



**Office of Human Resources
Standard Operating Procedure
HR SOP #103**

Subject: Verification of the Right to Work in the United States

Effective Date: June 1, 2017

Policy Statement:

The Georgia Department of Natural Resources will comply with the requirements of the Federal Immigration Reform and Control Act of 1986 (IRCA) which makes it unlawful for employers to hire individuals knowing that they are not authorized to work in the United States (US). The Department will also comply with the Georgia Security and Immigration Compliance Act of 2006 requiring the use of E-Verify.

Definitions:

E-Verify: The US Department of Homeland Security's electronic process to verify the identity of employees and their right to work in the United States. The DNR E-Verify ID number is 45119. DNR's E-Verify authorization date is 7/1/2007.

Georgia Security and Immigration Compliance Act of 2006: Act requiring public employers and their contractors and subcontractors to verify the work eligibility of all newly hired employees through an electronic federal work authorization program (E-Verify). See O.C.G.A 13-10-91.

Procedure:

Under IRCA, DNR is required to:

- Verify the identity and the employment eligibility of each DNR employee when hired;
- Complete Form I-9 for all employees when hired;
- Retain records of completed Form I-9s; and
- Refrain from discriminating against an individual due to national origin or citizenship.

Form I-9 Completion:

Form I-9 is used to verify individuals who are authorized to work in the United States. Form I-9 is located in the new hire package on the agency intranet at http://dnrintranet.org/hr/hiring_packages.

Form I-9 contains extensive instructions. Employees should be provided with the entire Form I-9 including instruction pages. Form I-9 must be completed by both the employee and the employer at the same time that the employee completes all new hire paperwork. Section 1 of Form I-9 must be completed by the employee after acceptance of a job offer but on or before

the first day of employment. Section 2 must be completed within 3 business days of the employee's first day of employment.

Identity and Employment Authorization Documents:

All newly hired employees, rehired employees, or employees transferring in from other state agencies, are required to present original unexpired documents from the lists that are part of Form I-9. However, a certified copy of a birth certificate is acceptable. DNR representatives must treat employees equally when verifying identity and employment authorization documents. DNR representatives who are involved in completing Form I-9 must adhere to the following:

- Accept any document or combination of acceptable documents as listed on Form I-9;
- Do not specify which document(s) will be accepted from an employee. The employee must be allowed to choose which documents from the List of Acceptable Documents to present;
- Do not request more documents than are required by Form I-9;
- Physically examine the documents in the presence of the employee;
- Make a reasonable effort to determine the legitimacy of the documents by determining that they reasonably appear on the face to be genuine and relate to the person presenting the documents;
- Accept documents that reasonably appear to be genuine; and
- Do not accept expired documents but must accept legitimate documents even if they have a future expiration date.

Photocopies of the documents must be made and attached to Form I-9 as part of the hiring package that is forwarded to the Office of Human Resources (OHR). Hiring packages with incomplete I-9 forms or missing identity and employment authorization documents will not be processed by OHR.

Persons whose work authorizations expire must provide proof of current work authorization no later than the date the work authorization expires. Failure to do so may result in his/her termination from employment.

E-Verify:

E-Verify provides an automated link to federal databases and helps employers with the employment authorization of hires. Division HR Representatives will designate E-Verify users within their divisions. After completing Form I-9, Division E-Verify users create a case in E-Verify. E-Verify will provide an employment authorization response. HR representatives must include this response with the hire paperwork for the employee and forward it to OHR.

Access and Training:

OHR will assist users with E-Verify access. Contact OHR to obtain access credentials. Training, for managers and HR representatives who are required to complete Form I-9 with new

employees and for designated E-Verify users who are division staff responsible for verifying the identity of employees and their right to work in the United States, is located on the DNR Intranet at <http://dnrintranet.org/hr/training>.

Record Retention:

Form I-9s are retained by OHR in accordance with the requirements of the United States Citizenship and Immigration Services. Completed Form I-9s are retained in OHR but not in the official personnel file. Form I-9s are retained for all active employees. Once an employee is terminated, Form I-9s are retained for 3 years after the date of hire, or 1 year after the date employment is terminated, whichever is later.

Attachments:

Attachment 1 - *E-Verify Participation Poster*

Attachment 2 - *E-Verify Participation Poster (Spanish version)*

Attachment 3 - *Right to Work Poster*

Attachment 4 - *Right to Work Poster (Spanish version)*