Index

AB 450
Impact on ICE worksite enforcement actions, **§ 5:44**

ACCEPTABLE I-9 DOCUMENTS
Document Guide, this index

ACQUISITIONS
Mergers and Acquisitions, this index

ACTUAL KNOWLEDGE
Complaint procedures, selected legal issues, **§ 7:2**

ADDRESSES
I-9 process, addresses incomplete or omitted, **§ 4:71, 4:72, 4:74, 4:75**

ADMINISTRATIVE PROCEDURES OR PROCEEDINGS
Complaint Procedures, this index
Discrimination, this index

ADMISSION NUMBER
I-9 process, admission number misplaced, **§ 4:71**

AFGHAN PAROLEES
I-9 process, **§ 4:99**

AGE OF EMPLOYEE
I-9 process, special I-9 rules applicable to employee under 18 years old, **§ 4:101, 4:102**

ALIEN REGISTRATION RECEIPT CARD
Document guide, **§ 9:22 to 9:25**

ANNOTATIONS
Document Guide, this index

ANSWER
Complaint Procedures, this index

ANTI-DISCRIMINATION
I-9 process, **§ 4:36**

APPEAL OR REVIEW
Complaint procedures, hearings, **§ 6:13**
Discrimination orders, judicial review of 274B discrimination orders, **§ 8:53**
Document guide, review by employer of acceptable I-9 documents, **§ 9:1**
Employer obligations to review documents for fraud during verification process, **§ 2:12**
I-9 process, review by employer, **§ 4:53 et seq.**

ASYLEES
USCIS memo on employment authorization of refugees and asylees, **§ 10:8**

ASYLEES—Cont'd
Verification, acceptance of receipts for individuals authorized to work incident to, **§ 4:93**

ATTACHMENTS
Complaint procedures, notice of intent to fine, **§ 5:21**
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**

ATTORNEYS
Compliance program, consultation with counsel before making hiring and firing decisions, **§ 4:7**
Discrimination, attorney's fees for prevailing parties, **§ 8:54**

ATTORNEYS' FEES
Discrimination, attorney's fees for prevailing parties, **§ 8:54**

AUDITS AND AUDITING
Compliance Program, this index
Human resources managers, **§ 1:33, 1:34**
ICE/DOL Investigations, this index
Immigrant and Employee Rights Section (IER) (formerly OSC), this index
In-house audits
Compliance Program, this index
human resources managers, **§ 1:33, 1:34**
ICE/DOL Investigations, this index
Mergers and acquisitions, auditing inherited I-9 files, **§ 3:28**

AUTHORITY OR AUTHORIZATION
Employer obligations relating to employment of undocumented workers and verification of work eligibility, **§ 2:2 to 2:6**

BASIC REQUIREMENTS UNDER IRCA
Generally, **§ 2:1 et seq.**
Citizenship-based discrimination, employer obligations under anti-discrimination provision, **§ 2:9**
"Constructive knowledge" standard, **§ 2:3**
Document abuse, employer obligations under anti-discrimination provision, **§ 2:10**
Employers subject to IRCA's discrimination provision, **§ 2:8**
Fraud during verification process, employer's obligation to review documents for, **§ 2:12**
Government enforcement of employer sanctions, **§ 2:5**
IRCA's paramount purpose as avoiding employment of unauthorized workers, **§ 2:6**
Protected individuals under IRCA, **§ 2:8**

BASIC REQUIREMENTS UNDER IRCA—Cont'd
Reviewing documents for fraud during verification process, employer's obligation, **§ 2:12**
Unauthorized workers, employers obligations relating to employment of, **§ 2:2 to 2:6**
Undocumented workers, employer obligations relating to employment of, **§ 2:2 to 2:6**
Unlawful document abuse, **§ 2:10**
Verification process, employer's obligation to review documents for fraud during, **§ 2:12**
Work verification procedures, **§ 2:4**

BIRTH CERTIFICATES
Document Guide, this index

BIRTH DATE
I-9 process, **§ 4:73, 4:79**

CALIFORNIA
AB 450 impact on ICE worksite enforcement actions, **§ 5:44**

CANADA
Document guide, driver's license issued by Canadian government authority, **§ 9:48**

CASUAL HIRES
Complaint procedures, defenses in employer sanction proceedings, **§ 7:26**

CERTIFICATES OR CERTIFICATION
Document Guide, this index
I-9 Process, this index

CHALLENGES
Discrimination charge, challenges to timing, filing and processing of, **§ 8:44**
Fine assessments challenged. Complaint Procedures, this index

CHECKLIST
In-house audits, **§ 4:135**
On-line managers, **§ 1:36**

CHILDREN OR MINORS
I-9 process, special I-9 rules applicable to employee under 18 years old, **§ 4:101, 4:102**

CITIZENS AND CITIZENSHIP
Citizenship status discrimination. Discrimination, this index
Document Guide, this index

"CITIZENSHIP" BASED DISCRIMINATION
Defined, **§ 2:9**

CITIZENSHIP STATUS DISCRIMINATION
Discrimination, this index

COAST GUARD
Document guide, U.S. Coast Guard merchant mariner card, **§ 9:46, 9:47**

COMMON MISTAKES OR ERRORS
Discrimination, common employer mistakes leading to potential liability, **§ 8:25 to 8:40**
I-9 process, sample forms, **§ 4:70 to 4:81**
Retaliation, employer retaliates against job applicant or employee because individual raises possible violations, **§ 8:40**
Verification procedures to non-citizens, e-verify, **§ 8:39**

COMPLAINT PROCEDURES
Generally, **§ 6:1**
Abuse of documents, constructive knowledge, **§ 7:3**
Actual
constructive knowledge, or, **§ 7:2, 7:4, 7:5**
knowledge, selected legal issues, **§ 7:2**
Answer to complaint
filing of complaint and timing of response, **§ 6:2**
preparation of answer, **§ 6:4, 6:5, 6:9**
service of complaint, **§ 6:2**
Appeal, hearings, **§ 6:13**
Attachments, notice of intent to fine, **§ 5:21**
Authority or authorization, defenses in employer sanction proceedings, authorized employees to work incident to status, **§ 7:20**
Casual hires, defenses in employer sanction proceedings, **§ 7:26**
Challenging fine assessments. Fines, below
Collateral estoppel, **§ 7:22**
Constructive knowledge
generally, **§ 7:2 to 7:14**
document abuse, **§ 7:3**
failure to conduct verification, new employees or reverification of employees with time-limited work authorization, **§ 7:13**
labor certification filing, constructive knowledge based on, **§ 7:10**
new social security numbers, presentation of, **§ 7:14**
reliance on attorney statements regarding employee's work eligibility, **§ 7:8**
response of employer
sufficiency, **§ 7:7**
timeliness, **§ 7:6**
reverification, constructive knowledge based on failure to conduct, **§ 7:12**
rules addressing DHS notices, **§ 7:9**
SSA no-match letters, **§ 7:14**
suspect documentation, presentation of during verification, **§ 7:11**
timeliness of employer's response, **§ 7:6**
Contractors
debarment penalty for government contractor violations, **§ 5:42**
independent contractors, below
Debarment penalty for government contractor violations, **§ 5:42**
Defenses in employer sanction proceedings
generally, **§ 7:17 to 7:29**

COMPLAINT PROCEDURES—Cont'd
Defenses in employer sanction proceedings—Cont'd
authorized employees to work incident to status, **§ 7:20**
casual hires, **§ 7:26**
collateral estoppel, **§ 7:22**
company owners, **§ 7:26**
double jeopardy, **§ 7:22**
good faith defense for unlawful hiring violations, **§ 7:18**
grandfathered status, **§ 7:19**
hearsay statements, suppression of, **§ 7:29**
illegally obtained evidence, suppression of, **§ 7:28**
independent contractors, **§ 7:24**
OCAHO, suppression of
hearsay statements, **§ 7:29**
illegally obtained evidence, **§ 7:28**
rebuttal presumption of no violations in E-Verify cases, **§ 7:27**
''rehired'' employees or employees ''continuing in employment,'' **§ 7:25**
res judicata, **§ 7:22**
statute of limitations, **§ 7:21**
substantial compliance defense for paperwork violations, **§ 7:23**
Discovery. Motions and prehearing discovery, below
Distinct, physically separate subdivisions as entity subject to liability, **§ 7:38**
Documents
abuse of documents, constructive knowledge, **§ 7:3**
defenses in employer sanction proceedings, paperwork violations, **§ 7:23**
Double jeopardy defenses in employer sanction proceedings, **§ 7:22**
Enhancement matrix, **§ 5:26**
Entity subject to liability
generally, **§ 7:37**
distinct, physically separate subdivisions, **§ 7:38**
mergers, **§ 7:39**
subdivisions as distinct and physically separate, **§ 7:38**
Failure to conduct verification, new employees or reverification of employees with time-limited work authorization, **§ 7:13**
Filing complaints
generally, **§ 6:1**
answer, preparation of, **§ 6:4, 6:5**
Fines
amount calculation of civil fine, ICE, **§ 5:26**
asset forfeiture, **§ 5:41**
challenging fine assessments
generally, **§ 7:30 to 7:36**
good faith lacking, **§ 7:32**
history of employer's 274A violations, **§ 7:35**
involvement of undocumented workers, **§ 7:34**
other factors, **§ 7:36**
seriousness of violation, **§ 7:33**

COMPLAINT PROCEDURES—Cont'd
Fines—Cont'd
challenging fine assessments—Cont'd
size factor, **§ 7:31**
fines and asset forfeiture, **§ 5:41**
good faith factor, **§ 7:32**
guidelines for determination, **§ 5:25**
history of 274A violations, **§ 7:35**
involvement of undocumented workers, **§ 7:34**
NIFs, challenging ICE fine assessments included in, **§ 5:27**
notice of intent to fine, below
penalty structure under IRCA, **§ 5:24**
seriousness of violation, **§ 7:33**
size factor, **§ 7:31**
Good faith
defenses in employer sanction proceedings, **§ 7:18**
fines, **§ 7:32**
Government contractor violations, debarment penalty for, **§ 5:42**
Grandfathered status, defenses in employer sanction proceedings, **§ 7:19**
Hearings
appeal, **§ 6:13**
conduct, **§ 6:12**
discovery. Motions and prehearing discovery, below
motions and prehearing discovery, below
OCAHO decision, **§ 6:13**
prehearing discovery. Motions and prehearing discovery, below
Hearsay statements, suppression of, **§ 7:29**
History of violations, fines, **§ 7:35**
Illegally obtained evidence, suppression of, **§ 7:28**
Independent contractors
generally, **§ 7:24**
defenses in employer sanction proceedings
generally, **§ 7:23**
OCAHO, suppression of hearsay statements, **§ 7:29**
OCAHO, suppression of illegally obtained evidence, **§ 7:28**
Intent. Notice of intent to fine, below
Labor certification filing, constructive knowledge, **§ 7:10**
Letters
constructive knowledge
response to letter of notification by ICE, sufficiency of employer's, **§ 7:7**
SSA no-match letters, **§ 7:14**
response to letter of notification by ICE, sufficiency of employer's, **§ 7:7**
SSA no-match letters, **§ 7:14**
Mergers, entity subject to liability, **§ 7:39**
Motions and prehearing discovery
generally, **§ 6:6**
discovery, **§ 6:8**

COMPLAINT PROCEDURES—Cont'd
Motions and prehearing discovery—Cont'd
employer response to discovery requests and use of discovery, **§ 6:9**
motions, **§ 6:7**
post-complaint settlements, procedures, **§ 6:10**
New social security numbers, presentation of, **§ 7:14**
NIFs, challenging ICE fine assessments included in, **§ 5:27**
No-match letters. SSA no-match letters, below
Notice of intent to fine
generally, **§ 5:19 to 5:23**
final orders, **§ 5:23**
Form I-763 attachment, **§ 5:21**
response of employer, **§ 5:22**
Notice or knowledge
actual or constructive knowledge, **§ 7:2, 7:4, 7:5**
intent to fine. Notice of intent to fine, above
rules addressing DHS notices, **§ 7:9**
OCAHO proceedings
generally, **§ 6:1**
filing of complaint and timing of response, **§ 6:2**
hearsay statements, suppression of, **§ 7:29**
preparation of answer to complaint, **§ 6:4, 6:5**
review by employer of complaint, **§ 6:3**
service of complaint, **§ 6:2**
suppression of illegally obtained evidence, **§ 7:28**
Penalties
criminal sanctions, **§ 5:40**
debarment penalty for government contractor violations, **§ 5:42**
debarment penalty under state law, **§ 5:42**
fines, above
Post-complaint settlements, procedures, **§ 6:10**
Prehearing discovery. Motions and prehearing discovery, above
Preparation of answer to complaint, **§ 6:4, 6:5**
Rebuttal presumption of no violations in E-Verify cases, defenses in employer sanction proceedings, **§ 7:27**
"Rehired" employees or employees "continuing in employment," **§ 7:25**
Reliance on
attorney statements regarding employee's work eligibility, **§ 7:8**
other workplace information, **§ 7:16**
Res judicata, **§ 7:22**
Responses
employer answer to complaint, **§ 6:3**
intent to fine, notice of, **§ 5:22**
sufficiency of employer's response to letter of notification by ICE, **§ 7:7**
Reverification, constructive knowledge based on failure to conduct, **§ 7:12**
Selected legal issues, generally, **§ 7:1 et seq.**
Seriousness of violation, **§ 7:33**
Service of complaint, **§ 6:2**

COMPLAINT PROCEDURES—Cont'd
Size factor, fines, **§ 7:31**
SSA no-match letters, generally, **§ 7:14**
Statute of limitations, defenses in employer sanction proceedings, **§ 7:21**
Subdivisions as distinct and physically separate entity subject to liability, **§ 7:38**
Substantial compliance defense for paperwork violations, **§ 7:23**
Suspect documentation presentation of during verification, constructive knowledge, **§ 7:11**
Timeliness of employer's response, **§ 7:6**
Verification, failure to conduct verification or reverification, constructive knowledge based on failure to conduct, **§ 7:12**

COMPLAINTS
Discrimination, complaint of retaliation, **§ 8:14**
Procedures. Complaint Procedures, this index

COMPLETE OR COMPLETION
Human resources managers, completion of I-9 process
generally, **§ 1:14 et seq.**
first day of employment, on the, **§ 1:16**
prior to first day of employment, **§ 1:17**
I-9 Process, this index

COMPLIANCE PROGRAM
Generally, **§ 4:1 et seq.**
Attorneys, consultation with counsel before making hiring and firing decisions, **§ 4:7**
Designation of overall compliance officer, **§ 4:4**
Firing decisions, consultation with counsel before making, **§ 4:7**
Form I-9 audits, **§ 4:133**
Hiring decisions, consultation with counsel before making, **§ 4:7**
Immediate steps to be taken to bring employer into compliance, **§ 4:8**
In-house audits
generally, **§ 4:132 et seq.**
basic requirements, **§ 4:134**
checklist, **§ 4:135**
completion of audit, employer actions at, **§ 4:136**
conduct of, **§ 4:8**
Form I-9, **§ 4:133**
ICE / Special counsel joint guidance, **§ 4:133**
I-9 process, generally, **§ 4:2 et seq.**
Managers, provide clear guidance to hiring managers on I-9 procedures, **§ 4:6**
Notice to employees in case of late I-9 compliance, **§ 4:9**
Personnel policy, materials and applications, integration of IRCA policy with, **§ 4:5**
Special counsel joint guidance, **§ 4:133**
Standard written compliance policy, establishment of, **§ 4:3**

CONDITIONAL PERMANENT RESIDENTS
Removal of conditional status, **§ 4:91**

CONDITIONAL STATUS
Removal of conditional status, **§ 4:91**

CONDUCT OF INVESTIGATION
ICE/DOL Investigations, this index
Procedure once a charge is filed, **§ 8:48**

CONSISTENT INFORMATION I-9 PROCESS
Review by employer to assure consistent information, **§ 4:58**

CONSTRUCTIVE KNOWLEDGE
Basic requirements under IRCA, **§ 2:3**
Discrimination, requesting further documents in constructive knowledge situations, **§ 8:23**
Further Inquiries Warranted, this index

"CONTINUING COURSE OF CONDUCT" DOCTRINE
Employer challenges to, enforcement and administrative procedures, **§ 8:44**

CONTRACTORS
Complaint Procedures, this index
Independent Contractors, this index

COPIES OR COPYING
Document guide, birth certificate issued by state, county, or municipal authority bearing seal, **§ 9:56 to 9:59**
I-9 process, employer may keep copies of Section 2 documents, **§ 4:60**

COUNTIES
Document guide, birth certificate issued by county authority bearing seal, **§ 9:56 to 9:59**

CURRENT EMPLOYEES
Sanctions, verification of current employees, **§ 1:3**

CURRENT WORK AUTHORIZATION
Recruitment and limited hiring, **§ 3:19**

DATE
Time or Date, this index

DEBARMENT
Government contractor violations, **§ 5:42**
State law penalties, **§ 5:43**

DEFENSES
Discrimination, defending facially-neutral policies, **§ 8:16**

DEPARTMENT OF JUSTICE (DOJ)
Sample Justice Department settlement agreements, **§ 8:55**

DEPARTMENT OF STATE
Document guide, State Department certification of birth abroad, **§ 9:52 to 9:55**

DEPARTMENT OF STATE—Cont'd
Sample Forms
Social security card with restriction (not valid for I-9 purposes), **§ 9:51**

DEPENDENTS
Document guide, ID card of dependent of U.S. military personnel, **§ 9:44, 9:45**

DISCHARGE FROM EMPLOYMENT
Discrimination, this index

DISCOVERY
Complaint Procedures, this index

DISCRIMINATION
Generally, **§ 8:1 et seq.**
Administrative procedures. Enforcement and administrative procedures, below
Anti-discrimination laws, enforcement, **§ 2:11**
Appeal or review, judicial review of 274B discrimination orders, **§ 8:53**
Attorney's fees for prevailing parties, **§ 8:54**
Basic Requirements under IRCA, this index
Citizenship status discrimination
generally, **§ 8:7 to 8:19**
defined, **§ 2:9**
employer obligations under IRCA's anti-discrimination provision, **§ 2:9**
exemptions, **§ 8:11**
foreign worker preference, **§ 8:17**
intentional discrimination, **§ 8:8**
limited hiring policies, pre-hire inquiries to determine employment eligibility or, **§ 8:10**
nonimmigrants, preference for, **§ 8:19**
pattern or practice violations, **§ 8:9**
persons protected by, **§ 8:4**
preferences, **§ 8:18, 8:19**
recruitment and limited hiring, restricting employment to U.S. citizens, **§ 3:22**
undocumented aliens, preference for, **§ 8:18**
unrelated to employer sanctions, **§ 8:17 to 8:19**
Common employer mistakes leading to potential liability, **§ 8:25**
Complaint of retaliation, **§ 8:14**
Conduct of Immigrant and Employee Rights (IER) investigations, **§ 8:49**
Constructive knowledge situations, requesting further documents in, **§ 8:23**
"Continuing course of conduct" doctrine, employer challenges to, **§ 8:44**
Defending facially-neutral policies, **§ 8:16**
Discharge from employment. Unlawful discharge and retaliation charges, below
Document abuse
employer obligations under IRCA's anti-discrimination provision, **§ 2:10**
persons protected under document abuse provision, **§ 8:5**

DISCRIMINATION—Cont'd
Document abuse—Cont'd
violations. Document abuse violations, below
Document abuse violations
generally, **§ 8:20**
constructive knowledge situations, requesting further documents in, **§ 8:23**
intent requirement under IIRIRA, **§ 8:22, 8:23**
pre-IIRIRA document abuse violations, **§ 8:21**
EEOC. Enforcement and administrative procedures, below
Employers
"continuing course of conduct" doctrine, challenges to, **§ 8:44**
subject to discrimination charges under INA 274B, **§ 8:2**
Employment eligibility document of job applicant, mistake of viewing prior to making offer of employment, **§ 8:26**
Enforcement and administrative procedures
adding unnamed party, **§ 8:45**
appeal or review, judicial review of 274B discrimination orders, **§ 8:53**
attorney's fees for prevailing parties, **§ 8:54**
challenges to timing, filing and processing of discrimination charge, **§ 8:44**
conduct of investigations, **§ 8:49**
"continuing course of conduct" doctrine, employer challenges to, **§ 8:44**
EEOC
final agreement, jurisdiction of each agency, **§ 8:57**
Title VII discrimination, EEOC policy statements, **§ 8:56**
filing and processing of discrimination charge, **§ 8:42**
generally, **§ 8:41 to 8:45, 8:42 et seq.**
challenges to timing of charge, **§ 8:44**
contents of charge, **§ 8:46**
special counsel charge form, **§ 8:47**
filing charge
procedure once charge is filed, **§ 8:48**
processing of discrimination charge. Filing and processing of discrimination charge, above
final agreement, jurisdiction of each agency, **§ 8:57**
hearings, administrative hearings, **§ 8:51**
judicial review of 274B discrimination orders, **§ 8:53**
jurisdiction, final agreement, **§ 8:57**
orders, judicial review of 274B discrimination orders, **§ 8:53**
penalties, **§ 8:52**
processing of discrimination charge. Filing and processing of discrimination charge, above
response of employer to discrimination charge, **§ 8:50**
sample form, filing and processing of discrimination charge, **§ 8:41**

DISCRIMINATION—Cont'd
Enforcement and administrative procedures—Cont'd
standards for tolling 180-day period, filing and processing of discrimination charge, **§ 8:43**
Title VII discrimination, 274B, **§ 8:56**
E-Verify, discrimination related to, **§ 8:24**
Exemptions, citizenship status discrimination, **§ 8:11**
Expiration date, employer's mistake in refusing to hire protected alien due to expiration date of work authorization, **§ 8:36**
Extra documentary burdens, employer's mistake in refusing to hire workers who sound or appear foreign or imposing extra documentary burdens, **§ 8:31**
Filing and processing of discrimination charge, **§ 8:42**
Filing charge. Enforcement and administrative procedures, above
Final agreement, jurisdiction of each agency, **§ 8:57**
Foreign worker preference, **§ 8:17**
Form 8-1: Special counsel charge form, **§ 8:47**
Government contract employer, establishment of citizen-only policy although contract does not require such a policy a mistake, **§ 8:35**
Hearings, enforcement and administrative procedures, **§ 8:51**
Immigrant and Employee Rights investigations, conduct of, **§ 8:49**
Intent
citizenship status discrimination, intentional, **§ 8:8**
document abuse violations, intent requirement under IIRIRA, **§ 8:22, 8:23**
Intentional citizenship status discrimination, **§ 8:8**
Intent requirement under IIRIRA
constructive knowledge, **§ 8:23**
Investigations
generally, **§ 8:49**
Judicial review of discrimination orders, **§ 8:53**
Jurisdiction, enforcement and administrative procedures, **§ 8:57**
Justice Department Settlement Agreements, **§ 8:55**
Mistake by employer
refusing to hire someone not a U.S. citizen or possess "green card" or posts job notices with discriminatory language, **§ 8:30**
Mistakes, common employer mistakes leading to potential liability, **§ 8:25 to 8:40**
Noncitizens
employer's mistake in requiring specific documentation to meet I-9 verification requirement, **§ 8:33**
refusal to accept I-9 documents sufficient under the law or requirements of more documents than those mandated by law a mistake, **§ 8:34**
Nonimmigrants, preference for, **§ 8:19**
Offer of employment, employer's mistake in asking questions relating to employment eligibility prior to making, **§ 8:27**
Orders, judicial review of 274B discrimination orders, **§ 8:53**

DISCRIMINATION—Cont'd
Pattern or practice violations, citizenship status discrimination, **§ 8:9**
Penalties, enforcement and administrative procedures, **§ 8:52**
Preference for foreign workers, recruitment efforts, **§ 8:32**
Preferences, citizenship status discrimination, **§ 8:18, 8:19**
Pre-hire inquiries to determine employment eligibility or to implement limited hiring policies, **§ 8:10**
Pre-IIRIRA document abuse violations, **§ 8:21**
Pre-screening of job applicants
recruitment practices demonstrating preference for foreign workers, **§ 3:23**
Procedure once a charge is filed, **§ 8:48**
Processing of discrimination charge. Filing and processing of discrimination charge, above
Prohibitions under IRCA's discrimination provisions, generally, **§ 8:6 to 8:24**
Protected alien, employer's mistake in refusing to hire due to expiration date of work authorization, **§ 8:36**
Recruiters subject to discrimination charges, **§ 8:3**
Recruitment efforts, foreign workers, **§ 8:32**
Reduction in force, unlawful discharge and retaliation charges, **§ 8:15**
Referral agencies subject to discrimination charges, **§ 8:3**
Response of employer to discrimination charge, **§ 8:50**
Retaliation charges. Unlawful discharge and retaliation charges, below
Reverification conducted by employer not required by law, **§ 8:37**
Special counsel
charge form, Sample Form 8-1, **§ 8:47**
final agreement, jurisdiction of each agency, **§ 8:57**
Special fees charged by employer to complete the verification process a mistake, **§ 8:38**
Standards for tolling 180-day period, filing and processing of discrimination charge, **§ 8:43**
Status. Citizenship status discrimination, above
Time or date
employment verification and commencement of employment, employer inconsistency with regard time of as a mistake, **§ 8:28**
job offer, time while open while employee seeks documentation, mistake of inconsistency with regard to, **§ 8:29**
Title VII discrimination, enforcement and administrative procedures, **§ 8:56**
Undocumented
aliens, preference for, **§ 8:18**
worker preference, **§ 8:18**
Unfair documentary practices, document abuse violations, **§ 8:20**
Unlawful discharge and retaliation charges
generally, **§ 8:12 to 8:15**

DISCRIMINATION—Cont'd
Unlawful discharge and retaliation charges—Cont'd
complaint of retaliation, **§ 8:14**
reduction in force, **§ 8:15**
Verification procedures, electronic, **§ 8:39**
Verification procedures, non-citizens, **§ 8:39**
Violations. Document abuse violations, above

DISHONESTY POLICY
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

DISTINCTION
Complaint procedures, physically separate subdivisions as entity subject to liability, **§ 7:38**

DIVESTITURE
Mergers and Acquisitions, this index

DOCUMENT ABUSE
Discrimination, this index
Further inquiries warranted, relationship between constructive knowledge and document abuse, **§ 3:4**

DOCUMENT GUIDE
Acceptable I-9 documents
generally, **§ 9:1 to 9:3**
full list of acceptance documents, **§ 9:2**
legislative changes, **§ 9:3**
review by employer, **§ 9:1**
revisions, **§ 9:3**
Alien registration receipt card, **§ 9:22 to 9:25**
Alien registration receipt card, Sample Form I-551, **§ 9:22 to 9:25**
Annotation. Illustration and annotation of each I-9 document, below
Attachments, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
Birth certificates
Department of State certification of birth abroad, **§ 9:52 to 9:54**
state, county, or municipal authority bearing seal, **§ 9:56 to 9:59**
Birth certificates (local issuing authority), Sample Form 9-34, **§ 9:58**
Birth certificates (state-issued forms), Sample Form 9-33, **§ 9:57**
Canadian government authority, driver's license issued by, **§ 9:48**
Certfication of birth abroad (State Department Form FS-545), Sample Form 9-30, **§ 9:53**
Certificate of Naturalization (Form N-550), Sample Form 9-37, **§ 9:62**
Certificate of U.S. Citizenship (Form N-560), Sample Form 9-36, **§ 9:61**
Certificates. Birth certificates, above
Certification of birth abroad (State Department Form DS-1350), Sample Form 9-31, **§ 9:54**

DOCUMENT GUIDE—Cont'd
Certified copy of birth certificate, Sample Form 9-35, **§ 9:59**
Citizens and citizenship, U.S. citizen ID cards, **§ 9:30 to 9:32**
Coast Guard, U.S. Coast Guard merchant mariner card, **§ 9:46, 9:47**
Consular report of birth abroad (State Department Form FS-240), Sample Form 9-32, **§ 9:55**
Copies, birth certificate issued by state, county, or municipal authority bearing seal, **§ 9:56 to 9:59**
County authority bearing seal, birth certificate issued by, **§ 9:56 to 9:59**
Current version of green card, **§ 9:22 et seq.**
Department of State certification of birth abroad, **§ 9:52 to 9:55**
Dependent of U.S. military personnel, ID card of, **§ 9:44, 9:45**
DHS Worksite Memo, **§ 10:11**
Draft record, U.S. military card or, **§ 9:41 to 9:43**
Draft records, Sample Form 9-25, **§ 9:43**
Driver's licenses
Canadian government authority, driver's license issued by, **§ 9:48**
driver's license issued by Canadian government authority, **§ 9:48**
state-issued, **§ 9:33 to 9:36**
Electronic passport for U.S., **§ 9:6**
Employment authorization
generally, **§ 9:26, 9:27**
passport, attached to, **§ 9:13 to 9:20**
Employment authorization card (EAD) (USCIS Form I-766), Sample Form 9-17, **§ 9:27**
Expiration
employment authorization document (EAD) unexpired, **§ 9:26, 9:27**
foreign passport with employment authorization attached, unexpired, **§ 9:10 to 9:20**
I-9 process, **§ 4:51**
Extensions, unexpired foreign passport with employment authorization attached, **§ 9:12**
Federal, state or local government agencies or entities, ID card issued by, **§ 9:37**
Foreign passport, Sample Form 9-4, **§ 9:11**
Foreign passport with employment authorization attached, unexpired, **§ 9:10 to 9:20**
Form I-94 with I-551 stamp and photo (acceptable without foreign passport), Sample Form 9-13, **§ 9:21**
Full list of acceptable documents, **§ 9:2**
Green card, current and prior versions, **§ 9:22 to 9:25**
ID card for resident citizen in the United States (Form I-179), Sample Form 9-19, **§ 9:32**
ID cards
federal, state or local government agencies or entities, ID card issued by, **§ 9:37**

DOCUMENT GUIDE—Cont'd
ID cards—Cont'd
photo or identification information on ID card, **§ 9:33 to 9:36**
school ID card with photo, **§ 9:38**
U.S. citizen ID cards, **§ 9:30 to 9:32**
Illustration and annotation of each I-9 document, generally, **§ 9:4 et seq.**
Legislative changes, acceptable I-9 documents, **§ 9:3**
Licenses or permits. Driver's licenses, above
Military dependent's ID card, Sample Form 9-26, **§ 9:45**
Municipal authority bearing seal, birth certificate issued by, **§ 9:56 to 9:59**
Native American tribal document, **§ 9:29**
Nonimmigrant status, employment authorization incident to alien's, **§ 9:16, 9:17**
Other employment authorization document issued by USCIS, **§ 9:60 to 9:62**
Passports
attachments, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
Federated States of Micronesia, from, **§ 9:28**
passport card, **§ 9:8**
passport card, Sample Form 9-3, **§ 9:9**
Republic of Marshall Islands, from, **§ 9:28**
unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
U.S. passports, **§ 9:5 to 9:7**
Permanent resident card, **§ 9:22 to 9:25**
Permanent resident green card, Sample Form I-551, **§ 9:22 to 9:25**
Photograph on ID card, **§ 9:33 to 9:36, 9:38**
Registration
alien registration receipt card, **§ 9:22 to 9:25**
voter's registration card, **§ 9:39, 9:40**
Replacement form, unexpired foreign passport with employment authorization attached, **§ 9:18**
Review by employer of acceptable I-9 documents, **§ 9:1**
Revisions, acceptable I-9 documents, **§ 9:3**
Samples of different licenses from one state (Colorado), Sample Form 9-22, **§ 9:36**
School ID card with photo, **§ 9:38**
SEVIS Form DS-2019 for J-1 exchange visitors, Sample Form 9-12, **§ 9:20**
SEVIS Form I-20 for F-1 students, Sample Form 9-11, **§ 9:19**
Social security card, **§ 9:49, 9:50**
Social security card, Sample Form 9-28, **§ 9:50**
State
authority bearing seal, birth certificate issued by, **§ 9:56 to 9:59**
driver's licenses, state-issued, **§ 9:33 to 9:36**
issued driver's licenses, **§ 9:33**

DOCUMENT GUIDE—Cont'd
State Department certification of birth abroad, **§ 9:52 to 9:55**
State-issued driver's license, Sample Form 9-20, **§ 9:34**
State-issued ID cards, Sample Form 9-21, **§ 9:35**
Students, school ID card with photo, **§ 9:38**
Tear-off portion constituting replacement form, unexpired foreign passport with employment authorization attached, **§ 9:18**
Temporary Form I-551
printed notation on machine readable immigrant visa, Sample Form 9-7, **§ 9:15**
stamp in foreign passport, Sample Form 9-6, **§ 9:14**
unexpired foreign passport with employment authorization attached, **§ 9:15**
Travel Document (Form I-571 (refugee travel document) and unexpired Form I-327 (reentry permit), Sample Form 9-38, **§ 9:63**
Unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
U.S. citizen ID card (Form I-197), Sample Form 9-18, **§ 9:31**
U.S. citizen ID cards, **§ 9:30 to 9:32**
U.S. Coast Guard merchant mariner card, **§ 9:46, 9:47**
U.S. electronic passport, **§ 9:6**
U.S. electronic passport, Sample Form 9-1, **§ 9:6**
U.S. merchant mariner's card, Sample Form 9-27, **§ 9:47**
U.S. military
card, U.S. military card or draft record, **§ 9:41 to 9:43**
Coast Guard merchant mariner card, **§ 9:46, 9:47**
dependent's ID card, **§ 9:45**
draft record, U.S. military card or, **§ 9:41 to 9:43**
U.S. military ID card, Sample Form 9-24, **§ 9:42**
U.S. passport (version between 1994 and 2007), Sample Form 9-2, **§ 9:7**
U.S. passport card
generally, **§ 9:8**
Sample Form 9-3, **§ 9:9**
U.S. passports, **§ 9:5 to 9:7**
Voter's registration card, **§ 9:39, 9:40**
Voter's registration card, Sample Form 9-23, **§ 9:40**

DOCUMENTS
Abuse. Document Abuse, this index
Complaint Procedures, this index
Guide. Document Guide, this index
I-9 Process, this index

DOL INVESTIGATIONS
ICE/DOL Investigations, this index

DOMESTIC SERVICE WORKERS
Verification, **§ 1:6**

DOUBLE JEOPARDY
Complaint procedures, double jeopardy defenses in employer sanction proceedings, **§ 7:22**

DRAFT RECORD
Document guide, U.S. military card or draft record, **§ 9:41, 9:43**

DRIVER'S LICENSES
Document Guide, this index

EEOC
Discrimination, this index

ELECTION OR CHOICE
ICE/DOL investigations, selection of employers, **§ 5:28**

ELECTRONIC PASSPORTS
Document guide, **§ 9:6**

ELECTRONIC STORAGE
I-9 records, **§ 4:122**

ELEMENTS AND EVALUATION OF SETTLEMENT AGREEMENT
ICE/DOL investigations, **§ 5:31**

EMPLOYER ASSOCIATIONS
I-9 process, special I-9 rules applicable to, **§ 4:108**
Sanctions, verification, **§ 1:11**

EMPLOYER SANCTIONS LAW
Generally, **§ 3:1 et seq.**

EMPLOYMENT AUTHORIZATION
Document Guide, this index

EMPLOYMENT AUTHORIZATION DOCUMENTS (EAD)
Automatic extensions, **§ 4:95**
Document guide, **§ 9:26, 9:27**
Employees, extended work authorization under DACA, **§ 4:96**
Federal register notices, **§ 4:94**
Notices, federal register, **§ 4:94**
Unexpired, **§ 9:15, 9:26, 9:27**
USCIS ending the extension or renewal applications., **§ 4:95**

ENFORCEMENT
Discrimination, this index
ICE/DOL Investigations, this index

ENTITY SUBJECT TO LIABILITY
Complaint Procedures, this index

ERRORS
Common Mistakes or Errors, this index

ESTABLISHMENT
Human resources managers, establishment of policy of regular in-house audits of I-9 forms, **§ 1:33**

EVALUATION
ICE/DOL investigations, elements and evaluation of settlement agreement, **§ 5:31**

E-VERIFY
Discrimination related to, **§ 8:24**
I-9 Process, this index

EXECUTIVE ORDERS
DOJ Fact Sheet: Avoiding Discrimination When Complying with Export Control Laws (April 2023), **§ 10:12**
DOJ fact sheet on avoiding discrimination when using E-Verify (August 2023), **§ 10:13**
DOJ/ICE joint fact sheet on avoiding discrimination and I-9 violations when using commercial or proprietary I-9 software (December 2023), **§ 10:14**
Executive Order 12989 of February 13, 1996, **§ 10:3**
Executive Order 13465 of June 6, 2008, **§ 10:5**
Statutory authority and CFR, **§ 10:1**

EXEMPTIONS
Citizenship status discrimination, **§ 8:11**

EXPIRATION
Document Guide, this index
I-9 process, expiration date, **§ 4:73**

EXTENSIONS
Automatic EAD extensions, **§ 4:95**
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:12**
Extended work authorization under DACA, **§ 4:96**
Verification under 240-day rule, nonimmigrants with pending extension applications, **§ 4:86**

FEDERAL AGENCIES OR GOVERNMENT
Document guide, ID card issued by federal, state or local government agencies or entities, **§ 9:37**
Enforcement authority, **§ 5:2**
Verification, federal contractors, **§ 4:118**

FEDERAL REGISTER NOTICES
Employment Authorization Documents (EAD), **§ 4:94**

FEES
Attorneys' fees for prevailing party, discrimination, **§ 8:54**
Discrimination, employer's mistake in charging special fees to complete the verification process, **§ 8:38**

F-1 STUDENTS
F-1 students eligible for automatic OPT extension (cap-gap extensions), **§ 4:89**

FINAL OR FINALITY
Discrimination, final agreement regarding jurisdiction of each agency, **§ 8:57**

FINES
Complaint Procedures, this index
ICE/DOL Investigations, this index

FIRING DECISIONS
Compliance program, consultation with counsel before making firing decisions, **§ 4:7**

FIRST DAY OF EMPLOYMENT
I-9 process, **§ 4:45**

FOREIGN PASSPORT
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
Federated States of Micronesia, from, **§ 9:28**
Republic of Marshall Islands, from, **§ 9:28**

FRAUD
Basic requirements under IRCA, this index
Employer's obligation to review documents for fraud during verification process, **§ 2:12**

FULL LISTS
Document guide, full list of acceptable documents, **§ 9:2**

FURTHER INQUIRIES WARRANTED
Constructive knowledge
generally, **§ 3:3**
document abuse, relationship between constructive knowledge and, **§ 3:4**
Document abuse, relationship between constructive knowledge and, **§ 3:4**
Identification of problem situations, **§ 3:5**
Initial verification, strategies in problems situations arising during, **§ 3:7**
I-9 problems, generally, **§ 3:2 to 3:13**
No-match letter, strategies when employer receives Social Security Administration, **§ 3:10 to 3:12**
Notice or knowledge
constructive knowledge situations, **§ 3:3**
government enforcement personnel, strategies when employer put on notice by, **§ 3:9**
Social Security Administration no-match letter, strategies when employer receives, **§ 3:10 to 3:12**
workplace sources, strategies when employer put on notice by, **§ 3:13**
Reverification situations, strategies in, **§ 3:8**
Social Security Administration no-match letter, strategies when employer receives, **§ 3:10 to 3:12**
Strategies, generally, **§ 3:6**
Strategies when an employer is put on notice by DHS, **§ 3:9**
Verification
initial verification, strategies in problems situations arising during, **§ 3:7**
reverification situations, strategies in, **§ 3:8**
Workplace sources, strategies when employer put on notice by, **§ 3:13**

GENUINENESS
I-9 process, review by employer to assure genuineness, **§ 4:56**

GOVERNMENT CONTRACTORS
Complaint procedures, debarment penalty for government contractor violations, **§ 5:42**

GOVERNMENT ENFORCEMENT OF EMPLOYER SANCTIONS
Basic requirements under IRCA, **§ 2:5**

GRANDFATHERED STATUS
Complaint procedures, defenses in employer sanction proceedings, **§ 7:19**

GREEN CARDS
Current and prior versions, **§ 9:22 to 9:25**
Form I-551: Prior versions of green card, **§ 9:23**
Mistake by employer
refusing to hire someone not a U.S. citizen or possess ''green card'' or posts job notices with discriminatory language, **§ 8:30**
Permanent residents, applying replacement of expired card, **§ 4:92**
Reverification conducted by employer not required by law, **§ 8:37**

HANDICAPPED PERSONS
I-9 process, special I-9 rules applicable to handicapped persons, **§ 4:101**

H2-A PORTABILITY PROVISION
E and L-2 spouses possessing I-94, spousal ''S'' annotation, **§ 4:97**
Verification, covered employees, **§ 4:87**

H1-B PORTABILITY PROVISION
Verification, covered employees, **§ 4:87, 4:88**

HEARINGS
Complaint Procedures, this index
Discrimination, enforcement and administrative procedures, **§ 8:51**

HIRING
Compliance program, consultation with counsel before making hiring decisions, **§ 4:7**
I-9 Process, this index
Recruitment and Limited Hiring, this index

HISTORY OF VIOLATIONS
Complaint procedures, fines, **§ 7:35**

HUMAN RESOURCES MANAGERS
Audits, in-house audits, **§ 1:32, 1:33**
Completion of I-9 process
generally, **§ 1:14 et seq., 1:17**
first day of employment, on the, **§ 1:16**
prior to first day of employment, **§ 1:17**
Establishment of policy of regular in-house audits of I-9 forms, **§ 1:33**
E-Verify participants, additional steps, I-9 process, **§ 1:29**
In-house audits, **§ 1:32, 1:33**
I-9 process
audits, in-house audits, **§ 1:33, 1:34**
completion
generally, **§ 1:14 et seq.**

HUMAN RESOURCES MANAGERS—Cont'd
I-9 process—Cont'd
completion—Cont'd
first day of employment, on the, **§ 1:16**
prior to the first day of employment, **§ 1:17**
E-Verify participants, additional steps, **§ 1:29**
Form I-9 completion, timing, **§ 1:14 to 1:29**
in-house audits, **§ 1:33, 1:34**
keeping job open for employees who have not completed the I-9 process, **§ 1:20**
procedure, **§ 1:15**
receipts for documents, timing when employee presents, **§ 1:18**
reverification procedures. Verification, this index
step-by-step guidance, **§ 1:21, 1:28**
three days or less, timing when employee is being hired for, **§ 1:19**
Verification, this index
Procedure, I-9 process, **§ 1:15**
Receipts for documents, timing when employee presents, **§ 1:18**
Reverification procedures. Verification, this index
Step-by-step guidance, I-9 process, **§ 1:28**
generally, **§ 1:21 to 1:27**
copies or scanned images of documents, keeping of, depending on company policy, **§ 1:25**
employee completion of Section 1, **§ 1:22**
employer review of I-9 documents presented by employee, **§ 1:23**
maintain the I-9 form for the required period of time, **§ 1:27**
reverification tickler system included, if required, **§ 1:26**
Section 2, employer completion of, **§ 1:24**
Three days or less, timing Form I-9 completion when employee is being hired for three days or less, **§ 1:19**
Timing Form I-9 completion, **§ 1:14 to 1:29**
Verification, this index

ICE/DOL INVESTIGATIONS
Generally, **§ 5:1 et seq.**
Audits
In-house audits, below
Business premises search based on warrants, **§ 5:32**
California's AB 450, **§ 5:44**
Conduct of inspection or search and follow-up, **§ 5:12**
Debarment penalty, guidance on, **§ 5:42**
Elements and evaluation of settlement agreement, **§ 5:31**
Employee interrogations during immigration raid, selected legal issues, **§ 7:41**
Enforcement
actions, **§ 5:4, 5:44**
debarment penalty, **§ 5:42**
employee interrogations during immigration raid, selected legal issues, **§ 7:41**

ICE/DOL INVESTIGATIONS—Cont'd
Enforcement—Cont'd
policies of ICE
selection of employers, **§ 5:28**
strategy, **§ 5:3**
selection of employers, enforcement policies of ICE, **§ 5:28**
statistics, **§ 5:4**
strategy, enforcement policies of ICE, **§ 5:3**
warrants obtained based on informant's tip, selected legal issues, **§ 7:42**
Evaluation of settlement agreement, **§ 5:35**
Federal agencies or government, enforcement authority, **§ 5:2**
General warrants based on informant's tip, **§ 7:42**
ICE I-9 inspection notice, responding to an, **§ 5:11**
Informant's tip, warrants obtained based on, selected legal issues, **§ 7:42**
In-house audits
generally, **§ 4:132 et seq.**
basic requirements, **§ 4:134**
checklist, **§ 4:135**
completion of audit, employer actions at, **§ 4:136**
Inspections
generally, **§ 5:8**
interagency coordination, **§ 5:7**
notice of inspection
discrepancies, **§ 5:15**
inspection, **§ 5:9, 5:10**
suspect documents, **§ 5:16**
technical or procedural failures, **§ 5:17, 5:18**
selection of employers, **§ 5:5, 5:8**
Interrogation of employees during immigration raid, selected legal issues, **§ 7:41**
Investigation patterns, **§ 5:3**
Negotiation and settlement after issuance of notice of intent to fine
generally, **§ 5:28 to 5:31**
basic guidelines, **§ 5:29**
elements and evaluation of settlement agreement, **§ 5:31**
settlement procedure, **§ 5:30**
Notice
discrepancies, **§ 5:15**
inspection, **§ 5:9, 5:10**
suspect documents, **§ 5:16**
technical or procedural failures, **§ 5:17, 5:18**
timing and location of ICE inspection and enforcement investigation, below
Oregon's SB 370, **§ 5:44**
Policies of INS and ICE. Enforcement, above
Recent enforcement actions, **§ 5:4**
Selection of
employers, **§ 5:32**
targets
employers selected for investigation, **§ 5:32**

ICE/DOL INVESTIGATIONS—Cont'd
Selection of—Cont'd
targets—Cont'd
initial investigation, **§ 5:33**
response when employer suspects investigation, **§ 5:35**
warning signs, employer as target of criminal worksite investigation, **§ 5:34**
Settlement procedure, **§ 5:30**
Stages, final
employer follow-up after worksite visit, **§ 5:39**
referral for prosecution, **§ 5:38**
Strategy, enforcement policies of ICE, **§ 5:3**
Subpoena for I-9 and other records, **§ 5:36**
Timing and location of ICE inspection and enforcement investigation
I-9 and other records, warrant or subpoena for, **§ 5:36**
search of business premises based on warrants, **§ 5:36**
subpoena for I-9 and other records, **§ 5:36**
warrant for I-9 and other records, **§ 5:36**
Warrants
I-9 and other records, **§ 5:36**
informant's tip as basis for warrant, selected legal issues, **§ 7:42**
search of business premises based on warrants, **§ 5:36**
Worksite visit
California's AB 450 and impact on, **§ 5:44**
conduct of search and execution of warrant, **§ 5:36**
employer
actions during search, **§ 5:37**
follow-up, **§ 5:39**

ID CARDS
Document Guide, this index

IDENTIFICATION
Further inquiries warranted, identification of problem situations, **§ 3:5**
ID cards. Document Guide, this index
Name changes and false identity, **§ 4:106**

IER
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

ILLUSTRATIONS
Document Guide, this index

IMAGE PROGRAM
Generally, **§ 4:119**

IMMEDIATE STEPS
Compliance program, immediate steps to be taken to bring employer into compliance, **§ 4:8**

IMMIGRANT AND EMPLOYEE RIGHTS SECTION (IER) (FORMERLY OSC)
Administrative procedures, **§ 8:41 to 8:54**
Discrimination provisions of IRCA, **§ 8:41 to 8:54**
Enforcement, **§ 8:41 to 8:54**
Length of work authorization and need for sponsorship to renew work authorization, pre-employment inquiries, **§ 11:8**
Letter reaffirming OSC position, **§ 11:2**
Opinion letters
generally, **§ 11:22 to 11:29**
dishonesty policy, rehires, **§ 11:24**
EAR, citizenship status requirement, **§ 11:18**
F-1 student, time limited OPT, refusal to hire, **§ 11:21**
honesty policy, **§ 11:22**
I-9
alternate documentation request, **§ 11:29**
audit, documentation request, **§ 11:26**
documentation, requirement by general contractor, **§ 11:19**
information shared, payroll vendor, **§ 11:25**
original documents not genuine, **§ 11:27**
ITAR, citizenship status requirement, **§ 11:18**
Social security number, no-match, **§ 11:23**
Subcontractor employees, U.S. citizens, **§ 11:17**
U.S. degrees. company policy, **§ 11:19**
U.S. employees replaced, workers on temporary visas, **§ 11:28**
OPT work authorization, **§ 11:7**
Pre-employment inquiries
I-140 portability, **§ 11:1**
length of work authorization and need for sponsorship to renew work authorization, **§ 11:8**
nonimmigrant visas, **§ 11:1**
OPT work authorization, **§ 11:7**
requesting OPT information to be included in student registry, **§ 11:5**
time remaining on H-1B visa, **§ 11:4**
Pre-screening for export control purposes, **§ 11:6**
Requesting OPT information to be included in student registry, **§ 11:5**
SSNVS, pre-screen job applicants, **§ 11:3**
Time remaining on H-1B visa, **§ 11:4**
Use of E-Verify, **§ 11:3**

INDEPENDENT CONTRACTORS
Complaint Procedures, this index
Sanctions, this index

IN-HOUSE AUDITS
Audits and Auditing, this index

I-9 PROCESS
Acceptable documents list, completion of I-9 procedure, **§ 4:53**
Addresses incomplete or omitted, **§ 4:71, 4:72, 4:74, 4:75**

I-9 PROCESS—Cont'd
Admission number misplaced, **§ 4:71**
Afghan parolees, **§ 4:99**
Age of employee, special I-9 rules applicable to employee under 18 years old, **§ 4:101, 4:102**
Birth date, **§ 4:73, 4:79**
Certification
Section-by-section analysis of Form I-9, below
untimely certification by employer, **§ 4:72**
Children or minors, special I-9 rules applicable to employee under 18 years old, **§ 4:101, 4:102**
Common abbreviations for acceptable I-9 documents, **§ 4:43**
Common errors, **§ 4:70 et seq.**
Completion of I-9 procedure
generally, **§ 4:44 et seq.**
acceptable documents, list of, **§ 4:53**
consistent information, review by employer to assure, **§ 4:58**
copies of Section 2 documents, employer may keep, **§ 4:60**
documents, see lines throughout this group
employee information sheet, **§ 4:46**
expiration date in hiring decision, **§ 4:51**
first day of employment, **§ 4:45**
Form I-9 employee information sheet, **§ 4:46**
genuineness, review by employer to assure, **§ 4:56**
hiring decision, expiration date in, **§ 4:51**
incomplete information, **§ 4:75, 4:77**
original documents, employer review of Section 2 documents to assure they are, **§ 4:54**
pertinent information, employer to complete, **§ 4:59**
presentation of documents, **§ 4:48**
records, maintaining I-9 form for required period of time, **§ 4:61**
relatedness, review by employer to assure, **§ 4:58**
remote verification, **§ 4:57**
reverification by work authorization expiration date, **§ 4:62**
review by employer, **§ 4:53 et seq.**
Section 1 information, employer must not request documentation to verify, **§ 4:52**
signature required for form with pertinent information about employee's documents, **§ 4:59**
timing of completion of Form I-9, below
unexpired documents, review of Section 2 documents by employer to assure that they are, **§ 4:55**
USCIS, employer prohibited from requesting work document issued by, verification, **§ 4:50**
verification, this index
Compliance Program, this index
Consistent information, review by employer to assure, **§ 4:58**
Copies of Section 2 documents, employer may keep, **§ 4:60**
Divestiture. Mergers and Acquisitions, this index

I-9 PROCESS—Cont'd
Document Guide, this index
Documents, see lines throughout this group
Driver's license, **§ 4:64**
Electronic I-94 record, employees experiencing problems obtaining, **§ 4:100**
Employees
experiencing problems obtaining electronic I-94 record, **§ 4:100**
under 18 years old, **§ 4:101, 4:102**
Employer associations, special I-9 rules applicable to, **§ 4:108**
Errors, **§ 4:70 et seq.**
E-Verify
Generally, **§ 4:109**
employer requirements for participation, **§ 4:110**
enrollment decision, **§ 4:111**
enrollment procedures, **§ 4:112**
participants, additional steps, **§ 1:29**
pre-enrollment steps and procedures, **§ 4:112**
pre-screening job applicants, **§ 3:25**
procedures, **§ 4:113**
sample form
DHS Further Action Notice, **§ 4:114**
DHS Referral Date Confirmation, **§ 4:117**
Dual DHS/SSA Further Action Notice, **§ 4:116**
SSA Further Action Notice, **§ 4:115**
Expiration date, **§ 4:51, 4:73**
First day of employment, **§ 4:45**
Form I-9 (01/20/25 edition), sample form 4-2, **§ 4:35**
Further Inquiries Warranted, this index
Genuineness, review by employer to assure, **§ 4:56**
Handicapped persons, special I-9 rules applicable to, **§ 4:101**
Hiring
expiration date in hiring decision, **§ 4:51**
omission of hire date, **§ 4:79**
Human resources managers, completion of, **§ 1:14 et seq.**
Human Resources Managers, this index
ICE I-9 inspection notice, responding to an, **§ 5:11**
Incomplete information, **§ 4:75, 4:77**
Independent contractors, **§ 3:14 to 3:17**
Inspections
conduct of inspection, **§ 5:12**
ICE I-9 inspection notice, responding to an, **§ 5:11**
interagency coordination, **§ 5:7**
notice of inspection requirements, **§ 5:6**
selection of employers, **§ 5:5, 5:8**
IRCA compliance program. Compliance Program, this index
Limited hiring. Recruitment and Limited Hiring, this index
Maintenance of I-9 Records, this index
Mergers and Acquisitions, this index

I-9 PROCESS—Cont'd
Name
changes and false identity, **§ 4:106**
employer omitted, **§ 4:71**
New hires, special I-9 rules applicable to hires not considered, **§ 4:104**
Non-English speaking foreign-born U.S. citizen, **§ 4:65**
Notice
compliance letters and warning notices, **§ 5:13**
ICE I-9 inspection notice, responding to an, **§ 5:11**
inspection
generally, **§ 5:6**
sample form, sample warning notice, **§ 5:14**
Top portion of the I-9: instructions and anti-discrimination law, **§ 4:36**
Omitted attestation, **§ 4:73, 4:76, 4:78**
Original documents, employer review of Section 2 documents to assure they are, **§ 4:54**
Overdocumentation, **§ 4:80**
Pending adjustment applications, T and U nonimmigrants, **§ 4:98**
Permanent resident card, lawful permanent resident with, **§ 4:66**
Pertinent information, employer to complete, **§ 4:59**
Practical training authorization, foreign student with, **§ 4:67**
Pre-screening job applicants, **§ 3:25**
Presentation of documents, **§ 4:48**
Receipts presented for
documents, timing, **§ 4:30**
Sample form, Form I-9 for employee presenting receipts, **§ 4:84**
verification purposes, special I-9 rules applicable to particular groups, **§ 4:83**
Records. Maintenance of I-9 Records, this index
Recruitment and Limited Hiring, this index
Referrals, special I-9 rules applicable, **§ 4:107**
Referrals from state employment agencies, **§ 4:103**
Refugee status, person accorded, **§ 4:68**
Rejection of document, **§ 4:49**
Relatedness, review by employer to assure, **§ 4:58**
Remote verification, **§ 4:57**
Reverification. Verification, this index
Review by employer, **§ 4:53 et seq.**
Sample form, Form I-9 employee information sheet, **§ 4:46**
Sample Form 4-2: Form I-9 (01/20/25 edition), **§ 4:35**
Sample I-9 forms
generally, **§ 4:63 et seq.**
addresses incomplete or omitted, **§ 4:71, 4:72, 4:74, 4:75**
admission number misplaced, **§ 4:71**
attestation, **§ 4:73 et seq.**
birth date, **§ 4:73, 4:79**
certification by employer as untimely, **§ 4:72**
common errors, **§ 4:70 et seq.**

I-9 PROCESS—Cont'd
Sample I-9 forms—Cont'd
document information
generally, **§ 4:70 et seq.**
omitted, **§ 4:81**
driver's license, **§ 4:64**
employee information sheet, **§ 4:46**
errors, **§ 4:70 et seq.**
expiration date omitted, **§ 4:73**
hire date omitted, **§ 4:79**
incomplete information, **§ 4:75, 4:77**
name of employer omitted, **§ 4:71**
non-English speaking foreign-born U.S. citizen, **§ 4:65**
omitted attestation, **§ 4:73, 4:76, 4:78**
overdocumentation, **§ 4:80**
permanent resident card, lawful permanent resident with, **§ 4:66**
practical training authorization, foreign student with, **§ 4:67**
refugee status, person accorded, **§ 4:68**
section-by-section analysis of form I-9, below
social security, **§ 4:64, 4:72, 4:76**
special I-9 rules applicable to employee under 18 years old, **§ 4:102**
sponsored employee, temporary U.S. employment, **§ 4:69**
temporary U.S. employment, employer sponsored employee, **§ 4:69**
untimely attestation, **§ 4:73**
zip code omitted, **§ 4:72**
Section 1
documents, employer nonreview, **§ 4:51**
information, employer must not request documentation to verify, **§ 4:52**
Section 1: Employee attestation and signature, **§ 4:38**
Section 1: Employee information, **§ 4:37**
Section 2: Employer attestation and signature, **§ 4:40**
Section 2: Employer review of I-9 documents, **§ 4:39**
Section-by-section analysis of Form I-9
generally, **§ 4:34 et seq.**
notice, **§ 4:36**
sample forms, **§ 4:34 et seq.**
Section 2 documents, employer review, **§ 4:53 et seq.**
Signature required for form with pertinent information about employee's documents, **§ 4:59**
Social security, sample I-9 forms, **§ 4:64, 4:72, 4:76**
Special I-9 rules applicable to particular groups, generally, **§ 4:82 et seq.**
Sponsored employee, temporary U.S. employment, **§ 4:69**
Step-by-step guidance, **§ 1:28**
generally, **§ 1:21 to 1:27**
copies or scanned images of documents, keeping of, depending on company policy, **§ 1:25**
employee completion of Section 1, **§ 1:22**

I-9 PROCESS—Cont'd
Step-by-step guidance, **§ 1:28**—Cont'd
employer review of I-9 documents presented by employee, **§ 1:23**
maintain the I-9 form for the required period of time, **§ 1:27**
reverification tickler system included, if required, **§ 1:26**
Section 2, employer completion of, **§ 1:24**
Supplement A
translator/preparer certification, **§ 4:41**
Supplement B
rehire, **§ 4:42**
reverification, **§ 4:42**
T and U nonimmigrants, pending adjustment applications, **§ 4:98**
Temporary U.S. employment, employer sponsored employee, **§ 4:69**
Timing of completion of Form I-9
generally, **§ 4:29 et seq.**
first day of employment, prior to, **§ 4:31**
hiring for three days or less, **§ 4:32**
job opening prior to completion, **§ 4:33**
Top portion of the I-9: instructions and anti-discrimination law, notice, **§ 4:36**
Ukrainian parolees, **§ 4:99**
Untimely attestation, **§ 4:72**
USCIS, employer prohibited from requesting work document issued by, verification, **§ 4:50**
Verification, this index
Zip code omitted, **§ 4:72**

INITIAL VERIFICATION
Further inquiries warranted, strategies in problems situations arising during initial verification, **§ 3:7**

INSPECTIONS
ICE/DOL Investigations, this index
I-9 process, this index

INSTRUCTIONS
I-9 process, **§ 4:36**

INTENT
Complaint Procedures, this index
Discrimination, this index

INTERNAL TRANSFERS
Sanctions, verification of internal transfers, **§ 1:7**

INTERNS
Verification, **§ 1:12, 4:27**

INTRODUCTION
Generally, **§ 1:1, 1:2**

INVESTIGATIONS
Conduct of Investigation, this index
ICE/DOL Investigations, this index

IRCA COMPLIANCE PROGRAM
Compliance Program, this index

JUDICIAL REVIEW
Discrimination orders, judicial review of 274B discrimination orders, **§ 8:53**

JURISDICTION
Discrimination, enforcement and administrative procedures, **§ 8:57**

KNOWLEDGE
Notice or Knowledge, this index

LABOR CERTIFICATION
Complaint procedures, labor certification filing, **§ 7:10**

LEGISLATURE AND LEGISLATIVE MATTERS
Document guide, acceptable I-9 documents, **§ 9:3**

LETTERS
No-match letters, this index

LICENSES OR PERMITS
Document Guide, this index
Driver's Licenses, this index

LIMITATION OF ACTIONS
Statute of Limitations, this index

LIMITATIONS OR RESTRICTIONS
Actions. Statute of Limitations, this index
Hiring limitations. Recruitment and Limited Hiring, this index
Recruitment and Limited Hiring, this index

LISTS
Document guide, full list of acceptable documents, **§ 9:2**

MAINTENANCE OF I-9 RECORDS
Completion of I-9 procedure, maintaining I-9 form for required period of time, **§ 4:61**
Electronic generation and storage of I-9 records, **§ 4:122**
Electronic I-9 program, selection of, **§ 4:123**
Length of time, **§ 4:120**
Location of, privacy considerations, **§ 4:121**
Selecting electronic storage I-9 program, **§ 4:123**

MANAGERS AND MANAGEMENT
Compliance program, provide clear guidance to hiring managers on I-9 procedures, **§ 4:6**
Human Resources Managers, this index
On-Line Managers, this index

MERGERS AND ACQUISITIONS
Auditing inherited I-9 files, **§ 3:28**
Complaint procedures, entity subject to liability, **§ 7:39**
I-9 process, generally, **§ 3:26 et seq.**
Reverification needed when company reorganizes, **§ 3:27**
Successor employer, liability of, **§ 3:28**

MILITARY MATTERS
Coast Guard merchant mariner card, **§ 9:46, 9:47**
Dependent's ID card, **§ 9:44, 9:45**
Draft record, U.S. military card or, **§ 9:42, 9:43**
U.S. military card or draft record, **§ 9:43, 9:45**

MISTAKE OR ERROR
Common Mistakes or Errors, this index

MOTIONS
Complaint Procedures, this index

MUNICIPALITIES
Document guide, birth certificate issued by municipal authority bearing seal, **§ 9:56 to 9:59**

NAME OR NAMING
Compliance program, designation of overall compliance officer, **§ 4:4**
False identity, **§ 4:106**
I-9 process
name changes and use of false identity, **§ 4:106**
name of employer omitted, **§ 4:71**

NATIVE AMERICANS
Document guide, Native American tribal document, **§ 9:29**

NATURALIZATION
Permanent resident, applying for replacement, expired green card, **§ 4:92**

NEW HIRES
Sanctions, verification of new hires, **§ 1:4**

NEW SOCIAL SECURITY NUMBERS
Complaint procedures, presentation of new social security numbers, **§ 7:14**

NO-MATCH LETTERS
Further inquiries warranted, strategies when employer receives Social Security Administration no-match letter, **§ 3:10 to 3:12**

NONCITIZENS
Discrimination, this index

NON-ENGLISH
I-9 process, non-English speaking foreign-born U.S. citizen, **§ 4:65**

NONIMMIGRANTS
Discrimination, preference for nonimmigrants, **§ 8:19**
Document Guide, this index
Verification, this index

NOTICE OR KNOWLEDGE
Compliance program, notice to employees in case of late I-9 compliance, **§ 4:9**
Discrimination, intentional citizenship status discrimination, **§ 8:8**
Employment authorization document (EAD), federal register, **§ 4:94**

NOTICE OR KNOWLEDGE—Cont'd
Federal register, employment authorization document (EAD), **§ 4:94**
Further Inquiries Warranted, this index
ICE/DOL Investigations, this index
I-9 form, section-by-section analysis of, **§ 4:36**

OCAHO
Complaint procedures
hearings and decision, **§ 6:13**
suppression of
hearsay statements, **§ 7:29**
illegally obtained evidence, **§ 7:28**
Independent contractors, factors established by OCAHO, **§ 3:16**
Proceedings
generally, **§ 6:1**
filing of complaint and timing of response, **§ 6:2**
preparation of answer to complaint, **§ 6:4, 6:5**
review by employer of complaint, **§ 6:3**
service of complaint, **§ 6:2**

OFFER OF EMPLOYMENT
Discrimination, employer's mistake in asking questions relating to employment eligibility prior to making offer of employment, **§ 8:27**

OMISSION
I-9 process, omitted attestation, **§ 4:73, 4:76, 4:78**
I-9 process, omitted document information, **§ 4:81**

ON-CAMPUS RECRUITMENT
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

ON-LINE MANAGERS
Generally, **§ 1:35**
Checklist, **§ 1:36**

OPINION LETTERS
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

ORDERS
Discrimination orders, judicial review of 274B discrimination orders, **§ 8:53**

OREGON
SB 370 impact on ICE worksite enforcement actions, **§ 5:44**

OSC
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

OVERDOCUMENTATION
I-9 process, **§ 4:80**

PAROLEES
Afghan parolees, I-9 process, **§ 4:99**
Ukrainian parolees, I-9 process, **§ 4:99**

PASSPORT CARD
Document guide, **§ 9:8**
Sample, **§ 9:9**

PASSPORTS
Electronic passport for U.S., **§ 9:6**
Federated States of Micronesia, from, **§ 9:28**
Foreign passport, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**
Republic of Marshall Islands, from, **§ 9:28**
U.S. passports, generally, **§ 9:5 to 9:9**

PATTERN OR PRACTICE VIOLATIONS
Discrimination, citizenship status discrimination, **§ 8:9**

PENALTIES
Complaint Procedures, this index
Discrimination, enforcement and administrative procedures, **§ 8:52**
Fines, this index
Sanctions, this index

PERMANENT RESIDENT CARD
Form I-551, **§ 9:22 to 9:25**
Form I-551: Later version of green card released May 2010, **§ 9:24**
Form I-551: Latest versions of green card released May 2017 and January 2023, **§ 9:25**
Form I-551: Prior versions of green card, **§ 9:23**
Green Cards, this index
I-9 process, lawful permanent resident with permanent resident card, **§ 4:66**
Permanent resident, applying for replacement, expired green card, **§ 4:92**

PERMANENT RESIDENT DOCUMENTS
Green Cards, this index
Permanent Resident Card, this index

PERMITS
Licenses or Permits, this index

PERSONNEL POLICY
Compliance program, integration of IRCA policy with personnel policy, **§ 4:5**

PERTINENT INFORMATION
I-9 process, employer to complete pertinent information, **§ 4:59**

PHOTOGRAPHS
Document guide, photograph on ID card, **§ 9:33 to 9:36, 9:38**

PLACE OR LOCATION
ICE/DOL Investigations, this index
I-9 records maintenance, location of, privacy considerations, **§ 4:121**

PORTABILITY
H-2A portability provision, verification of covered employees, **§ 4:87**

PORTABILITY—Cont'd
H1-B portability provision, verification of covered employees, **§ 4:87**

PRACTICAL TRAINING
I-9 process, foreign student with practical training authorization, **§ 4:67**

PREFERENCES
Discrimination, citizenship status discrimination, **§ 8:18, 8:19**

PREHEARING DISCOVERY
Complaint Procedures, this index

PRE-HIRE INQUIRIES
Recruitment and limited hiring, **§ 3:24**

PRE-IIRIRA
Discrimination, pre-IIRIRA document abuse violations, **§ 8:21**

PREPARATION
Complaint, preparation of answer to, **§ 6:4, 6:5**

PRESENTATION
I-9 process, presentation of documents, **§ 4:48**

PRIVACY
I-9 records maintenance, location of, privacy considerations, **§ 4:121**

PROCEDURES
Administrative proceedings. Complaint Procedures, this index
Complaint Procedures, this index

PROCESSING OF CHARGE
Discrimination, this index

PROTECTED INDIVIDUALS
Employer obligations under IRCA's anti-discrimination provision, **§ 2:8**
Recruitment and limited hiring, restricting employment to protected individuals, **§ 3:21**

RECEIPTS
Human resources managers, timing when employee presents receipts for documents of I-9 process, **§ 1:18**
I-9 form for employee presenting receipts, **§ 4:84**
I-9 process, receipts presented for verification purposes, **§ 4:83**

RECENT DEVELOPMENTS
Automatic extensions, TPS EADs, **§ 4:95**

RECORDS
Complaint Procedures, this index
Maintenance of I-9 Records, this index

RECRUITMENT AND LIMITED HIRING
Citizens of the U.S., restricting employment to, **§ 3:22**

RECRUITMENT AND LIMITED HIRING—Cont'd
Current employment authorization, recruiting individuals who lack, **§ 3:20**
Current work authorization, **§ 3:19**
Discrimination charge, recruiters subject to, **§ 8:3**
E-Verify for pre-screening job applicants, **§ 3:25**
Foreign workers, recruitment practices demonstrating preference, **§ 3:23**
I-9 procedure for pre-screening job applicants, **§ 3:25**
I-9 process, generally, **§ 3:18 et seq.**
Pre-hire inquiries, **§ 3:24**
Pre-screening job applicants, **§ 3:25**
Protected individuals, restricting employment to, **§ 3:21**
Sanctions, verification of recruiter referrals, **§ 1:8**
Special I-9 rules applicable, **§ 4:107**
U.S. citizens, restricting employment to, **§ 3:22**

REDUCTION IN FORCE
Discrimination, unlawful discharge and retaliation charges, **§ 8:15**

REFERRALS
Discrimination charges, referral agencies subject to, **§ 8:3**
I-9 process, special I-9 rules applicable, **§ 4:107**
Sanctions, verification of referrals, **§ 1:8**

REFUGEE STATUS
I-9 process, persons accorded refugee status, **§ 4:68**
Verification, acceptance of receipts for individuals authorized to work incident to, **§ 4:93**

REGISTRATION
Document Guide, this index

REHIRES
Complaint procedures, ''rehired'' employees or employees ''continuing in employment,'' **§ 7:25**
Immigrant and Employee Rights Section (IER) (formerly OSC), this index
Same employer, persons previously employed by the same employer and ''rehired,'' **§ 4:105**
Sanctions, verification of rehires, **§ 1:9**

RELEVANT STATUTES AND REGULATIONS
DHS Worksite Memo, document guide, **§ 10:11**
Executive Order 13465, June 6, 2008, **§ 10:5**
Executive Order 12989 of February 13, 1996, **§ 10:5**
Federal Acquisition Regulation of November 14, 2008, **§ 10:6**
Guide to Administrative for I-9 Inspections and Civil Monetary Penalties, **§ 10:4**
ICE audit trail memorandum, **§ 10:9**
OSC, ICE Joint Guidance to Employers on Internal I-9 Audits, **§ 10:10**
Regulatory authority, **§ 10:2**
Statutory authority and CFR, **§ 10:1**
USCIS
FAQ Document on FAR Rule of April, 2010, **§ 10:7**

RELEVANT STATUTES AND REGULATIONS —Cont'd
USCIS—Cont'd
memo on employment authorization of refugees and asylees, **§ 10:8**

RELIANCE
Complaint procedures, reliance on attorney statements regarding employee's work eligibility, **§ 7:8**

REPLACEMENTS
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:18**

RESPONSES
Complaint Procedures, this index
Discrimination charge, response of employer to, **§ 8:50**

RESTRICTIONS
Limitations or Restrictions, this index

RETALIATION
Discrimination, this index

REVERIFICATION
Verification, this index

REVIEW
Appeal or Review, this index

REVISION
Document guide, revision of acceptable I-9 documents, **§ 9:3**

SAMPLES
I-9 Process, this index
Verification, this index

SANCTIONS
Criminal, **§ 5:40**
Current employees verified, **§ 1:3**
Domestic service workers providing sporadic services, **§ 1:6**
Employer
generally, **§ 3:1**
associations verified, **§ 1:11**
Government enforcement of employer sanctions, basic requirements under IRCA, **§ 2:5**
Independent contractors
I-9 process
generally, **§ 3:14 to 3:17**
practical guidelines, **§ 3:17**
regulations, **§ 3:15**
OCAHO, factors established by, **§ 3:16**
verification of independent contractors, **§ 1:5**
Internal transfers verified, **§ 1:7**
New hires verified, **§ 1:4**
Recruiter referrals verified, **§ 1:8**
Referrals verified, **§ 1:8**
Rehires verified, **§ 1:9**
State agency referrals verified, **§ 1:8**

SANCTIONS—Cont'd
Union referrals verified, **§ 1:8**
Verification
generally, **§ 1:3 et seq.**
current employees, **§ 1:3**
domestic service workers providing sporadic services, **§ 1:6**
employer associations, **§ 1:11**
independent contractors, **§ 1:5**
internal transfers, **§ 1:7**
new hires, **§ 1:4**
non new hires, **§ 1:10**
ownership interests, people with, **§ 1:13**
recruiter referrals, **§ 1:8**
referrals, **§ 1:8**
rehires, **§ 1:9**
state agency referrals, **§ 1:8**
union referrals, **§ 1:8**

SCHOOLS
Document guide, school ID card with photo, **§ 9:38**

SECTION BY SECTION ANALYSIS
I-9 Process, this index

SERIOUSNESS
Complaint procedures, seriousness of violation, **§ 7:33**

SERVICE OF PROCESS
Complaint, service of, **§ 6:2**

SETTLEMENT AGREEMENTS
Department of Justice (DOJ) settlement agreements, sample, **§ 8:55**
Justice Department settlement agreements, Sample, **§ 8:55**
Negotiation and settlement after issuance of notice of intent to fine. ICE/DOL Investigations, this index
OCAHO Settlement Officer Program, **§ 6:11**
Post-complaint settlements, procedures, **§ 6:10**

SIZE FACTOR
Complaint procedures, fines, **§ 7:31**

SOCIAL SECURITY
Document guide, social security card, **§ 9:49, 9:50**
Further inquiries warranted, strategies when employer receives Social Security Administration no-match letter, **§ 3:10 to 3:12**
Immigrant and Employee Rights Section (IER) (formerly OSC), this index
I-9 process, sample I-9 forms, **§ 4:64, 4:72, 4:76, 4:128 to 4:131**
New social security numbers, complaint procedures, presentation of new social security numbers, **§ 7:14**
Reverification procedures, I-9, **§ 4:127 et seq.**

SPECIAL FEES
Discrimination, employer's mistake in charging special fees to complete the verification process, **§ 8:38**

SPECIAL RULES
I-9 process, special I-9 rules applicable to particular groups
generally, **§ 4:82 et seq.**
''rehires,'' persons previously employed by the same employer and 'rehired,' **§ 4:105**

SPONSORSHIP
I-9 process, temporary U.S. employment for sponsored employee, **§ 4:69**

SSA NO-MATCH LETTERS
No-Match Letters, this index

STANDARDS
Compliance policy, establishment of standard written, **§ 4:3**
Discrimination charge, standards for tolling 180-day period, **§ 8:43**

STATE AGENCIES
Sanctions, verification of state agency referrals, **§ 1:8**

STATE AND LOCAL LEGISLATION
IMAGE program, **§ 4:119**

STATE DEPARTMENT
Document guide, State Department certification of birth abroad, **§ 9:52 to 9:55**

STATES
Document Guide, this index
State and Local Legislation, this index

STATUS
Discrimination, this index

STATUTE OF LIMITATIONS
Complaint procedures, defenses in employer sanction proceedings, **§ 7:21**
Discrimination charge, standards for tolling 180-day period, **§ 8:43**

STATUTES
Limitation of actions. Statute of Limitations, this index
Relevant Statutes and Regulations, this index

STEM GRADUATES
OPT extension, seeking 17-month, **§ 4:90**

STORAGE
Electronic storage of I-9 records, **§ 4:122**
I-9 records maintenance, location of, privacy considerations, **§ 4:121**

STRATEGIES
Further Inquiries Warranted, this index
ICE investigations, enforcement policies, **§ 5:3**

STUDENTS
Document guide, school ID card with photo, **§ 9:38**
F-1 students eligible for automatic OPT extension (cap-gap extensions), **§ 4:89**

STUDENTS—Cont'd
I-9 process, foreign student with practical training authorization, **§ 4:67**

SUBCONTRACTORS
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

SUBDIVISIONS
Complaint Procedures, this index

SUBSTANTIAL COMPLIANCE
Complaint procedures, substantial compliance defense for paperwork violations, **§ 7:23**

SUCCESSOR EMPLOYER
Mergers and acquisitions, liability of successor employer, **§ 3:28**

TEAR-OFF PORTION
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:18**

TEMPORARY MATTERS
I-9 process, temporary U.S. employment, employer sponsored employee, **§ 4:69**

TIME OR DATE
Complaint procedures, timeliness of employer's response, **§ 7:6**
Discrimination, this index
Human resources managers, timing Form I-9 completion, **§ 1:14 to 1:29**
ICE/DOL Investigations, this index
I-9 Process, this index
Job offer, employer's mistake of inconsistency with regard to time job offer is open while employee seeks documentation, **§ 8:29**
Maintenance of I-9 records, length of time, **§ 4:120**
Nonimmigrants with pending extension applications, **§ 4:85**
Reverification procedures, timing, **§ 1:31**
Verification, timing of reverification, **§ 1:31, 4:126**

TITLE VII
Discrimination, enforcement and administrative procedures, **§ 8:56**

UKRAINIAN PAROLEES
I-9 process, **§ 4:99**

UNDOCUMENTED ALIENS
Discrimination, preference for undocumented aliens, **§ 8:18**

UNEXPIRED PASSPORT
Document guide, unexpired foreign passport with employment authorization attached, **§ 9:10 to 9:20**

UNFAIR IMMIGRATION - RELATED EMPLOYMENT PRACTICES
Immigrant and Employee Rights Section (IER) (formerly OSC), this index

UNION REFERRALS
Sanctions, verification of union referrals, **§ 1:8**

UNITED STATES COAST GUARD
Document guide, U.S. Coast Guard merchant mariner card, **§ 9:46, 9:47**

UNITED STATES DOCUMENT GUIDE
U.S. citizen ID cards, **§ 9:30 to 9:32**

UNITED STATES PASSPORT CARD
Document guide, **§ 9:8**
Sample, **§ 9:9**

UNITED STATES PASSPORTS
Document guide, **§ 9:5 to 9:9**

UNLAWFUL DISCHARGE
Discrimination, this index

UNLAWFUL "DOCUMENT ABUSE"
Basic requirements under IRCA, **§ 2:10**

UNPAID INTERNS
Verification, **§ 1:12, 4:27**

UNTIMELY ATTESTATION
I-9 process, **§ 4:72**

UPDATES
Reverification, **§ 4:124**

VERIFICATION
Airlines, foreign airline employees, **§ 4:26**
Asylees status, acceptance of receipts for individuals authorized to work incident to, **§ 4:93**
Automatic extension, EADs through federal register notice, **§ 4:94**
Automatic extension of DED, other USCIS notice, **§ 4:94**
Automatic extension of TPS, persons granted, **§ 4:94**
Basic requirements under IRCA, work verification procedures, **§ 2:4**
Completion of I-9 procedure
generally, **§ 4:10 et seq.**
airlines, foreign airline employees, **§ 4:26**
current employees, **§ 4:11**
domestic service workers, **§ 4:25, 4:26**
employer associations, **§ 4:18**
foreign airline employees, **§ 4:26**
grandfather clause, **§ 4:20**
independent contractors, **§ 4:13, 4:22**
intermittent services, domestic service workers, **§ 4:25**
internal transfers, **§ 4:14**
irregular services, domestic service workers, **§ 4:25**
new hires, **§ 4:12**
Other situations not considered a "new hire," **§ 4:17**
outside contractors, **§ 4:23**
recruiters, referrals from, **§ 4:15**

VERIFICATION—Cont'd
Completion of I-9 procedure—Cont'd
referrals from unions, recruiters, or state agencies, **§ 4:15**
rehires, **§ 4:16**
review of verification documents by third day of employment, **§ 4:47**
salary and benefits, **§ 4:21**
sample I-9 forms. Reverification, below
self-employment, **§ 4:24**
special rules for designated groups, **§ 4:28**
sporadic services, domestic service workers, **§ 4:25**
state agencies, referrals from, **§ 4:15**
third day of employment, review of verification documents by, **§ 4:47**
transfers, internal transfers, **§ 4:14**
unions, referrals from, **§ 4:15**
Current employees, **§ 4:11**
Domestic service workers, **§ 4:25, 4:26**
Employer associations, **§ 4:18**
Extension applications under 240-day rule, nonimmigrants, **§ 4:85**
sample form, **§ 4:86**
Federal
contractors, **§ 4:118**
register notice, **§ 4:94**
Foreign airline employees, **§ 4:26**
Fraud, employer's obligation to review documents for fraud during verification process, **§ 2:12**
F-1 students eligible for automatic OPT extension (cap-gap extensions), **§ 4:89**
Further Inquiries Warranted, this index
Further verification required, **§ 4:128 to 4:131**
Grandfather clause, **§ 4:20**
H1-B portability provision, covered employees, **§ 4:87, 4:88**
Immigrant and Employee Rights Section (IER) (formerly OSC), this index
Independent contractors, **§ 4:13, 4:22**
Intermittent services, domestic service workers, **§ 4:25**
Internal transfers, **§ 4:14**
I-9 process
generally, **§ 4:10 et seq.**
completion of I-9 procedure, above
discrimination
generally, **§ 11:9 et seq.**
driver cards, **§ 11:12**
E-Verify, current employees, **§ 11:16**
E-Verify use, staffing company, **§ 11:15**
E-Verify violation, **§ 11:14**
limiting list of acceptable I-9 documents, **§ 11:9**
overdocumented employees, **§ 11:13**
prepopulation of Section 1, **§ 11:10**
reverifying employment authorization documents, **§ 11:11**
I-9 form for employee presenting receipts, **§ 4:84**

VERIFICATION—Cont'd
I-9 process—Cont'd
receipts presented for verification purposes, special I-9 rules applicable to particular groups, **§ 4:83**
reverification, below
Irregular services, domestic service workers, **§ 4:25**
New hires, **§ 4:12**
OPT extension (cap-gap extensions), F-1 students eligible for automatic, **§ 4:89**
Other situations not considered a "new hire," **§ 4:17**
Outside contractors, **§ 4:23**
Ownership interests, persons with, **§ 4:19**
Persons who must be verified, **§ 4:125**
Receipts presented for verification purposes, special I-9 rules applicable to particular groups, **§ 4:83**
Recruiters, referrals from, **§ 4:15**
Referrals from unions, recruiters, or state agencies, **§ 4:15**
Refugees status, acceptance of receipts for individuals authorized to work incident to, **§ 4:93**
Rehires, **§ 4:16**
Residents seeking removal of conditional status, **§ 4:91**
Reverification
generally, **§ 1:30 to 1:32, 4:124**
complaint procedures, constructive knowledge based on failure to conduct reverification, **§ 7:12**
completion of sample I-9 forms, generally, **§ 4:124 et seq.**
further inquiries warranted, strategies in reverification situations, **§ 3:8**
further verification required, **§ 4:128**
I-9 process
completion of I-9 procedure, reverification by work authorization expiration date, **§ 4:62**
procedures for reverification, **§ 4:124 et seq.**
section-by-section analysis of Form I-9, **§ 4:34 et seq.**
mergers and acquisitions, reverification needed when company reorganizes, **§ 3:27**
persons who must be reverified, **§ 1:30**
persons who must be verified, **§ 4:125**
procedures, **§ 1:32**
sample forms
expiration date in Section 1, social security card, **§ 4:129**
USCIS employment authorization, social security card, **§ 4:130, 4:131**
USCIS-issued employment authorization document, **§ 4:128**
section-by-section analysis of Form I-9, **§ 4:34 et seq.**
social security card, completion of sample forms, **§ 4:127 et seq.**
timing, **§ 1:31, 4:126**
Review of verification documents by third day of employment, **§ 4:47**
Salary and benefits, **§ 4:21**

VERIFICATION—Cont'd
Sample forms
completed for reverification, **§ 4:128 et seq.**
Expiration date in Section 1, social security card, **§ 4:129**
Form I-9 for employee presenting receipts, **§ 4:84**
Form I-9 for employees covered by 240-day rule, **§ 4:86**
USCIS employment authorization, social security card, **§ 4:130, 4:131**
USCIS-issued employment authorization document, **§ 4:128**
Sanctions, this index
Section-by-section analysis of Form I-9, reverification, **§ 4:34 et seq.**
Self-employment, **§ 4:24**
Social security card, completion of sample forms, **§ 4:127 et seq.**
Special fees charged to complete verification process, employer's mistake, **§ 8:38**
Special rules for designated groups, **§ 4:28**
Sporadic services, domestic service workers, **§ 4:25**
State agencies, referrals from, **§ 4:15**
Status, acceptance of receipts for individuals authorized to work incident to, **§ 4:93**
STEM graduates seeking 17-month OPT extension, **§ 4:90**
Third day of employment, review of verification documents by, **§ 4:47**
Timing of reverification, **§ 1:31, 4:85, 4:126**
TPS, persons granted automatic extension of, **§ 4:94**
Transfers, internal transfers, **§ 4:14**
240-day rule nonimmigrants with pending extension applications, **§ 4:85**
Unions, referrals from, **§ 4:15**
Unpaid interns and volunteers and unpaid interns, **§ 1:12, 4:27**
Volunteers and unpaid interns, **§ 1:12, 4:27**

VIOLATIONS
Discrimination, this index

VISAS
Temporary Form I-551 printed notation on machine readable immigrant visa, Sample Form 9-7, **§ 9:15**
Unexpired foreign passport with employment authorization attached, **§ 9:15**

VOTERS AND VOTING
Document guide, voter's registration card, **§ 9:39, 9:40**

WARRANTS
ICE/DOL Investigations, this index

WORKPLACE SOURCES
Further inquiries warranted, strategies when employer put on notice by workplace sources, **§ 3:13**

WORKSITE ENFORCEMENT
California's AB 450, impact on ICE actions, **§ 5:44**

ZIP CODES
I-9 process, omission of zip code, **§ 4:72**