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To: College Departments and Offices
From: Robin Catmur, International Office, Advisor to International Students & Scholars
Pam Stamnas, Director of Total Compensation, HR Systems and Compliance
Re: Employing non-U.S. citizens – I-9 compliance information
Date: 2/10/2005

Attached please find a recently issued clarification of employment authorization documentation for non-U.S. citizens. This document may prove useful for any department or office responsible for completing I-9 forms for any newly hired employee, and/or reverification of the I-9 form for any non-U.S. citizen who extends his or her work authorization in the U.S. Please also review the information of I-9 completion available at:

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

While we are unable to give specific guidance as to what each new hire who is a non-U.S. citizen can present as acceptable documentation, here are some general guidelines:

Visiting scholar or faculty in J-1 status:

- I-94 card indicating "J-1 D/S"; this is authorized only for J-1's sponsored by Dartmouth College, unless they have a letter from their sponsoring institution as well, authorizing the specific employment with Dartmouth. The scholar should be in possession of a valid, unexpired DS-2019 form.

Student in F-1 status:

- If a current Dartmouth student, I-94 card indicating "F-1 D/S"; the student must have a valid, unexpired I-20 form issued by Dartmouth College
- If not a Dartmouth student, I-94 card indicating "F-1 D/S" AND EITHER:
 - an I-20 form endorsed for Curricular Practical Training (CPT) at Dartmouth College
 - OR
 - an I-20 form endorsed for Optional Practical Training (OPT) and an employment authorization card with valid dates.

Student in J-1 status:

- If a current Dartmouth student, I-94 card indicating "J-1 D/S"; the student must also have a letter from the International Office authorizing the on-campus employment; the student must have a valid unexpired DS-2019 form.
- If not a Dartmouth student, I-94 card indicating "J-1 D/S", AND a valid unexpired DS-2019 form endorsed for Academic Training (AT) for specific employment at Dartmouth College, for specific dates.

Scholar, Faculty or Staff in H-1B status:

- I-94 card showing “H-1B” with an end date into the future. The back of the I-94 card must have Dartmouth College listed as the employer, unless the person also has a memo from the International Office verifying that they are employable under “H- 1B Portability” regulations, and a copy of an immigration receipt notice for a College-sponsored pending petition

Scholar, Faculty or Staff in O-1 status:

- I-94 card showing “O-1” with an end date into the future. The back of the I-94 card must have Dartmouth College listed as the employer,

Scholar, Faculty or Staff in TN status:

- I-94 card showing “TN” with an end date into the future. The back of the card must have Dartmouth College listed as the employer.

Scholar, Faculty or Staff in J-2 status:

- Valid employment authorization document, and a valid I-94 card indicating “J-2 D/S”

Student, scholar, faculty or staff with a pending “green card” (U.S. permanent residency) application:

- Valid employment authorization document
OR
- Valid, unexpired I-551 stamp in passport

Note:

Any non-U.S. citizen who does not have U.S. permanent residency must check the box in Section 1 that indicates that he or she is “an alien authorized to work until...”, and add their work authorization end date. This end date should match either the end date on the I-94 card, on the employment authorization card, or on the form they possess (I-20 or DS-2019 form). This end date is **NOT** the date their visa expires. If the person extends their stay in the U.S. by filing paperwork with the International Office, or directly with the Department of Homeland Security, their I-9 form must be reverified at the Human Resources Office by the original expiration date listed on the form.

As a reminder, Section 1 of the I-9 form must be completed no later than the date any employee begins work for Dartmouth and Section 2 is required within three business days of the date employment begins. Employees who do not have this required information will not be able to continue their employment until the information is provided and verified. Additionally, re-verification must take place with the Payroll Office before or on the date of expiration of the documents originally presented. Please note that employees who do not re-verify their information will not be able to continue their employment until the information is provided and verified.

I-9 forms, and the instructions, are available, in PDF format, through the HR website www.dartmouth.edu/~hrs/forms/index.html and if you have any questions regarding the I-9 process or requirements, please contact Josephine Griggs (646-3730) in Human Resources.