Common Visa documents that are acceptable for I-9 forms

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F-1 Students

F-1 Students, Graduate and Undergraduate students from your campus need to present the following documents in order to complete an I-9 form:

- 1) An Unexpired Foreign Passport
- 2) An I-20

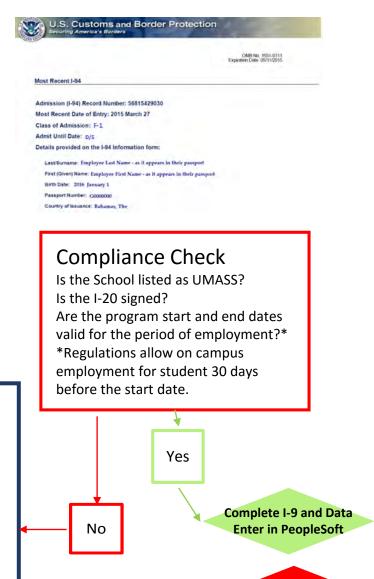
ICE Form 1-20 A-B (12/2016)

3) An I-94 record



Troubleshooting/Missing document?

Do they have another valid work authorization document? Such as CPT on on-campus employment at an off-site location, or an EAD (See EAD Section)



Not Authorized to Work

Must provide all 3 documents

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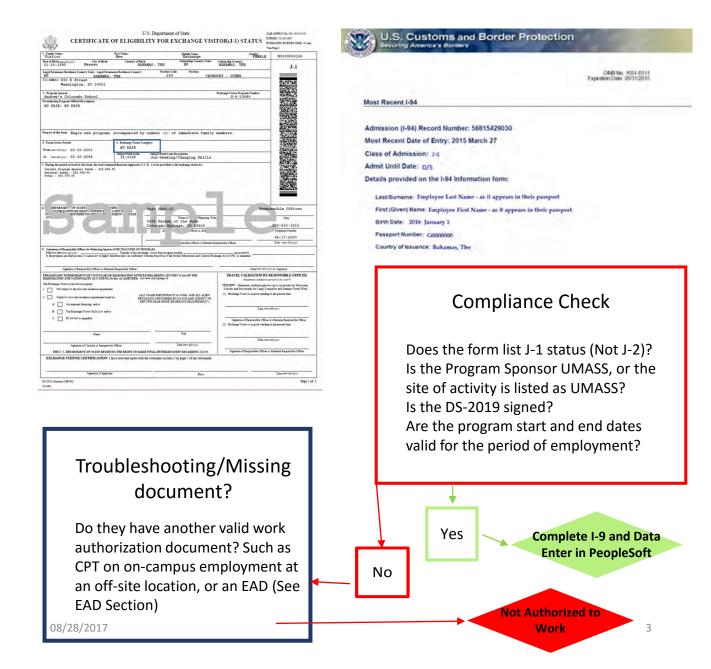
J-1 Students or Scholars

J-1 Students or Scholars that are authorized to work on your campus need to present the following documents in order to complete an I-9 form:

- 1) An Unexpired Foreign Passport
- 2) An DS-2019

Must provide a minimum of 3 documents

- 3) An I-94 record
- 4) For Students only A letter from the Responsible Officer authorizing employment (the DS-2019 will indicate if they are a student in box 4)

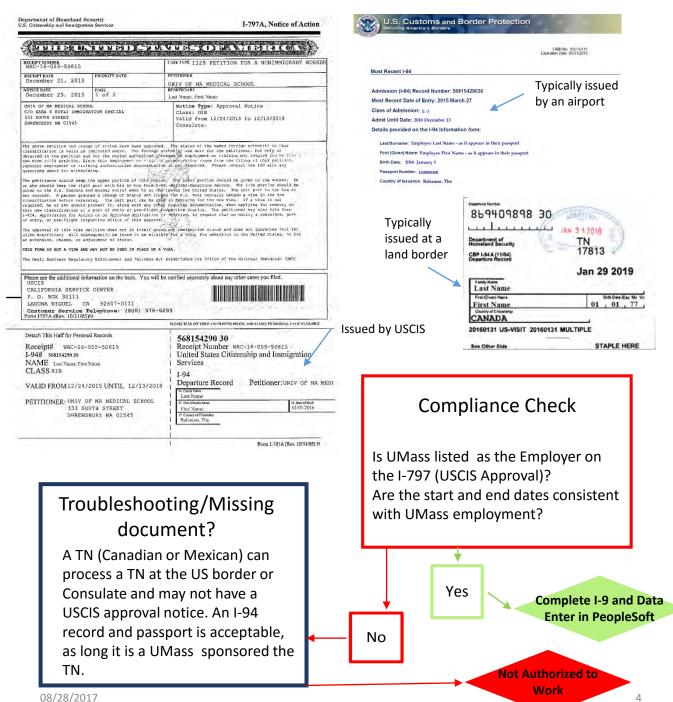


USCIS Approval Notices

Temporary Work Authorized Individuals including but not limited to H-1B, O-1 E-3, and TN:

- An Unexpired Foreign Passport
- 2) An USCIS Approval Notice
- An I-94 record samples below

Must provide all 3



Employment Authorization Cards

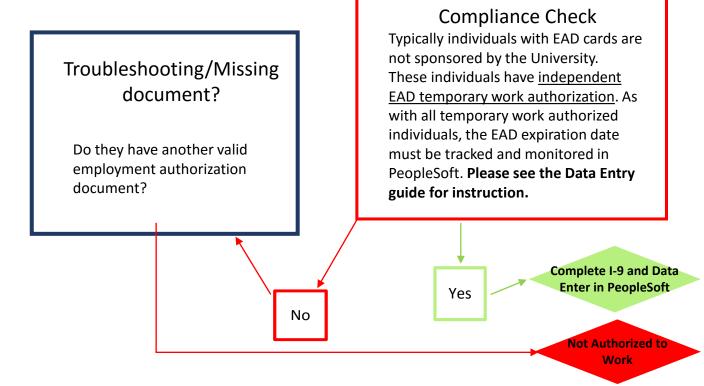
There are 55 categories of EAD cards, many of which do not require UMass sponsorship, but are valid work authorization. An individual would need to present the following document in order to complete an I-9 form:

1) An Unexpired Employment Authorization Card (EAD Card)



USCIS Link to EAD Category Codes

https://www.uscis.gov/workingunited-states/informationemployers-employees/employerinformation/employmentauthorization



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Receipt Rules

When is a receipt an acceptable I-9 document?

Lost, Stolen, or Damaged documents

An employee may present a receipt for a replacement of a lost, stolen or damaged document The receipt is only valid for 90 days from the date of hire or for reverification The employee must present the actual document for which the receipt was issued after 90 days

240 Day extension

Allows H's, E's, TN's O-1's to continue working for the same employer for 240 days as long as a request for an extension of the same visa classification was filed before the expiration of their current status. (i.e. the receipt notice)

Temporary Protected Status EAD's

Extensions are granted by Congress for individual countries and are published in the Federal Register. This provides a blanket extension to all individuals who hold a TPS EAD from that country. - valid until the expiration Congress sets and they must present a new EAD before Congressional set expiration.

H-1B Portability

An H-1B employee who is changing employers is allowed to begin working for the new employer once the H-1B is received by USCIS (i.e. receipt notice)

180 Day EAD extension (NEW RULE)

Certain employees may present an expired EAD card and a receipt from USCIS indicating that they have timely filed an application for an extension of their EAD card in the same category are now eligible for a 180 day extension. This rule will, effective January 17th, only applies to EAD card that do not require adjudication of an underlying application.

It includes the following category codes: Refugee (A03), Asylee (A05), N-8 or N-9 (parent of a special immigrant)(A07), Citizens of Micronesia, Marshal Islands and Palau (A08), Withholding Renewal (A10), TPS (A12), F-1 STEM (C03c), Asylum Pending (C08), Pending AOS (C09), Suspension of Deportation (C10), AOS based on continued residency since 1/1/72 (C16), Temporary Treatment Benefits (C19), Section 210 Legalization (C20), Section 245A Legalization (C22), LIFE Legalization (C24), and VAWA (C31).

Below are common EAD categories at UMass that are **NOT INCLUDED** in the new rule: H-4's (C26), J-2's (C05), L-2's (A18), or E-3's (A19)

Receipt Rules - 180 EAD extension continued

The highlighted codes are eligible for the 180 extension rule

- (a)(1) Employment authorized incident to status
- (a)(2) Lawful Temporary Resident
- (a)(3) Refugee
- (a)(4) Paroled Refugee
- (a)(5) Asylee
- (a)(6) Fiancé(e) (K-1 or K-2 Nonimmigrant)
- (a)(7) N-8 or N-9
- (a)(8) Citizen of Micronesia, Marshall Islands, or Palau
- (a)(9) K-3 or K-4
- (a)(10) Withholding of Removal
- (a)(11) Deferred Enforced Departure (Extended Voluntary Departure)
- (a)(12) Temporary Protected Status (TPS)
- (a)(13) Family Unity Program (Section 301 of the Immigration Act of 1990)
- (a)(14) LIFE Legalization (Section 1504 of the Legal Immigrant Family Equity (LIFE) Act Amendments)
- (a)(15) V Visa Nonimmigrants
- (a)(16) T-1 Visa Nonimmigrant
- (a)(17) E Visa Nonimmigrant Spouses
- (a)(18) L Visa Nonimmigrant Spouses
- (a)(19) U-1 Nonimmigrants
- (a)(20) U-2, U-3, U-4, or U-5 Nonimmigrants
- (c)(1) Spouse/Dependent of A-1 or A-2 Visa Nonimmigrant
- (c)(2) Spouse/Dependent of Coordination Council for North American Affairs (E-1)/ Taipei Economic and Cultural Representative Office (TECRO)
- (c)(3)(A) F-1 Student, Pre-Completion Optional Practical Training
- (c)(3)(B) F-1 Student, Post-Completion Optional Practical Training
- (c)(3)(C) F-1 Student, 17-month extension for STEM Students
- (c)(3)(ii) F-1 Student, Off-Campus Employment Sponsored by a Qualifying International Organization
- (c)(3)(iii) F-1 Student, Off-Campus Employment Due to Severe Economic Hardship
- (c)(4) Spouse/Dependent of G-1, G-3, or G-4
- (c)(5) J-2 Spouse or Child of J-1 Exchange Visitor
- (c)(6) M-1 Student, Practical Training
- (c)(7) Dependent of NATO-1 through NATO-6
- (c)(8) Asylum Application Pending filed on/after January 4, 1995

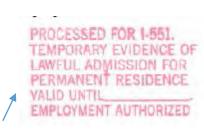
- (c)(8) Asylum Application Pending filed before January 4, 1995 and applicant is not in exclusion/deportation proceedings
- (c)(8) Asylum Application Pending filed before January 4, 1995 and applicant is in exclusion/deportation proceedings
- (c)(8) Asylum Application under ABC Agreement
- (c)(9) Pending Adjustment of Status under Section 245 of the Act
- (c)(10) Suspension of Deportation Applicants
 (filed before April 1, 1997); Cancellation of
 Removal Applicants; Cancellation Applicants
 Under NACARA
- (c)(11) Public Interest Parolee
- (c)(14) Deferred Action (not based on an approved I-360 petition filed for a battered/abused spouse or child)
- (c)(14) Deferred Action (based on an approved I-360 petition filed for a battered/abused spouse or child)
- (c)(15) Not in use
- (c)(16) Creation of Record (Adjustment Based on Continuous Residence Since January 1, 1972)
- (c)(17)(i) B-1 Domestic of a Nonimmigrant
- (c)(17)(ii) B-1 Domestic of a USC
- (c)(17)(iii) Employee of a Foreign Airline
- (c)(18) Order of Supervision
- (c)(19) Temporary Treatment Benefits
- (c)(20) Section 210 Legalization
- (c)(21) S Visa Nonimmigrant
- (c)(22) Section 245A Legalization (pending I-687)
- (c)(23) Irish Peace Process (Q-2)
- (c)(24) LIFE Legalization
- (c)(26) H-1B Visa Nonimmigrant Spouses
- (c)(31) VAWA Self Petitioners



Other Unusual Document

Permanent Residents

Permanent Resident may present an I-551 stamp or an I-94 record with a I-551 notation – it is valid for 1 yr and then they need to present their green card. (List A document)

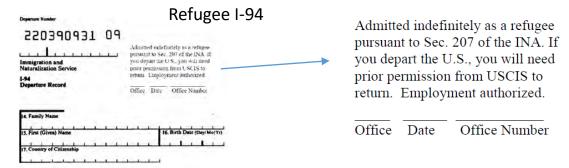


Passport Stamp



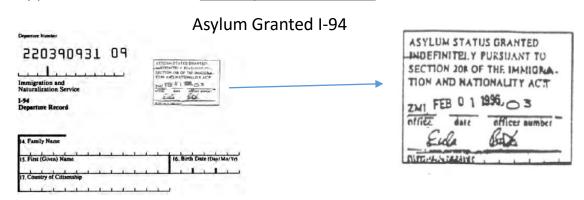
Refugees

Refugee may present an I-94 with an unexpired refugee admissions stamp – valid for 90 days, must present EAD or a list B and unrestricted SS card.



Ayslee Granted vs. Pending

Asylee Granted may present an I-94 noting Asylum granted <u>indefinitely</u> as a List C doc and must present a List B doc, or an EAD with code A5. <u>Does not require reverification</u>. **Asylee Pending** may only present an EAD card and <u>does require reverification</u>.



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UMass Internal Policy

UMass' internal business practice allows for the use of copies of documents only when the document was generated from a UMass sponsored case. The copy can be obtained only from outside counsel or our internal visa management system (Sunapsis). You cannot accept a copy of a document from the Individual.

Recommended Email Correspondence for reverification

This is notice that your Form I-9 work authorization documents will expire within the next 120 days. In order to maintain payroll, you must provide updated work authorization documents to HR no later than your current expiration date. Certain employees working based on an Employment Authorization Card/Document may be eligible for a 180 day extension as long as you can provide a USCIS receipt indicating that your are applying for an extension of your current EAD classification, and that new application was filed prior to the expiration of your current EAD card. You only qualify for this extension if your EAD category code is Refugee (A03), Asylee (A05), N-8 or N-9 (parent of a special immigrant)(A07), Citizens of Micronesia, Marshal Islands and Palau (A08), Withholding Renewal (A10), TPS (A12), F-1 STEM (C03c), Asylum Pending (C08), Pending AOS (C09), Suspension of Deportation (C10), AOS based on continued residency since 1/1/72 (C16), Temporary Treatment Benefits (C19), Section 210 Legalization (C20), Section 245A Legalization (C22), LIFE Legalization (C24), and VAWA (C31).

. If your initial EAD was based on a dependent filing status (ie. H-4, J-2, E-3, L-2) you do not qualify for the 180 extension and will need a valid EAD card "in hand" to continue employment.

Our office is located in [address] and open Monday - Friday [insert office hours]. Please contact me at ext. [####] should you have any questions or concerns.

Please let me know if you already updated your Form I-9 document(s) with HR.

Your immediate attention to this matter is greatly appreciated.

08/28/2017

