Harvard University

For Schools and Units Piloting the EQUIFAX Electronic I-9 and E-Verify Process
During COVID-19 Public Health Emergency – Revised June 17, 2020

The Department of Homeland Security’s flexibility in requirements related to Form I-9 compliance during the COVID-19 public health emergency has been extended through July 18, 2020. This flexibility allows the remote view of section 2 documentation but requires the employee show their original section 2 documentation in person within three business days of the July 18 expiration date.

This guidance applies to current employees and prospective new employees who have been approved for hire prior to the hiring freeze or in accordance with the hiring freeze exception process. Individuals with an unpaid appointment (e.g., visiting scholars, unpaid interns, etc.) are not affected by the hiring freeze and are not covered by this guidance. Follow your School’s or unit’s unpaid or courtesy appointment processes.

Equifax has modified the Electronic I-9 and E-Verify form to allow Harvard I-9 Administrators to show they have reviewed the documents remotely during this period. Upon resumption of normal duties, the DHS requires that the employee bring, in person, their original documentation for in-person verification of identify and employment eligibility documentation within three business days. I-9 Administrators must make copies of this documentation and upload it into the employees I-9 record at this time. In order to reduce the administrative burden of the Section 2 documentation review follow-up requirements, Schools and units should assign an authorized representative to complete section 2 of the paper Form I-9 on behalf of Harvard. See Electronic I-9 Collection Processes and I-9 Collection Process Instructions for Harvard Authorized Representatives. Please contact ufs_crt@harvard.edu with any questions.

Harvard Electronic I-9 Administrator Reviews Documentation Remotely during Public Health Emergency

1. Harvard sends electronic I-9 URL to new employee following local school or unit processes.
2. Once the new employee has completed Section 1, the Harvard I-9 Administrator will contact new employee to set up a video conference (Zoom, Skype, etc.).
3. Harvard I-9 Administrator will visually review the documents via video conference and may have the employee read the details of the Section 2 being presented for entry into Section 2 by the I-9 Administrator.
4. While completing the selection of documents being presented by an employee for Section 2, the I-9 Administrator will see an option to indicate an employee is impacted by COVID-19 and the administrator will be reviewing their documents virtually. Select the checkbox labeled “I want to use COVID-19 exception for this employee.”
5. Click “continue” and follow steps to validate information and electronically sign form.
   a. I-9 Administrator must review all Section 1 and 2 information with the new employee and correct as needed.
   b. I-9 Administrator electronically signs Section 2 which will automatically submit to E-Verify.
6. At the documentation attachment screen, rather than uploading the documents, the I-9 Administrator must check the box indicating that they will upload the materials within 2 business days which appears in the blue box noting record retention policy.

7. Follow next steps regarding submission and E-Verify responses. I-9 Administrator must follow E-Verify requirements and follow-up as needed.
8. Those with an HR Manager Role may also note in the comments field “COVID-19.” The comments field appears below the I-9 History section and is part of the individual’s permanent I-9 record. Directions on when to use this field for other situations are forthcoming.

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When Section 2 is complete “COVID-19” will be automatically inserted into the Additional Information field of the Form I-9 PDF.

Upon Resumption of Normal Operations

1. Upon resumption of normal operations, the employee must bring, in person, their original documentation for in-person verification of identify and employment eligibility documentation within three business days. **I-9 Administrators must make copies of this documentation and upload it into the employees I-9 record at this time.** This is standard practice and must be followed.

2. I-9 Administrator can search for employee using the “search employee” feature and select “COVID-19” or the employee’s name.

3. I-9 Administrator will:
   a. Review the original documentation in person.
   b. Go to the documentation screen and upload copies of the documentation listed.
   c. Under I-9 History, select “Attach File” and follow the steps to upload the documentation.

4. Go back to the employee screen and select the “COVID-19 Update” button on the employee detail page which allows the I-9 Administrator to confirm that the documents have been physically examined in person.
5. After selecting “COVID-19 Update” you will be directed to a new COVID-19 update screen which will allow you to confirm that you have physically reviewed documents in person.

6. After selecting “Continue” the I-9 Section 2 Additional Information section will be updated with the language “COVID-19 Documents Physically Examined.”

REMINDERS:
Harvard required copies of all the I-9 Section 2 Documentation. This information must be copied and uploaded into the employees I-9 Form. See additional required documentation for nonresident aliens.

Schools and Units that do not follow the above process (or did not note COVID-19 in the comments section prior to this process) are out of compliance. Contact karen_kittredge@harvard.edu for guidance.

Search Functionality
Employees that have “COVID-19” marked in the Additional Information field of Section 2 will appear with a new search option. A dropdown option labeled “COVID-19” appears under “Type of I-9” in the search for employee page. I-9 Administrators must follow the above steps for this search feature to work.
REMINDER ABOUT ADDITIONAL DOCUMENTATION REQUIREMENTS

Additional documentation is required for nonresident aliens. Be sure to collect the I-707, 1-20, or DS-2019 information in addition to foreign passports and I-94s.

List A: Establish both identity and employment authorization, OR
List B: Establishes identity only - To meet E-Verify requirements list B documents must have a photograph, AND
List C: Establishes work authorization only

There are many different visa classifications used at the University to accommodate our international population. While the I-94 shows work authorization, I-9 Administrators must also collect additional documentation (I-797, I-20, DS-2019) to show eligibility to work at Harvard.

**H-1B VISA HOLDERS – an I-797 must also be uploaded as “other” document.**