

INTERNATIONAL EMPLOYMENT, I-9s AND E-VERIFY

Jill Blitstein, International Employment Manager
Maria Muresan, I-9 Program Coordinator

July 26, 2021

International Employment

- What we do:
 - Obtain nonimmigrant (temporary) status for faculty, staff or postdocs: H-1B, TN, E-3, O-1
 - Obtain immigrant (permanent) status via employment sponsorship for faculty or staff employees to get permanent residence (“green card”)
 - NC State cannot sponsor postdocs for green cards
 - I-9 and E-Verify employment verification processes

International Employment

- Common HR employment issues for foreign national graduate students in F-1 status:
 - After graduation and after F-1 I-20 immigration document has expired, student cannot continue to work unless he/she has a valid EAD (employment card) in-hand
 - This may lead to gap in employment between I-20 end date and date student receives EAD card in mail
 - Student cannot work even if EAD card is in-hand IF the start date on the card is a future date
 - No “volunteering” during this period – violation of university guidelines regarding unpaid work
 - Program end date on the I-20 form is the end date for employment authorization and is the date HR is tracking
 - If I-20 date changes, unit needs to complete an updated I-9 form with student, to track new employment end date

International Employment

- I-9 Employment Eligibility Verification Form
 - Required for all new hires (and some rehires) to university within a certain period of time
 - Also required for new foreign students without SSNs!
 - I-9 Guardian: our electronic I-9 system in which we complete and store our I-9 forms
 - Only trained and licensed system Users can complete I-9s for NC State
 - Foreign national students might have multiple I-9 forms, if program end dates (and therefore employment end dates) keep changing

International Employment

- E-Verify program
 - Federal database that verifies employment eligibility of new hires; required use per state law
 - I-9 Guardian system sends I-9 data to E-Verify system electronically, but
 - **Valid SSN is required to send data to the E-Verify system**
 - **New foreign national grad students MUST apply for and receive a valid SSN before we can finish the required E-Verify process**

International Employment

- I-9 Reminders:
 - Foreign national graduate students technically can start working before they check in with OIS; BUT
 - Until OIS updates the government's SEVIS system (during check-in), we will have issues with E-Verify (inability to verify immigration status)
 - E-Verify instituted new rule this year: we only have 10 days from notification of an E-Verify issue in which to address it - OIS can't always get to this within 10 days!
 - Big issue every July/August/September
 - Still must timely complete I-9; we just have to wait to do E-Verify

International Employment

- I-9 Reminders:
 - The I-9 hire date can/should be the date that the person actually shows up and starts to perform the services
 - Does not have to be the official first day of the semester or any other required “system” date
 - Communicate actual start dates of grad students with your I-9 Users in your college or department!
 - Can still complete I-9 even if job action is not in JAR or NextGen yet