

Form I-9 and Employment Eligibility Verification History

Date	Change
September 1, 2007	New Policy. New policy on employment of foreign nationals in the United States.
December 3, 2020	Policy reviewed. Advisory note is now included in the body of the policy. Policy is correct and operating as written.
October 19, 2023	Changed the name of the policy from “Immigration/Employment of Foreign Nationals Policy” to “Form I-9 and Employment Eligibility Verification Policy.” Added a footnote to explain that the “Basic Pilot Program” is now called “E-Verify.” Changed the term “alien” to “noncitizen” to match language on revised Form I-9. Revised the first advisory note to explain that, given the sensitive nature of the information contained on Form I-9s, documents should be processed sequentially, rather than concurrently, meaning only one Form I-9 and associated documents should be processed at one time. Detailed the requirements for a remote verification of Form I-9 documentation procedure, including the requirement for secure transmission of personally identifiable information. Added language to Section 3, E-Verify, to explain employers may not take adverse employment actions when certain results are received from E-Verify. Included references and links to the E-Verify website and manual. Edited Section 5, Continuing Employment, to utilize language more consistent with USCIS guidance. Added information on the appropriate storage of paper and electronic Form I-9s and associated documentation to Section 6. Added “Sources of Authority” section.
December 12, 2024	Added to Section 6.1, Storage of Documents: These documents are maintained at the agency or university level only.
September 17, 2025 (effective October 8, 2025)	Revises the policy to reflect the I-9 and E-Verify process that will be built into the State’s new Workday IT system, effective October 8, 2025. Second, the revised policy reflects the fact that executive branch agencies will be operating, for employees hired in the Workday system on or after October 8, 2025, under a single Memorandum of Understanding (MOU) with the federal government for E-Verify, instead of multiple agency MOUs. See below for a detailed log of changes made to the policy. In Section 1, entitled “Policy”: - Deleted reference to community colleges, and local education agencies because the policy does not apply to these entities - Added a footnote to clarify the policy only applies to agencies using Workday and Administrative Office of the Courts and it does not apply to the Universities or agencies not using Workday. Deleted reference to universities throughout as this policy will not apply to them. In Section 2.1, entitled “Form I-9, Employment Eligibility Verification”:

	• Clarified it is no longer a new hire when an employee moves between agencies utilizing Workday. • Added that employees hired by the sending agency after the implementation of Workday, the employee's record will transfer when the transfer is effective in Workday. • Added a note that states if an employee is transferring from a University or other state entity that does not utilize the Workday system for the I-9 process, they should be treated as a new hire and a new Form I-9 and E-Verify case should be completed. • Added information about transferring existing I-9 documentation between agencies using Workday for employees that were hired by the sending agency prior to the implementation of Workday. • Deleted the statement on ensuring use of the correct version of the Form I-9. In Section 2.2, formerly entitled "Physical Document Examination": • Changed the title to "Document Examination." • Changed the default method of document examination to remote examination. • Merged former Section 2.3 Remote Verification with Section 2.2. • Added that agencies utilizing Workday must offer remote verification to new employees. • Added reference to the Workday I-9 and E-Verify Reference Guide. • Clarified the process for remote document examination with use of Workday • Added that if the employee chooses not to participate in remote verification by uploading documents into Workday, the employee must present the required documentation on the first day of work for pay. The employer representative will upload the documents into Workday. In Section 3, entitled "E-Verify Program-Employment Authorization Confirmation": • Added a statement about the Single MOU that all Workday agencies will use. • Added "Agency staff shall not directly access E-Verify through the E-Verify website. Agency staff shall create new E-Verify cases through the Workday system. If a situation arises that cannot be addressed through the Workday system, the agency's I-9 representative must contact the OSHR E-Verify Program Administrator. Agency staff shall not use prior agency specific E-Verify accounts for Form I-9s which have Section 1 completed on or after the Workday system goes live on October 8, 2025. Agency staff shall use the Workday system and the new MOU for all employees who complete Section 1 of the Form I-9 on or after that date." In Section 4, formerly entitled "When to Verify Eligibility": • Changed the title to "Timeframe to Verify Eligibility." In Section 5, entitled "Continuing Employment": • Added an employee transferring directly from one state agency using Workday to another state agency using Workday In Section 6.1, entitled "Storage of Documents": • Deleted "These documents are maintained at the agency or university level only."
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	- Added “Any Form I-9 and E-Verify case processed through Workday should be stored only in Workday.” In Section 6.2, entitled “Retention of Documents”: - Added “Form I-9 and associated documents for employees transferring between Workday agencies should transfer with the employee, rather than being retained by the sending agency. Form I-9 and associated documents for employees separating to work at a non-Workday entity must be retained by the agency for the required amount of time.”
September 24, 2026 (Effective October 1, 2026)	- Remove outdated language or update language for processes that have changed because of Workday implementation. - Clarify the policy applies to executive branch agencies that utilize Workday. The policy does not include Universities or the Administrative Office of the Courts. - Explicitly state agencies must use Workday to complete the Form I-9 and E-Verify case. Agencies may not use paper Form I-9s or agency specific E-Verify accounts. - Clarify that OSHR is the Program Administrator for the statewide E-Verify account; when an action is not considered a “hire” for which a new Form I-9 and E-Verify case is needed. - Adds language requiring agencies to use their agency specific E-Verify accounts to run Status Change reports in E-Verify for employees hired before the implementation of Workday. - State OSHR will run Status Change reports in the statewide E-Verify account and notify agencies of any actionable results for employees hired after the implementation of Workday. - Update the Sources of Authority to correspond to the new law. - Move the policy history to a separate document.