Electronic I-9 FAQs

The Electronic System

Why is NMSU using an electronic system?

- The verification process will be streamlined and makes it more consistent;
- It ensures timely completion and accuracy;
- It is more secure and protects personal information;
- The forms are centrally located electronically;
- It will reduce paper and eliminate the risk of form misplacement;
- It allows for reporting and tracking;
- It decreases manual handling of the forms; and,
- It helps ensure that NMSU continue to follow the law, as penalties are costly.
- Paperwork violations – $216 to $2,156 per Form I-9
- Knowingly hire or continue to employ unauthorized employee – $375 to $16,000 per occur
- Criminal penalties – up to $3,000 and 6 months of prison

What is the impact of utilizing an electronic system on departments?

The process will stay the same, but the format will change on completing the Form I-9. The department will notify the employee upon acceptance of the offer to visit a website to complete Section 1 of the Form I-9. The authorized department user will access the employee's pending record via the electronic system when documents are presented for verification and will complete Section 2.

What is different in an electronic process for completing the Form I-9?

The electronic form is the same as the paper form. The difference is that an employee and an authorized department representative will complete the required information on a computer by visiting a specified computer link/location address.

What internet browser should be used when logging into the electronic I-9 system?

Recommend Chrome Browser

Does the employee need to remember or print the receipt code?

No, that is not needed to complete Section 2. The employee should notify the hiring department once Section 1 has been completed. (Remote hires will need the code to complete section 2 of the I-9)

E-Verify

What is E-Verify?
E-Verify is an internet-based system that compares information from an employee’s Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.

**What is required for the E-Verify inquiry?**

The E-Verify process is initiated automatically in the system with the completion of Section 2 of a Form I-9 on an employee. List A or List B and C supporting document(s) that are used in Section 2 for the verification process must contain a photo to use the E-Verify system. The authorized department representative will be required to close the E-Verify case when a result is finalized.

**Do I need to register on the USCIS website to be able to process E-Verify case?**

No, all E-Verify inquiries will be completed through our vendor, Equifax. They are acting on our behalf as an agent with E-Verify.

**What are the benefits of using E-Verify for New Mexico State University?**

If the university as a whole enrolls in E-Verify, the F-1 STEM OPT students may work in any qualifying STEM departments in the university.

**Hires/Rehires**

**Are offer letters required for all hires?**

Yes, all employee should receive an offer letter. Please visit the HRS Forms page at https://hr.nmsu.edu/forms/ for the most recent versions of the offer letters.

**Do all employees have to be verified using the new electronic system?**

No, only new employees effective March 1, 2020, and current employees that are performing work on a federal contract in which the Federal Acquisition Regulation (FAR) E-Verify clause is included in the contract.

**What will happen if a paper I-9 has already been completed for an individual who has a start date of 3/1/20 or later?**

The paper I-9 will be accepted and processed accordingly during the transition period.

**How do we know if an I-9 is already in the system?**

The user would be prompted by the system to confirm the employee matches an employee already in the system. The department would partner with the Compliance Specialist to determine if there has been a break in service or if another I-9 is needed.
If an employee is rehired after they have been authorized through the electronic system, do they need to complete a new I-9?

**Section 3** of the I-9 can be completed if and only if the following criteria has been met:
- The employee is rehired within three years of completing the electronic I-9.
- The previous I-9 generated an “Employment Authorized” status in E-Verify.
- The employment authorization documents have not expired.
- The form of the original I-9 has not been updated or revised.

**Users**

**Who can access the new electronic I-9/E-Verify system?**

An authorized user will be provided access to the electronic system. To be authorized, you must complete the training.

**How do I request access for an authorized department user for the electronic I-9/E-Verify system?**

All access must be requested through an **Electronic I-9/E-Verify System Access Form**. Human Resources will approve and process the access to the system after it is submitted.

**What are the System User Roles and system capability of my role?**

A chart that shows System User Roles is available online. See **User Role Chart**.

**As a user of the new electronic system, will I be able to see all locations (departments) across NMSU?**

You will only be able to see the locations (departments) as assigned in your division. If you need to see a certain location (department), please complete the **Electronic I-9/E-Verify System Access Form** for access.

**As a department user, where can I access the link for completing Section 2?**

A link will be established in Banner Self-Service on the Employees tab labeled Electronic I-9 System.

**Form I-9 Completion**

**What is a Form I-9?**

A form that is required for any employee hired after November 6, 1986. It allows for the verification of identity and employment authorization of individuals hired for paid employment in the United States.
When can the employee complete Section 1 of the Form I-9?

An employee can complete Section 1 as soon as an offer of employment is accepted. The employee must complete Section 1 on or before the first day of employment.

Will the department be notified once Section 1 has been completed by the employee?

No, HR Users within the system will need to check their dashboard every day to see if there are any I-9s that need to have Section 2 completed.

What is considered the first day of employment?

The United States Citizenship and Immigration Services (USCIS) defines the first day of employment as the first day the employee begins working for pay.

When is the employer (department user) required to complete Section 2?

The department user must complete Section 2 no later than the third day of employment.

Do you have to enter n/a on “other names used” on Section 1?

No, only the required fields must be entered

How far in advance can the I-9 be completed?

The I-9 may be completed up to 90 days prior to the start date.

Supporting Documents

Does the authorized user have to see the employee’s documents?

The employee must present the department user the original document or documents that show their identity and employment authorization. The employee must be allowed to choose which document(s) they will present from the Form I-9 Lists of Acceptable Documents. You cannot specify which document(s) an employee will present from the list. Physically examine each original document the employee presents to determine if the document reasonably appears to be genuine and relates to the person presenting it. Make sure the person who examines the documents is the same person who attests and signs Section 2. The employee must be physically present with the document examiner.

See the following link for complete instructions


Do I make copies or print the Form I-9 and List A or List B and C supporting documents?
No, it is recommended that you do not make copies of these supporting documents. All records are maintained in the electronic system and it is not necessary to maintain copies. There is no need to print out a copy of the completed Form I-9.

- If documentation is needed as part of the E-Verify process, you will be prompted by the system if it is necessary to discuss and provide to the employee.
- After you scan the supporting documents to the system for uploading, please delete the copies from the location where these were saved on your computer.

**International Employees**

**What does my department do if the newly hired employee does not yet have a Social Security Number (SSN)?**

If a newly hired employee does not yet have an SSN, complete the Form I-9 process as required and then wait until the employee obtains an SSN before running the E Verify inquiry. Note on the Form I-9 why you have not yet run the E-Verify query and instruct the employee to provide you with the new SSN as soon as possible. In the meantime, because you will have completed the I-9 process with that new employee to verify work authorization, your employee is allowed to work temporarily without the SSN or the E-Verify system result.

**When does an F-1 student become eligible for on-campus employment?**

An F-1 student may begin working as much as 30 days before the start of a program of study. They should inform the DSO before they begin work. [https://www.ice.gov/sevis/employment](https://www.ice.gov/sevis/employment)

**Can I hire an international person who does not yet have a social security number?**

International persons who have proof of employment eligibility (employment authorization) may begin work without a Social Security Number (SSN). These employees must apply for an SSN, and be able to provide the number immediately upon receipt (or no later than 90 days after hire).

**Can I hire an international student to work in my department?**

Foreign students in F-1 nonimmigrant status may work on the school’s premises. Please confirm on the I-20 that it lists NMSU so that you may confirm the student is working on the school premises.

If the I-20 is for another school and off-campus employment has been approved, please review page 2 of the I-20 to ensure eligibility.

**Permanent Residents**

**Do I need to reverify an employee that selects #3 a Lawful Permanent Resident?**

No, the employee is a Permanent Resident
Does a permanent resident have to provide a permanent resident card as an employment authorization document?

No, the employee can select a lawful permanent resident, but provide other employment authorization documents.