they take of the original documents to the Tracker profile. Please Note: THIS IS IN PERSON verification, No Virtual I-9 will be accepted. Documents must be the original, unexpired document. No copies, scans or faxes will be accepted.

• BFS will receive the completed record and will review it for approval.
Where is this process coming from?

This process is a recommendation by the UC Office of the President and USCIS to negate the need for someone to have to re-verify within three days of normal operations or the end of the USCIS COVID-19 accommodation (whichever comes first).

- USCIS will be firm on the three day in-person re-verification for all those who completed their initial I-9 via Zoom.
- Currently at 1300 employees for UCSB.
Who can be an in-person remote Section 2 verifier?

Normal business practice is that it needs to be a representative from another college or university near the employee.

Due to the pandemic, we understand that normal practice is not always feasible.

In these circumstances, the qualifications per USCIS are:

- The person must be 18 years of age or older that is NOT related to the employee by blood or marriage.
  - For example: a roommate, trusted friend, trusted co-worker or supervisor, clergy member, or trusted neighbor.

- The person must be able to understand what documents are acceptable for I-9 verification. This is posted on our site and pictures are shown within Tracker (documents must be the original, unexpired document. No copies, scans or faxes allowed).

- The person must have a valid email address.
  - BFS sends them a secure one-time link for the employee’s verification.

- The person must have secure internet access and be able to take a photo of the documents to upload onto the Tracker profile.
  - If using a tablet or smartphone, the picture can be taken within the Tracker app where it does not save the picture to the person’s device.

**THEY MUST BE IN PERSON, NOT ZOOM.** When signing, you are declaring under perjury that you are viewing the documents in person.
Procedure

• When you offer the position, ask the employee for the contact. They choose to verify their document in person.
• Open a ServiceNow ticket no less than two business days PRIOR to the employee’s effective date to ensure compliance.
• BFS will send Section 1 to the employee and a one-time link for Section 2 to the remote verifier.
• Employee will complete Section 1 and meet with their verifier in person.
• The verifier will verify the documents by entering them into Tracker and uploading a photo they take of the documents to the Tracker profile.
• BFS will receive notification that the I-9 was done. BFS will then go in and analyze the verification to ensure that it was done correctly.
  • If it is correct, we will approve the I-9 and it will become complete in Tracker.
  • If it is incorrect, we will deny the I-9, which will cause the I-9 to have to start over completely. The employee and verifier will receive new links to properly complete the I-9. BFS will email the employee, the verifier and the department indicating what was incorrect.
How can this be conveyed to employees?

Meagan Cunningham with Recreation has created a letter for new employees regarding this process. She has graciously offered it to us to share with the campus.

The letter is available on the BFS website at: https://www.bfs.ucsb.edu/payroll/ucpath/resources
Questions Received

Q. Is BFS concerned with implications of possible identity theft increases as a result of this and liability to UCSB, since staff and/or community members are taking pictures of sensitive information such as SSNs, passports, etc.?

A: An employee should only use a trusted person to assist with the verification. If a person uses a smartphone or tablet to take the photo in the Tracker profile, it will not save to the person’s photo library.

Q. The instructions say, "The verifier will receive an email from Tracker with a one-time link to verify the documents". What should the verifier do if they close the link before completing the verification and need to access the Tracker link again?“

A. The person will need to email Veronika Reidel or Shannon Jackson to have the link resent to them.

Q. Once the new hire has completed Section 1, will I be sent a notification so that I may move forward to the Section 2 steps such as submitting a ServiceNow ticket for entering verifier information?“

A. The person doing the verification will not be able to access the Tracker profile until section 1 is completed. It will give them an error. As normal, when the employee gets the section 1 email, it will tell them the generic steps to complete the I-9 along with the link to see the acceptable documents. An example of this email is on our BFS payroll website under ‘resources’. 
Questions Received

Q. Can I, the department, go ahead and do a remote in-person for students who have already done the Zoom verification (that way it's done for when we go back to normal operations)?

A. We appreciate the willingness to help. For those that have done the I-9 previously via Zoom from March 2020-Sept 2020 with BFS, we will only allow these employees to be reverified in person via a paper Section 2. Please contact BFS with the employees you would like to verify, and we will send you the I-9. You will then mail it to BFS.

Q. For people March-Sept pandemic hires (I-9 done via Zoom), how will BFS handle doing in-person document verification? What if they have been terminated during that time? (And what if they've left the country?) In the new process for remote in-person I-9 verifications, does the person have to be a US citizen or permanent resident? For section 3 re-verifications--e.g., people with visas that had an end date but have been extended--can the re-verification be done by a remote person?

A. At this time we do not have specifics to share on how it will work when we return to verify those previously done via Zoom. We have to make every effort to try and get a terminated employee to come back if they have left during that time. USCIS has not specified any citizenship requirements for the verifier. We can send a remote section 3 link for re-verification of documents.
Questions Received

Q. So BFS Payroll Dept. will no longer be conducting Zoom sessions of Section 2 of the I-9 or be available to complete the in-person Section 2 for our new student staff hires?
A. Correct. Due to social distancing requirements, we are not in the office. However, we are available to assist the remote verifier with the process if they have any questions.

Q. If we have career staff working on campus, will our department be responsible for completing Section 2 if the new hire (in our case students) is/are living in IV but will be working remotely?
A. Your department can appoint someone if they would like, but it is not required. This can be done by a person of the employee’s choosing.

Q. Is the department responsible for finding an eligible remote verifier who will understand what documents are acceptable for I-9 verification?
A. The department should ask the employee to provide this information. Our website provides the list of acceptable documents and a video on how to complete the remote Section 2.
Questions Received

Q. Based on the first requirement on who is considered as a remote verifier, it sounds like the new-hire will be responsible for providing the information of the remote verifier. How will our new student staff hires know who is an eligible contact that understands what documents are acceptable for I-9 verification?

A. You need to ask them for it.

Q. What measures are in place to verify the remote verifier is "NOT related to the employee by blood or marriage"?

A. If the names are the same, that exhibits a red flag. Other than that, it is trust based.

Q. How will the hiring department be notified when a new hire has or has not completed Section 2?

A. The process has not changed. Completed I-9’s should show up in ‘Security Clearance’ on UC Path, We still try to send out a courtesy notification. You can also ask BFS.
THANK YOU FOR YOUR TIME