

## Employment Eligibility Verification (Form I-9) Policy

Policy Number: 2023-0001  
Issue Date: 4/28/2023

### PURPOSE

The purpose of this policy is to ensure compliance with the Immigration Reform and Control Act of 1986, which requires King County to only employ individuals authorized to work in the United States. The law requires King County to complete and maintain an *Employment Eligibility Verification* form (“Form I-9”) for every new or returning individual hired for employment.

### POLICY APPLICABILITY

The county’s Employment Eligibility Verification (Form I-9) policy applies to all employees in the executive branch departments, offices, divisions and agencies, including the Assessor’s Office and King County Elections. This includes all career service, provisional, temporary, probationary, and appointed employees.

### POLICY

To enable the employer to complete the Form I-9, employees must physically present original document(s) that establish their identity and employment authorization within three business days of their date of hire. For example, if an employee begins employment on a Monday, Section 2 of the form must be completed prior to work commencing on Thursday of the same week. If documentation is not produced within three business days of their date of hire, employees must not be permitted to work, and employment shall be terminated.

### Completing Form I-9

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Instructions for completing [Form I-9](#) can be found on the United States Citizenship and Immigration Services (USCIS) [website](#). King County departments and offices must use the NEOGOV system to complete Form I-9. However, reasonable accommodations will be made for employees unable to complete Form I-9 digitally.

#### Section 1: Employee Information and Attestation

The employee completes Section 1 of Form I-9, which may be completed as soon as a job offer has been extended and accepted.

#### Section 2: Employer or Authorized Representative Review and Verification

When Section 1 is complete, the employee will receive instructions, including a list of [Acceptable Documents](#), to present for completion of Section 2. The employee chooses which documents they will present from the list of acceptable documents, not HR staff. Human Resources staff are required to physically review and verify original, unexpired documentation provided by the employee to complete Section 2 of the Form I-9. *Section 2 must be completed by the third business day after the employee's date of hire.*

Questions concerning nonimmigrant and immigrant classifications (employment visas) should be directed to [classcomp@kingcounty.gov](mailto:classcomp@kingcounty.gov).

### **Section 3: Reverification and Rehires**

If the employee's documentation of employment authorization expires, the employee must present unexpired documents from either [List A](#) or [List C](#) showing authorization to work. Human Resources staff are required to physically review and verify new, unexpired documentation provided by the employee to complete Section 3 of the Form I-9. Receipts for replacement documentation (due to the document being lost, stolen or damaged) are acceptable for reverification.

If an employee is rehired within 3 years of the date their previous Form I-9 was completed, Section 3 of the previous form may be used to re-confirm employment authorization. Otherwise, a new Form I-9 must be completed.

### **Retaining Form I-9**

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Completed I-9's are used to verify the employee's identity and employment authorization and shall be retained in accordance with the [Official Personnel File Policy](#) and [Disposition Authority Notice GS50-05A-26R2](#). With the issuance of this policy, agencies shall not make or retain copies of I-9 supporting documentation.

### **RESPONSIBILITIES**

**The Department of Human Resources** is responsible for reviewing King County's employment eligibility verification processes on a regular basis to ensure compliance with federal requirements.

**Human Resources Managers** are responsible for ensuring their department's Human Resources staff receive training necessary to accurately verify employment eligibility documentation (see the [USCIS' Form I-9 training resources](#)).

**Department-level Human Resources staff** are responsible for ensuring individual I-9 forms are completed according to USCIS requirements and filed in the employee's Official Personnel File in a timely manner.

**Employees** are responsible for physically presenting original, unexpired documentation within three business days of their date of hire or when their documentation of employment authorization expires.

### **QUESTIONS**

Refer questions or comments to your department's [Human Resources Manager](#) or the Department of Human Resources.