For Schools and Units Piloting the EQUIFAX Electronic I-9 and E-Verify Process
During COVID-19 Public Health Emergency – Revised April 16, 2020

On March 20, 2020 the Department of Homeland Security (DHS) announced flexibility in requirements related to Form I-9 compliance during the COVID-19 public health emergency. This process has been established for schools and units that are operating remotely during the public health emergency. I-9 Section 2 completers that are physically present at a work location (i.e., essential personnel), should follow the normal I-9 collection process. This process may not be used once the public health emergency has been lifted.

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.

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.
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 identity 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.

**DO NOT select “COVID19 Update” until you are reviewing the section 2 documentation in person.**

I-9 Administrators must also make copies and upload the section 2 documentation at this time.
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**

- Foreign Passport with I-94 or I-94A
- Foreign Passport with I-94 or I-94A and I-20
- Foreign Passport with I-94 or I-94A and DS-2019

**F-1 VISA HOLDERS**

- H-1B (I-797)

**J-1 VISA HOLDERS**

- Spell out if I-94 is not available

**For a complete list of allowable documents, please see Form I-9 on the USCIS website at https://www.ice.gov/apply/i9**