INTERNATIONAL EMPLOYMENT, I-9s AND E-VERIFY

Bernadette Clarke, Supervisor, HR Service Center

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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

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 they have 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

I-9 Program

- 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 even if they don't have SSNs yet!
  - 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

I-9 Program (cont)

- Foreign national students might have multiple I-9 forms, if their program end dates (and therefore employment end dates) keep changing
    - **These dates MUST match in PeopleSoft as separation dates (the Effective date would be one day after the PROGRAM END DATE on the I-20) otherwise it will appear as though the employee is working without authorization.**
    - **If the student worker is a TA, and needs to be active in the system, while not working, please let the I-9 team know so that we can make a note in the I-9 record to document that they will not work beyond their authorized date.**

I-9 Program

- E-Verify program
  - Federal database that verifies employment eligibility of new hires; is required per state law
  - I-9 Guardian system sends I-9 data to E-Verify system electronically, however,
    - 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

I-9 Program

- I-9 Reminders:
  - Foreign national graduate students 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)
      - 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! We set up a meeting with the employee to call the employee hotline to initiate the case resolution
      - Big issue every July/August/September
    - Still must complete I-9 within the compliance dates; we just have to wait to do E-Verify.

I-9 Program

- I-9 Reminders:
  - The I-9 start 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
    - Please email I9questions@ncsu.edu with the ID#, start date and active email address for us to create the I-9.