

LSU International Services Office

How To Complete Form I-9 for International Employees and Permanent Residents

A guide for Human Resource Representatives to ensure compliance with immigration regulations when hiring foreign workers

Loveness Schafer
April 18, 2011

COMPLYING WITH I-9 REQUIREMENTS

To comply with I-9 requirements, employees must show proof of **identity** and **work authorization**. This document explains the most common immigration statuses of aliens employed at LSU and the immigration documents typically used for I-9 purposes.

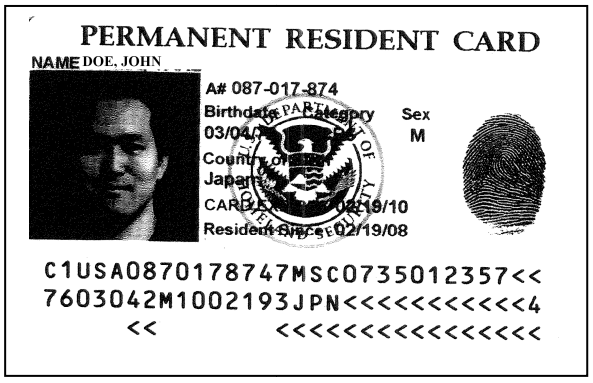
LEGAL PERMANENT RESIDENTS

Permanent resident aliens are also referred to as lawful permanent residents, permanent residents, resident aliens, or green card holders. Permanent resident aliens have the right to live permanently in the United States, provided they do not commit any actions that would make them removable under immigration law. Permanent resident aliens have the right to work in the United States at any legal work of their qualification and choosing; except that some jobs are limited to U.S. citizens for security reasons.

Permanent resident status is granted on a "Permanent Resident Card", called form I-551. Older versions of the card include the "Alien Registration Receipt Card" and the "Resident Alien Card". A Form I-551 may contain no expiration date, a 10 year expiration date, or a two year expiration date. The most common form you will see is a card that has a 10 year validity period. Cards with 10 year validity period and those that have no expiration date are issued to permanent residents with no conditions on their status. Cards with two year validity period are issued to permanent residents with conditions on their status. Conditional residents can lose their status if they fail to remove these conditions.



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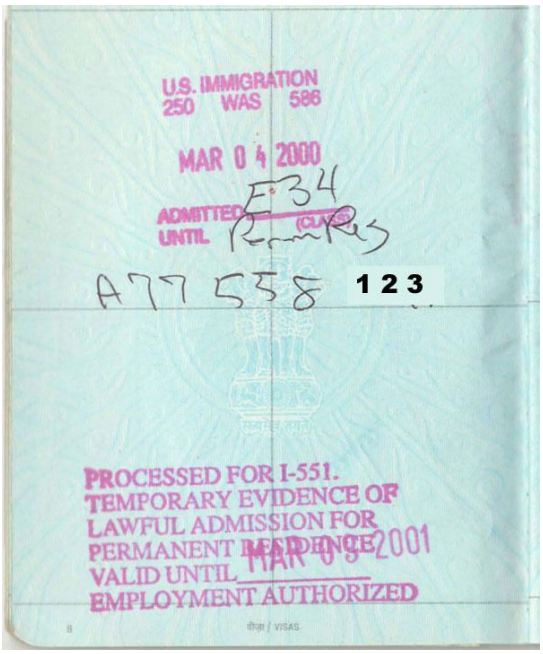


Ten year Green Card

Two year Green Card

Permanent Resident Cards should not be re-verified, irrespective of whether they have the 2-year or 10-year validity period or no expiration date. An expiration date indicates when the card expires and must be renewed. It does NOT indicate that the alien's status has expired.

Sometimes lawful permanent residents and conditional residents may be issued "**temporary**" I-551 documents. For example, a permanent resident may have a stamp in his or her passport marked: "*processed for I-551 temporary evidence of lawful admission for permanent residence, valid until _____. Employment authorized*". Aliens who enter the United States with an immigrant visa, may have a **temporary** I-551 printed notation on a machine readable immigrant visa. Individuals with temporary I-551 documents are typically granted the permanent resident card before the temporary evidence of permanent resident status expires. If not, these documents must be re-verified upon expiration.





THE NON-IMMIGRANT VISA

A non-immigrant visa stamp is a travel document. It permits the alien to apply for admission or entry to the United States. The nonimmigrant visa does NOT grant employment eligibility. DO NOT USE the nonimmigrant visa to complete Form I-9.



DO NOT USE THE NONIMMIGRANT VISA TO COMPLETE FORM I-9

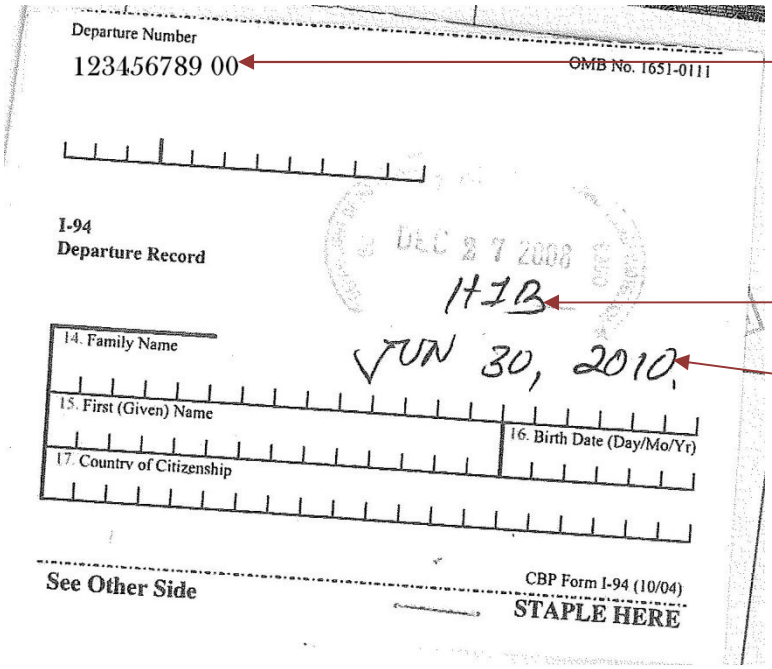
H- IB EMPLOYEES

H-1B employees are authorized to work incident to their status. This means that they are not required to apply for a separate work authorization to be employed. They are authorized to work only for an employer who has filed an H1B Petition on their behalf. If LSU did not file a petition for the person, they are not authorized to work at LSU as an H1B.

H-1B employees may present a valid foreign passport, with a valid I-94 to prove that they are authorized to work in the United States. If the employee traveled to the United States and was admitted in H-1B status, he or she will have a white card version of the I-94 issued at the port of entry. Sometimes 10 days grace period is added to the expiration date of the alien's H1B status, annotated on the I-94. The grace period is to allow the alien to prepare for departure at the end of their employment. Employment is not allowed during the grace period. For example, an employee with H-1B status valid until 8/15/2013 may have an I-94 showing "admitted until 08/25/2013". To ensure that the correct expiration date is entered on the I-9, you should look at the alien's H-1B Notice of Approval (form I-797) to determine whether a 10 day grace period was or was not added to the alien's H-1B expiration date, by the port of entry officer. The Notice of Approval will state "Valid from_____to _____.

Note that an immigration officer at a port of entry may match the expiration date of an alien's I-94 to the expiration date of his or her passport, if the passport expires earlier than the H-1B approval notice. If there is a discrepancy of this nature between the expiration date of the I-94 and the expiration date of the I-797 H-1B approval notice, the expiration date on the I-94 becomes the expiration date of the H-1B status. Do not use the expiration date on the Notice of Approval as the expiration date of work authorization on the I-9. Using the date on the Approval Notice could lead to the employee inadvertently staying in the US and working beyond their expiration date. This could have very serious repercussions. Once it is discovered that the alien's I-94 expired, their employment will be terminated and they will be required to leave the United States immediately. Any valid H-1B visa in their passport will be automatically canceled and any future visas will have to be obtained in their home country.

IMPORTANT PARTS OF THE I-94

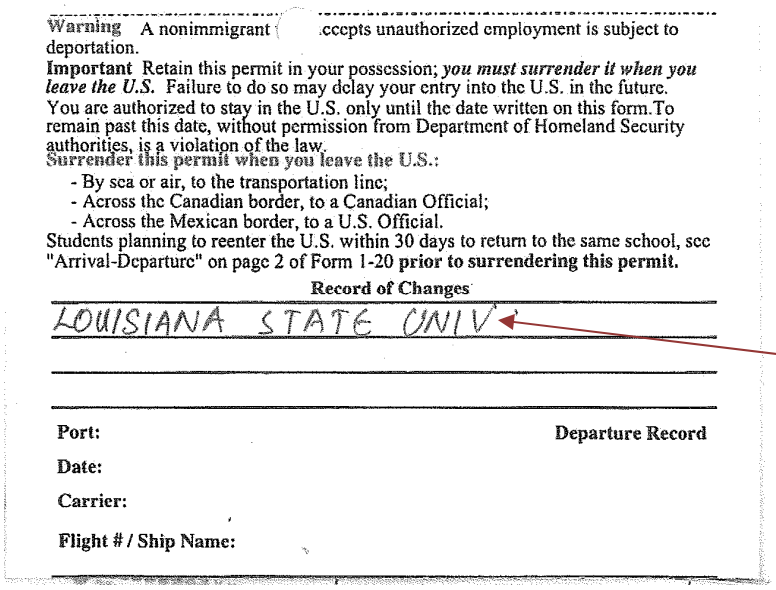


"Admission" Number

Legal Status in which the individual is admitted

Date by which individual must leave. For those with work permission inherent in status, last day of authorized employment

I-94 front



Employer/ university sponsoring status would be annotated here

I-94 back

CHANGE OF STATUS

If an alien's application for change of status to H-1B has been approved, but the alien has not traveled outside of the U.S. they will not have a white card version of the I-94 with an entry stamp. A new I-94 card (bluish green color) evidencing H-1B status will be attached to the Form I-797 Notice of Approval. The International Services separates this I-94 from the main document and gives it to the employee. If the employee presents the I-94 to you to complete or re-verify form I-9, you must return it to him/her as this is their evidence of legal status in the US.

If we filed an application for <u>change of status</u> and the employee's current work status expires before the H-1B is approved, the employee must stop work and wait for the decision on the pending H-1B petition.

HOW TO COMPLETE AN I-9 (SECTION 2, LIST A BLOCK) FOR AN H-1B EMPLOYEE (ALSO APPLIES TO E-3, O-1 AND TN EMPLOYEES)

Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

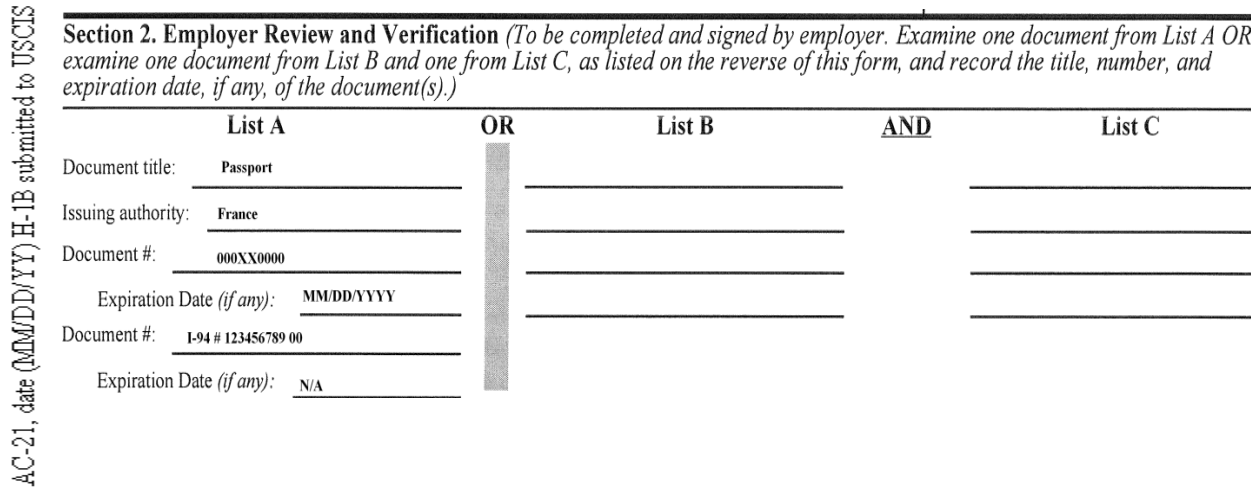
List A	OR	List B	AND	List C
Document title: Passport				
Issuing authority: France				
Document #: 000XX0000				
Expiration Date *(if any)*: MM/DD/YYYY				
Document #: I-94 # 123456789 00				
Expiration Date *(if any)*: MM/DD/YYYY				

PORTABILITY OR TRANSFER OF H-1B STATUS

An employee in valid H-1B status who changes ("ports") to a new employer may begin working for the new employer upon the filing of an H-1B petition by the new employer on behalf of the employee even before the petition for the new employer is approved. If LSU has not filed a petition for the person, they cannot work at LSU.

A porting H-1B employee may begin employment by presenting his or her Form I-94/I-94A issued for employment with the previous employer, along with his or her foreign passport. In Section 1 of Form I-9, under "Alien authorized to work until", the employee should put "N/A".

HOW TO COMPLETE AN I-9 (SECTION 2, LIST A BLOCK) FOR PORTABILITY CASES



AC-21, date (MM/DD/YY) H-1B submitted to USCIS

Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

List A	OR	List B	AND	List C
Document title: Passport				
Issuing authority: France				
Document #: 000XX0000				
Expiration Date *(if any)*: MM/DD/YYYY				
Document #: I-94 # 123456789 00				
Expiration Date *(if any)*: N/A				

COMPLETE SECTION 2, LIST A BLOCK WITH:

- Unexpired foreign passport
- I-94 card showing H-1B status with original employer
- Write "AC-21" and record the date that the new H-1B petition was submitted to USCIS in the margin next to Section 2

Attach the following documents to Form I-9

- Copy of new form I-129 that was filed with USCIS
- Copy of check (proof of payment of filing fee)
- Evidence of mailing (e.g. courier receipt) (replace it with copy of USCIS receipt notice I-797- once received)
- Copy of alien employee's I-94 card
- Copy of unexpired foreign passport

EXTENSION OF STATUS

Employees who file for an extension of their status in a timely manner (before the H-1B employee's status expires) may continue to work for an additional **240 days** from the expiration date of their current status, if the extension application remains pending. You must re-verify Form I-9 on or before the expiration date of the employee's status.

HOW TO COMPLETE SECTION 3 OF FORM I-9 IN SITUATIONS INVOLVING THE 240-DAY RULE

Section 3. Updating and Reverification *(To be completed and signed by employer.)*

A. New Name *(if applicable)*	B. Date of Rehire *(month/day/year) (if applicable)*

C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.

Document Title: **I-797 Receipt** Document #: **WAC-00-000-00000** Expiration Date *(if any)*: **240 Day-Ext; date submitted to USCIS**

I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative	Date *(month/day/year)*
HR Person, Title	**MM/DD/YYYY**

Complete Section 3 with:

- Form I-797 receipt when received
- Enter Receipt Number
- For expiration date, write 240 Day-Ext. and date that petition was submitted to USCIS

Attach the following documents to Form I-9

- Copy of new form I-129 that was filed with USCIS
- Copy of check (proof of payment of filing fee)
- Evidence of mailing (e.g. courier receipt) (replace it with copy of USCIS receipt notice I-797- once received)

Once approved, or by the end of the 240 day period, update Section 3 with the new expiration date (you may line out, initial and date, or complete a new I-9).

The petition should be adjudicated by the end of the 240 days. If the request for extension is approved, a new I-94 with a new end date is attached to the approval notice, and overrides the earlier I-94. If the request for extension is denied after the original expiration date has passed, they must stop employment immediately upon notice of the denial.

SAMPLE I-94 CARD ISSUED WHEN AN EXTENSION OR CHANGE OF STATUS APPLICATION IS APPROVED

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797A, Notice of Action

THE UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-00-000-00000	CASE TYPE I129 PETITION FOR A NONIMMIGRANT WORKER
RECEIPT DATE March 2, 2009 / PRIORITY DATE	PETITIONER LA STATE UNIV
NOTICE DATE March 10, 2009 / PAGE 1 of 1	BENEFICIARY Name of Beneficiary

LA STATE UNIV
C/O LOVENESS SCHAFER
101 HATCHER HALL INTL SVCS OFC
BATON ROUGE LA 70803

Notice Type: Approval Notice
Class: H1B
Valid from 04/28/2009 to 04/27/2012

The above petition and change of status have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Any change in employment requires a new petition. Since this employment authorization stems from the filing of this petition, separate employment authorization documentation is not required. Please contact the IRS with any questions about tax withholding.

The petitioner should keep the upper portion of this notice. The lower portion should be given to the worker. He or she should keep the right part with his or her Form I-94, *Arrival-Departure Record*. This should be turned in with the I-94 when departing the U.S. The left part is for his or her records. A person granted a change of status who leaves the U.S. must normally obtain a visa in the new classification before returning. The left part can be used in applying for the new visa. If a visa is not required, he or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-824, *Application for Action on an Approved Application or Petition*, with this office to request that we notify a consulate, port of entry, or pre flight inspection office of this approval.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.
U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283
Form I797A (Rev. 09/07/93)N

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

Detach This Half for Personal Records

Receipt # WAC-00-000-00000
I-94# 000000000 00
NAME Name of Beneficiary
CLASS H1B
VALID FROM 04/28/2009 UNTIL 04/27/2012

PETITIONER: LA STATE UNIV
101 HATCHER HALL INTL SVCS OFC
BATON ROUGE LA 70803

000000000 00

Receipt Number WAC-00-000-00000
Immigration and
Naturalization Service

I-94
Departure Record

Petitioner: LA STATE UNIV

14. Family Name
Last Name
15. First (Given) Name
First Name
16. Date of Birth
mm/dd/yyyy
17. Country of Citizenship
Country of Citizenship

Form I-797A (Rev. 10/31/05) N

H-4 DEPENDENTS OF H-1B EMPLOYEES

They are NOT authorized to work in H-4 status.

EXCHANGE VISITORS (J-1 SCHOLARS)

Exchange visitors (J-1 scholars) are authorized to work incident to their status. This means that they are not required to apply for a separate work authorization to be employed. They are authorized to work for a specific employer, the J-1 sponsor. If the J-1 is not an LSU sponsored scholar, the J-1 must have permission from their program sponsor to work at LSU. The program sponsor is listed in Box 2 of the DS-2019 form. As long as the J-1's program is still active as shown by the end date in Box 3 of the DS-2019 they may work for the program sponsor or another entity (with authorization).

Form DS-2019 with a valid end date may be presented with a valid I-94 showing J-1 status and a matching foreign passport in order to establish work authorization for a J-1 Scholar. You should record in Section 2 (or Section 3, if re-verifying) 1) the exchange visitor's unexpired foreign passport number, issuing authority, and passport expiration date; 2) the 11-digit Form I-94/I94A number and its expiration date (including duration of status, which is indicated on the card as "D/S"), and 3) the form DS-2019 number (SEVIS number) and expiration date of employment authorization listed on the Form DS-2019.

HOW TO COMPLETE SECTION 2 (LIST A BLOCK) OF FORM I-9 FOR A J-1 SCHOLAR

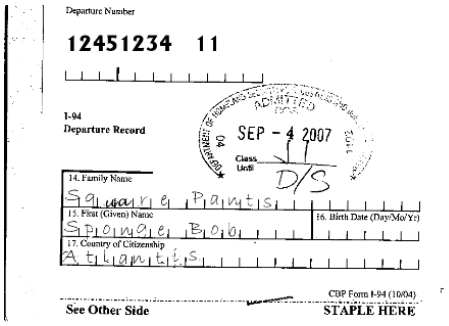
Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

List A	OR	List B	AND	List C
Document title: PPT # 00XX00000000				
Issuing authority: France; Exp. Date (MM/DD/YY)				
Document #: I-94 # 123456789 00				
Expiration Date *(if any)*: MM/DD/YYYY				
Document #: DS-2019 # 1234567890				
Expiration Date *(if any)*: MM/DD/YYYY				

SAMPLE I-94 FOR A J-1 SCHOLAR

Attach:

- Copy of unexpired passport
- Copy of I-94
- Copy of DS-2019



U.S. Department of State

CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR (J-1) STATUS

OMB APPROVAL NO.1405-0119
EXPIRES: 07-31-2011
ESTIMATED BURDEN TIME: 45 min
*See Page 2

1. Family Name:	First Name:	Middle Name:	Gender: MALE	N0000000000
Date of Birth *(mm-dd-yyyy)*:	City of Birth: Clamart	Country of Birth: FRANCE	Citizenship Country Code: FR	Citizenship Country: FRANCE
Legal Permanent Residence Country Code: FR	Legal Permanent Residence Country: FRANCE	Position Code: 214	Position:	J-1

Primary Site of Activity: Department of Mechanical Engineering
2508 Patrick F. Taylor Hall
Baton Rouge, LA 70803

2. Program Sponsor: Louisiana State University System
Exchange Visitor Program Number: P-1-01594

Participating Program Official Description:
PROFESSOR; RESEARCH SCHOLAR; SHORT-TERM SCHOLAR; SPECIALIST; STUDENT ASSOCIATE; STUDENT BACHELORS; STUDENT DOCTORATE; STUDENT INTERN; STUDENT MASTERS; STUDENT NON-DEGREE

Purpose of this form:

3. Form Covers Period:
From *(mm-dd-yyyy)*: 10-11-2010
To *(mm-dd-yyyy)*: 04-10-2011

4. Exchange Visitor Category: SHORT-TERM SCHOLAR
Subject/Field Code: 14.1901
Subject/Field Code Remarks: Conduct research in aerodynamics and heat transfer.

5. During the period covered by this form, the total estimated financial support *(in U.S. $)* is to be provided to the exchange visitor by:
Current Program Sponsor funds : $9,600.00
Total : $9,600.00

6. U.S. DEPARTMENT OF STATE / DHS USE OR CERTIFICATION BY RESPONSIBLE OFFICER OR ALTERNATE RESPONSIBLE OFFICER THAT A NOTIFICATION COPY OF THIS FORM HAS BEEN PROVIDED TO THE U.S. DEPARTMENT OF STATE *(INCLUDE DATE)*.

7. Loveness Schafer — Name of Official Preparing Form
Alternate Responsible Officer — Title
International Services
101 Hatcher Hall
Baton Rouge, LA 70803 — Name of Responsible Officer or Alternate Responsible Officer
225-578-3012 — Telephone Number
Signature of Responsible Officer or Alternate Responsible Officer
10-11-2010 — Date *(mm-dd-yyyy)*

8. Statement of Responsible Officer for Releasing Sponsor *(FOR TRANSFER OF PROGRAM)*
Effective date*(mm-dd-yyyy)*: _____. Transfer of this exchange visitor from program number _____ sponsored by _____ to the program specified in item 2 is necessary or highly desirable and is in conformity with the objectives of the Mutual Educational and Cultural Exchange Act of 1961, as amended.

Signature of Responsible Officer or Alternate Responsible Officer — Date*(mm-dd-yyyy)* of Signature

PRELIMINARY ENDORSEMENT OF CONSULAR OR IMMIGRATION OFFICER REGARDING SECTION 212(e) OF THE IMMIGRATION AND NATIONALITY ACT AND PL 94-484, AS AMENDED *(see item 11(a) of page 2).*

The Exchange Visitor in the above program:

1. ☐ Not subject to the two-year residence requirement
2. ☐ Subject to two-year residence requirement based on:
   A. ☐ Government financing and/or
   B. ☐ The Exchange Visitor Skills List and/or
   C. ☐ PL 94-484 as amended

(ALL USAID PARTICIPANTS G-2-00263 AND ALL ALIEN PHYSICIANS SPONSORED BY P-3-04510 ARE SUBJECT TO THE TWO-YEAR HOME RESIDENCE REQUIREMENT)

Name — Title
Signature of Consular or Immigration Officer — Date*(mm-dd-yyyy)*

THE U. S. DEPARTMENT OF STATE RESERVES THE RIGHT TO MAKE FINAL DETERMINATION REGARDING 212 (e).

TRAVEL VALIDATION BY RESPONSIBLE OFFICER
(Maximum validation period is 1 year)*

***EXCEPT:** Maximum validation period is up to 6 months for Short-term Scholars and 4 months for Camp Counselors and Summer Work/Travel.

(1) Exchange Visitor is in good standing at the present time
Date *(mm-dd-yyyy)*
Signature of Responsible Officer or Alternate Responsible Officer

(2) Exchange Visitor is in good standing at the present time
Date *(mm-dd-yyyy)*
Signature of Responsible Officer or Alternate Responsible Officer

EXCHANGE VISITOR CERTIFICATION: I have read and agree with the statement in item 2 on page 2 of this document.

Signature of Applicant — Place — Date *(mm-dd-yyyy)*

DS-2019
07-2008

Page 1 of 2

J-2 DEPENDENTS OF EXCHANGE VISITORS (J-1 SCHOLARS)

Dependents of J-1 exchange visitors are classified as J-2 non-immigrants and are only authorized to work if the Department of Homeland Security has issued them an Employment Authorization Document (EAD), also known as Form I-766. Although referred to as a document or Form, the EAD is actually a card. A J-2 nonimmigrant's foreign passport and Form I-94/I-94A are not evidence of identity and employment authorization for purposes of Form I-9. The EAD (Form I-766) has an expiration date printed on the face of the card. The EAD must be re-verified upon expiration.

SAMPLE EAD



TN EMPLOYEES

Only Canadian and Mexican nationals are eligible for TN status. TNs are authorized to work for the TN sponsoring employer. The same guidance as in the H-1B section above applies for TNs. However, portability rules do not apply for TNs. A TN professional who changes employers must have a TN approved for the new employer in order to start work with the new employer.

It is important to note that Canadians do not need to have a valid visa stamp in their passport to enter the US in TN status. Therefore, most Canadians extend their TN status by leaving the United States before their current I-94 expires, and applying for re-entry in TN status. To apply for entry or re-entry to the United States, they need, among other things, to present a copy of their job offer letter (or continuation of employment letter) to the admission officer. Thus, a Canadian may never have a form I-797 Notice of Approval issued by the Department of Homeland Security, because a TN petition is not required. They are authorized to work for the employer whose job offer was used to obtain entry, and they may present a valid I-94 and a valid passport for I-9 purposes.

Mexicans do require a valid visa stamp to enter the United States in TN status. Therefore, Mexicans will typically opt to file a TN extension petition with the Department of Homeland Security. Mexicans are authorized to work for the employer whose job offer was used to obtain a TN visa and entry to the US, or who sponsored the TN petition.

TD DEPENDENTS OF TNS

They are not permitted to work in TD status

E-3 EMPLOYEES

Only Australian nationals are eligible for E-3. E-3 employees are authorized to work incident to their status. This means that they are not required to apply for a separate work authorization to be employed. They are authorized to work for a specific employer, who is the petitioner or sponsor of their E-3 status. For I-9 information regarding E-3s, see the H-1B section above. The same information applies. However, portability rules do not apply for E-3s. An E-3 professional who changes employers must have an E-3 approved for the new employer in order to start work with the new employer. Also, the 240 days rule does not apply. An E-3 employee who files for an extension of their status in a timely manner (before his/her status expires) may NOT continue to work for an additional 240 days from the expiration date of their current status, if the extension application remains pending. If status expires before the extension/amendment of status application is approved, their employment must be terminated.

E-3 DEPENDENTS OF E-3 PROFESSIONALS

Dependents of an E-3 non-immigrant are only authorized to work if the Department of Homeland Security has issued them an Employment Authorization Document (EAD), also known as Form I-766. Although referred to as a document or Form, the EAD is actually a card. The EAD (Form I-766) has an expiration date printed on the face of the card. The EAD must be re-verified upon expiration.

SAMPLE EAD



O-1 PERSONS OF EXTRAORDINARY ABILITY

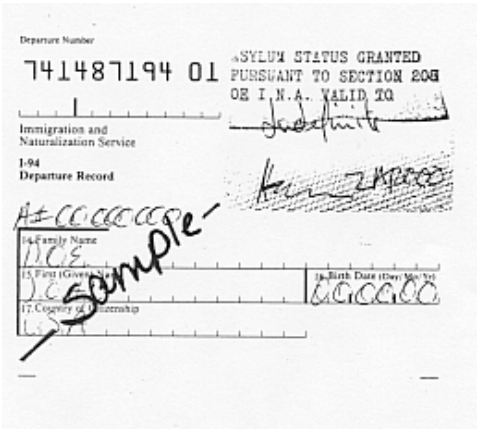
O-1s are individuals with extraordinary ability in their fields. They are authorized to work for the employer who filed their O-1 petition. For I-9 information regarding O-1s, see the H-1B section above. However, portability rules do not apply for O-1s. An O-1 professional who changes employers must have an O-1 approved for the new employer in order to start work with the new employer.

O-3 DEPENDENTS OF O-1

They are not permitted to work in O-3 status

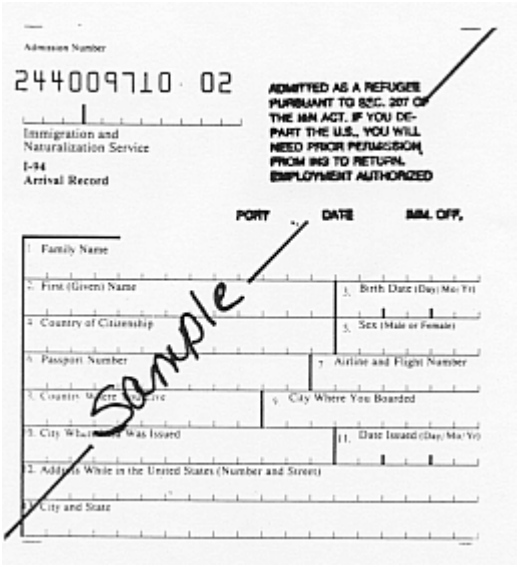
REFUGEES AND ASYLEES

Refugees and asylees are authorized to work incident to their status. They do not have to apply for a separate work authorization in order to work. Their Form I-94/I-94A does not have an expiration date. It normally has a stamp annotated like this: " ADMITTED INDEFINITELY AS A REFUGEE PURSUANT TO……..EMPLOYMENT AUTHORIZED" Or, "ASYLUM STATUS GRANTED PURSUANT TO……..EMPLOYMENT AUTHORIZED INDEFINITELY". Therefore, refugees and asylees should write "N/A" on the line calling for an expiration date. The employee may present this I-94 with a refugee/asylee stamp as evidence of work authorization, or any combination of documents from the List of Acceptable Documents. The I-94/I94A with an unexpired refugee/asylee admission stamp is considered a receipt establishing both employment authorization and identity for 90 days. In the mean time, the Department of Homeland Security processes an Employment Authorization Document (EAD) for the refugee, which he/she may present at the end of the 90 day receipt period. They may, instead choose to present a document from List B, such as a state issued driver's license, and a document from List C, such as an unrestricted Social Security Card.



Asylee I-94

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Refugee I-94

EMPLOYMENT AUTHORIZATION DOCUMENT

An Employment Authorization Document (EAD) is also referred to as Form I-766. Although referred to as a document or form, the EAD is actually a card. Eligible foreign nationals may apply for an EAD with the Department of Homeland Security. Foreign nationals who are eligible to apply include J-2 dependents of J-1 exchange visitors; E-3 dependents of E-3 professionals; and applicants for adjustment of status to permanent residence.

SAMPLE EAD



The EAD grants employment authorization for a specific period of time, usually up to 2 years. An alien is not eligible to begin employment with an EAD until the Department of Homeland Security has approved and issued the EAD to the alien. The EAD (Form I-766) has an expiration date printed on the face of the card. It is only valid during the validity period of the card.

If an alien is employed at LSU pursuant to an EAD, the EAD must be re-verified upon expiration. If the EAD expires before the alien receives the new EAD, he or she must stop working. A receipt notice showing that the employee has applied for renewal of the EAD is not an acceptable document for employment purposes. An electronic approval notice issued by the Department of Homeland Security should not be used for work authorization. The employee must present the actual valid EAD card.

HOW TO COMPLETE AN I-9 (SECTION 2, LIST A BLOCK) FOR INDIVIDUALS WITH AN EAD

Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

List A	OR	List B	AND	List C
Document title: EAD				
Issuing authority: DHS/ USCIS				
Document #: LIN1234567				
Expiration Date *(if any)*: MM/DD/YYYY				
Document #:				
Expiration Date *(if any)*:				

SOCIAL SECURITY CARDS

The Social Security Administration issues specific types of cards to persons depending on their work authorization. Unrestricted cards are issued to those with permanent or indefinite work authorization, such as lawful permanent residents, refugees, and asylees. The card lists only the person's name and social security number without conditions or other notations.

The second type of card shows the name and social security number and notes, "VALID FOR WORK ONLY WITH DHS AUTHORIZATION." This type of card is issued to aliens who present proof of temporary work authorization, such as aliens on J-1, H-1B, O-1, or E-3 status; and aliens with an Employment Authorization Card. These social security cards do not satisfy the Form I-9 requirements.

The third type of card shows the name and social security number and notes, "NOT VALID FOR EMPLOYMENT." This type of card is issued to aliens who have a valid non-work need for a Social security Card but are not authorized to work in the United States; such as H-4 dependents of H-1B employees. If an alien shows this type of social security card, but claims they are now authorized to work, they may present other documents that show their authorization. They should get a replacement social security card without this restriction.

LOST, STOLEN OR DAMAGED DOCUMENTS

A receipt showing that an employee has requested a replacement of a lost, stolen or damaged document, which would establish employment authorization if presented, is valid for up to 90 days from the date of hire. During that 90 day period, the employee must present their replacement document to complete the I-9. If they do not present the replacement document within 90 days, the receipt expires, and they are no longer authorized to work.