

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF HUMAN RESOURCES

June 29, 2004

CIVIL SERVICE BULLETIN 8.18A

TO: Agency Heads, Directors of Administrative Services, HR Representatives

SUBJECT: FORM I-9 *EMPLOYMENT ELIGIBILITY VERIFICATION*

The Immigration Reform and Control Act of 1986 made all employers responsible to verify eligibility and identity of all employees hired to work in the United States after November 6, 1986. To comply with the law, all employers are required to complete an Employment Eligibility Verification (Form I-9) for all employees, including U.S. citizens.

The purpose of this memorandum is to amend Personnel Bulletin 8.18 (03/18/87) and HR Memorandum 8-87 (06/16/87) by removing the requirement that agency human representatives attach photocopies of the documents used to establish identity and employment eligibility with the Form I-9 when completing new hire forms. The proper examination of the documents and completion of the certification contained in Section 2 of Form I-9, is sufficient to meet the requirements of the law.

Agency human resource representatives must ensure that Form I-9 is completed for every new employee. The instructions incorporated with Form I-9 must be carefully consulted to ensure compliance with the law. Complete instructions regarding Form I-9 are currently located at:

http://uscis.gov/graphics/lawsregs/handbook/hand_emp.pdf

The current version of Form I-9 is located at the Bureau of Human Resources website by clicking on "Forms" and then to Form I-9.

<http://www.maine.gov/bhr/bhrforms/index.htm>

DISCRIMINATION PROHIBITED

Agencies are strongly cautioned to guard against illegal discrimination in the use of Form I-9. Hence, the anti-discrimination notice contained on Form I-9 is repeated herein for your reference: "It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination."



Donald A. Wills, Director
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