

HR-XML Consortium

3.3 Employment Eligibility I9 Specification

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Employment Eligibility I-9 Specification Overview

The EmploymentEligibility I-9 noun contains the data filled out by both the employee and employer on Form I-9.

The I-9/EVerify Business Rules (.xls) outline which elements/attributes are required or the best practice for each I-9 EmploymentEligibility transaction.

Actors

The actors for employment eligibility are described below:

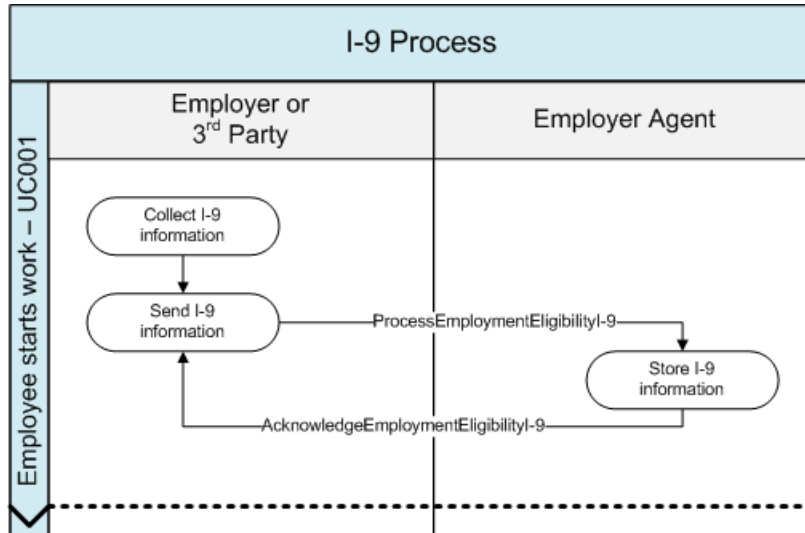
- **Employer.** Legal entity that controls and directs a worker under an express or implied contract of employment and pays (or is obligated to pay) him or her salary or wages in compensation.
- **Employment Verification Employer Agent.** An organization or individual that provides I-9 completion, storage and/or E-Verify services. For example, a CRA may fulfill this role.
- **Employment Verification 3rd Party.** An organization or individual that collects the I-9 and communicates with the Employer Agent on the Employer's behalf. For example, an ATS may fulfill the role of 3rd party.

Trigger / Precondition

- **Switching Employer Agents.** An Employer decides to transfer their I-9 and E-Verify data from one Employment Verification Employer Agent to another. This may happen for a variety of reasons (e.g. better prices, product meets needs).
- **Audit Event.** An internal or external review of Forms I-9 may also require supporting information such as payroll records, E-Verify case information, and I-9 audit trails to be provided to the auditor. These reviews may be performed on a regular or one-time basis depending on an employer's internal compliance procedures as well as other worksite enforcement activities.
- **Acquisition.** An Employer or Employment Verification Employer Agent was involved in an acquisition (i.e. it may have acquired another company or it itself may have been acquired). The Employer/Employer Agent will need to transfer I-9 and E-Verify data to the new organization.
- **Sync Employment Eligibility System of Record.** There are times when one party conducts the I-9/E-Verify work and another party stores the results. The party that stores the I-9 and audit information is referred to as the System of Record. An example is when an Employment Verification Employer Agent conducted the I-9/E-Verify work and the Employer stores the I-9 and audit information.
- **Compliance Event.** A wide-range of activities could be triggered by a new compliance obligation under applicable law. This could be a new legal requirement or a newly covered circumstance or situation. Compliance could involve an affirmative obligation to do something (e.g., record-keeping) or to monitor or avoid prohibited activities.

Employee Starts Work - UC001

Summary. This use case applies when a hired or rehired employee completes the U.S. employment eligibility process. This transaction only occurs when the Employer Agent is responsible for processing the E-Verify case. It is not relevant if the Employer or 3rd Party processes the E-Verify case. A rehire would follow the same workflow as a new hire, regardless if Section 3 is completed for an existing Form I-9 or a new Form I-9 is created.



Business Narrative. Brandon Taylor is hired and begins his first day of work. The Human Resources department provides him with a login to a 3rd Party Applicant Tracking System (ATS) to submit his work eligibility information. Brandon logs into the system and enters his personal information such as, name, address, birth date and Social Security Number (SSN). He electronically signs the Form I-9.

The HR department reviews Brandon's birth certificate as the supporting documentation. HR completes Section 2 and electronically signs Form I-9 via the ATS website. Once HR completes the form, they submit it to their Employer Agent, who will execute the E-Verify process. Since the Employer Agent is responsible for storing the Form I-9, a PDF version of the form is attached to the transaction. The Employer Agent sends confirmation (acknowledgement) to the Employer (3rd Party) that the Form I-9 information was received.

After two years, Brandon resigns to take a one year sabbatical. He is rehired within 3 years of his original hire date. On his first day back, the Employer logs on to the ATS website to enter Brandon's rehire date and electronically signs Section 3 of the Form I-9.

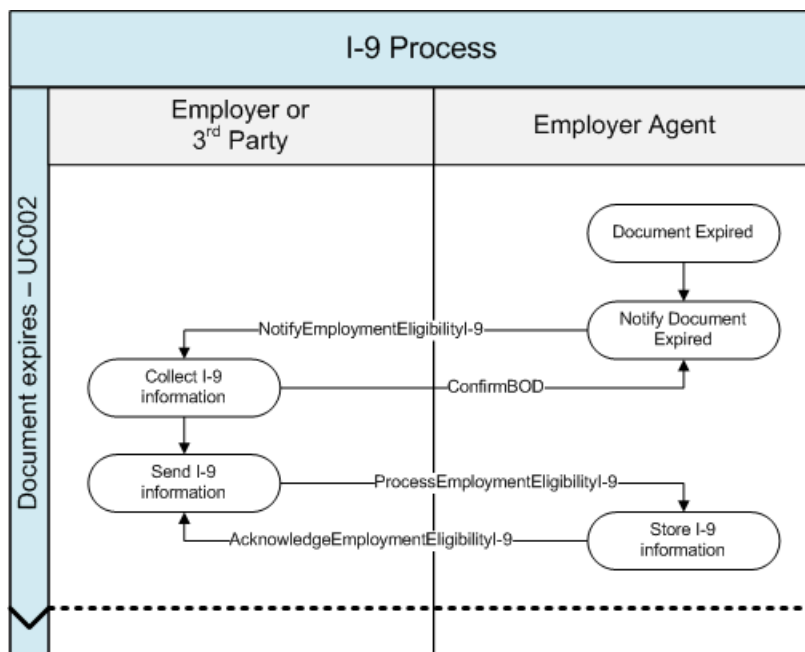
Since Brandon's birth certificate is still valid, new documentation is not required. Once the Employer completes Section 3, the information is sent to the Employer Agent, who will execute the E-Verify process. The Employer Agent sends confirmation to the Employer (3rd Party) that the Form I-9 information was received.

Technical Narrative. The following instructions pertain to the Employer's use of a 3rd Party system. However, the steps would be similar if the Employee had their own system.

1. An employee starts work as a new hire or re-hire.
2. The Employer uses a 3rd Party system to collect Sections 1 and 2 of Form I-9.
3. Alternately, Section 3 may be completed in the case of a rehire within 3 years of the original Form I-9.
4. The 3rd Party system sends the ProcessEmploymentEligibilityI-9 transaction to the Employer Agent with the action code = 'Add'. The transaction may include a copy of the Form I-9 as an attachment if the Employer Agent is the System of Record.
5. The Employer Agent responds with an AcknowledgeEmploymentEligibilityI-9 if the transaction was successful or a ConfirmBOD if an error or warning occurred.
6. At this point, the E-Verify process is performed by the Employer Agent. The E-Verify transaction and any related schema are not included as part of the HR-XML specifications.

Document Expires - UC002

Summary. This use case applies when supporting documentation proving work authorization has expired for an employee subject to re-verification. This transaction assumes the Employer Agent is the System of Record. The Employer or 3rd Party has the option to create a new Form I-9 or to update Section 3 of the existing Form I-9.



Business Narrative. Marie Beuforte, an alien, was hired and completed the Form I-9 five years ago. She used her Foreign Passport with Form I-94 as her valid eligibility document. When her Form I-94 expires, the Employer Agent's system recognizes a supporting document proving work authorization is expiring and that Marie is subject to re-verification. They send a notification of the expired document to the 3rd Party Applicant Tracking System (ATS) and the ATS confirms the notification.

The HR department asks for current supporting documentation proving work authorization from Marie. She provides a new Form I-94 or some other document proving work authorization from List A or List C on Form I-9 and the HR department updates her Form I-9 information (Section 3) on the ATS. The ATS submits the updated information to the Employer Agent. Since Marie was already verified by E-Verify and she has not been rehired, her updated information does not cause the E-Verify process to be executed. Since the Employer Agent is responsible for storing the Form I-9, a PDF version of the updated Form I-9 is attached to the transaction. The Employer Agent sends confirmation (acknowledgement) to the ATS that the Form I-9 information was received.

If in the future, Marie's authorization to work in the U.S. expires she will be required to reverify her authorization to work with her Employer by completing the reverification process again.

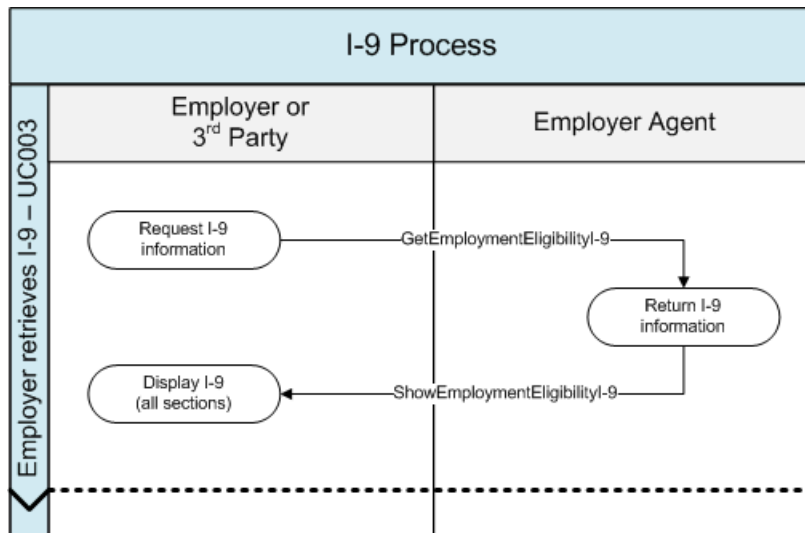
A similar process is used if the employee presents a receipt for a replacement document for the Employer to complete Section 2 of Form I-9.

Technical Narrative. The following instructions pertain to the Employer's use of a 3rd Party system. However, the steps would be similar if the Employee had their own system.

1. The Employer Agent system identifies that a supporting document proving work authorization for an employee subject to reverification from a Form I-9 is expiring.
2. The Employer Agent sends a NotifyEmploymentEligibilityI-9 transaction to the 3rd Party system, noting which document is affected.
3. The 3rd Party sends a ConfirmBOD transaction confirming receipt, error, or warning of the notification.
4. The 3rd Party alerts the Employer, who uses the 3rd Party's system to collect new eligibility information to update Section 3.
5. Alternately, the Employer may choose to create a new Form I-9 with the updated information.
6. The 3rd Party system sends the ProcessEmploymentEligibilityI-9 transaction to the Employer Agent with the action code = 'Add'. The transaction may include a copy of the Form I-9 as an attachment if the Employer Agent is the System of Record.
7. The Employer Agent responds with an AcknowledgeEmploymentEligibilityI-9 if the transaction was successful or a ConfirmBOD if an error or warning occurred.
8. The E-Verify process is not performed by the Employer Agent on a Form I-9 update for a reverified employee that has already been submitted to E-Verify. The E-Verify process is performed by the Employer Agent if the Form I-9 was originally completed using a receipt in Section 2 and all receipts have been updated with information from the employee's actual documentation. The E-Verify transaction and any related schema are not included as part of the HR-XML specifications.

Employer Retrieves Form I-9 - UC003

Summary. This use case is intended to allow the Employer to obtain a Form I-9 in the event the Employer needs to view and/or print a hardcopy of the Form I-9 or if the Employer needs to retrieve the data on for Form I-9. In this scenario, only the Form I-9 image (probably a PDF) and the data on the Form I-9 would normally be provided. However, the sender may also return other information related to the Form I-9 such as supporting documents, E-Verify case information, audit trails, and comments (see Audit Event - UC005). This transaction assumes the Employer Agent is the System of Record.



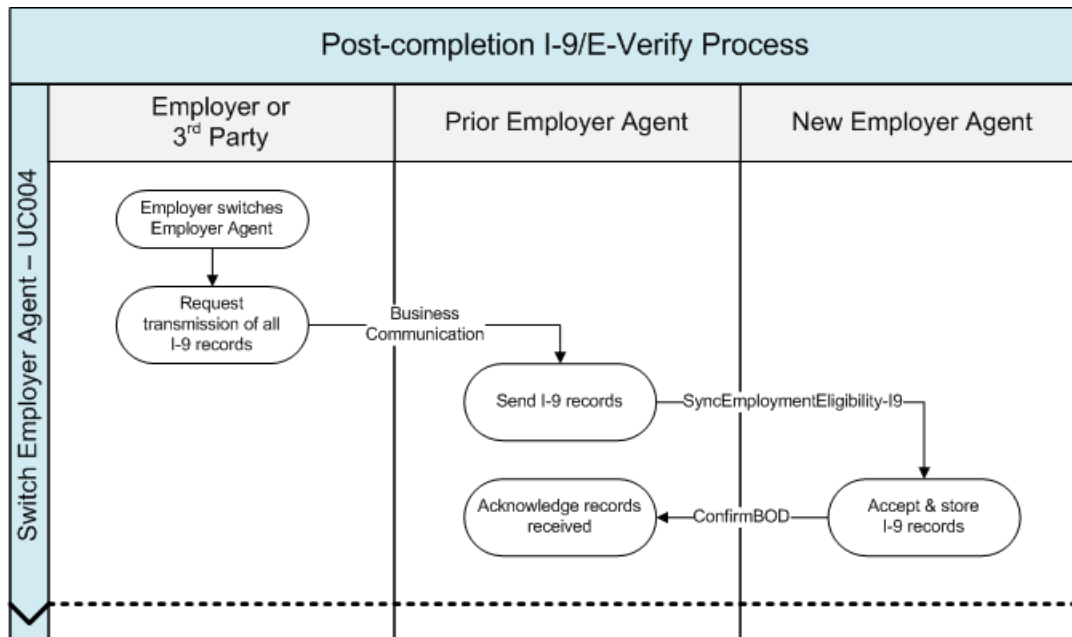
Business Narrative. The HR department, needs to review the Form I-9 information for Brandon Taylor to determine if his supporting documentation is valid. The HR Department signs onto the 3rd Party's system and requests the Brandon's Form I-9 record. The 3rd Party system retrieves the Form I-9 record from the Employer Agent and displays it on a screen for the HR Department to view.

Technical Narrative. The following instructions pertain to the Employer's use of a 3rd Party system. However, the steps would be similar if the Employee had their own system.

1. The Employer requests the Form I-9 information thru the 3rd Party's system.
2. The 3rd Party sends a GetEmploymentEligibilityI-9 transaction to the Employer Agent, requesting the specific Form I-9 record(s).
3. The Employer Agent responds with a ShowEmploymentEligibilityI-9. This message will usually include all sections of the requested Form I-9, including all copies of Section 3.
4. The Employer views the Form I-9 record(s) on the 3rd Party's system.

Switch Employer Agent - UC004

Summary. This use case articulates the workflow for employment eligibility when the Employer or 3rd Party decides to transfer Form I-9 and E-Verify data from one Employer Agent to another.



Business Narrative. The Employer decides to switch Employer Agents. This may happen for a variety of reasons (e.g., better prices, product meets needs). An Employer would typically have only one Employer Agent at a time to maintain all Form I-9/E-Verify records in a single repository. The Employer's records would be transferred from the current Employer Agent to the new Employer Agent.

The Employer will contact their current Employer Agent via a termination letter, email, phone call, or other business communication to initiate the transfer of records. The current Employer Agent will send the records to the new Employer Agent (perhaps via the Employer), and the new Employer Agent will acknowledge receipt of those records.

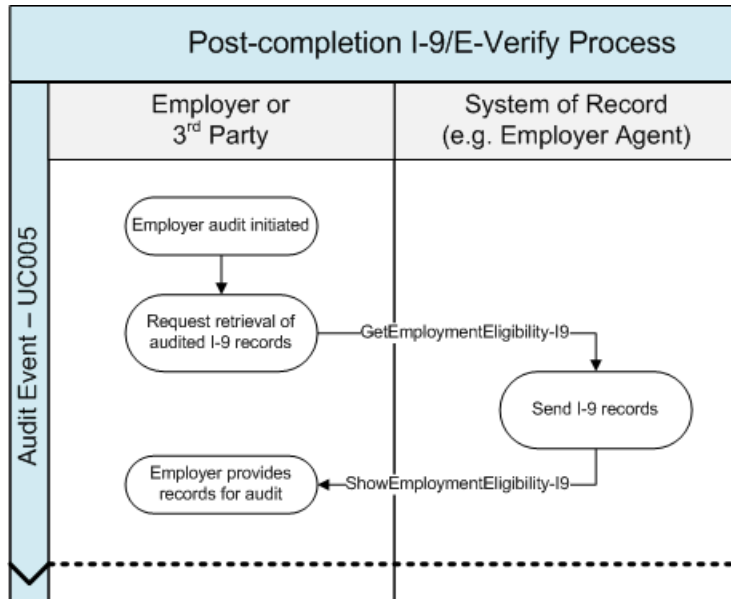
The example shows only four Forms I-9 for the synchronization. There may be hundreds or thousands of Forms I-9 to exchange. In this case, the forms could be transferred in batches.

Technical Narrative.

1. Employer decides to switch Employer Agents.
2. Employer requests the current Employer Agent to transfer the Employer's Form I-9/E-Verify records to the new Employer Agent.
3. Alternately, the information may be transferred directly from the Employer to the new Employer Agent.
4. The current Employer Agent transfers the Employer's Form I-9/E-Verify records to the new Employer Agent via the SyncEmploymentEligibilityI-9 transaction.
5. The new Employer Agent acknowledges receipt of the records using a ConfirmBOD.

Audit Event - UC005

Summary. This use case articulates the workflow for employment eligibility when an internal or external review of Form I-9/E-Verify records is required.



Business Narrative. Audits may be performed on a regular or one-time basis, depending on the Employer's internal compliance procedures as well as other worksite enforcement activities. The most common external force that would initiate an audit is the U.S. Immigration and Customs Enforcement (ICE) agency within the U.S. Department of Homeland Security (DHS).

When an audit is started, the Employer will request Form I-9/E-Verify records from the System of Record. This request will typically be based on filters such as a time period, work location, and/or specific employees and the Form I-9/E-Verify records should include data for all Form I-9 sections, E-Verify cases, Form I-9 images, and associated audit trails plus any other relevant information (e.g., comments, supporting document images, Colorado attestations) on file. The System of Record should return the records matching the audit criteria. The Employer will provide the records to the auditor.

This information may be necessary to determine the Employer's compliance with the regulations governing items such as the Form I-9 itself, electronic completion and storage, E-Verify, supporting document copies, and audit trails. Depending on the auditor, the information may be provided in hardcopy, softcopy, or a combination.

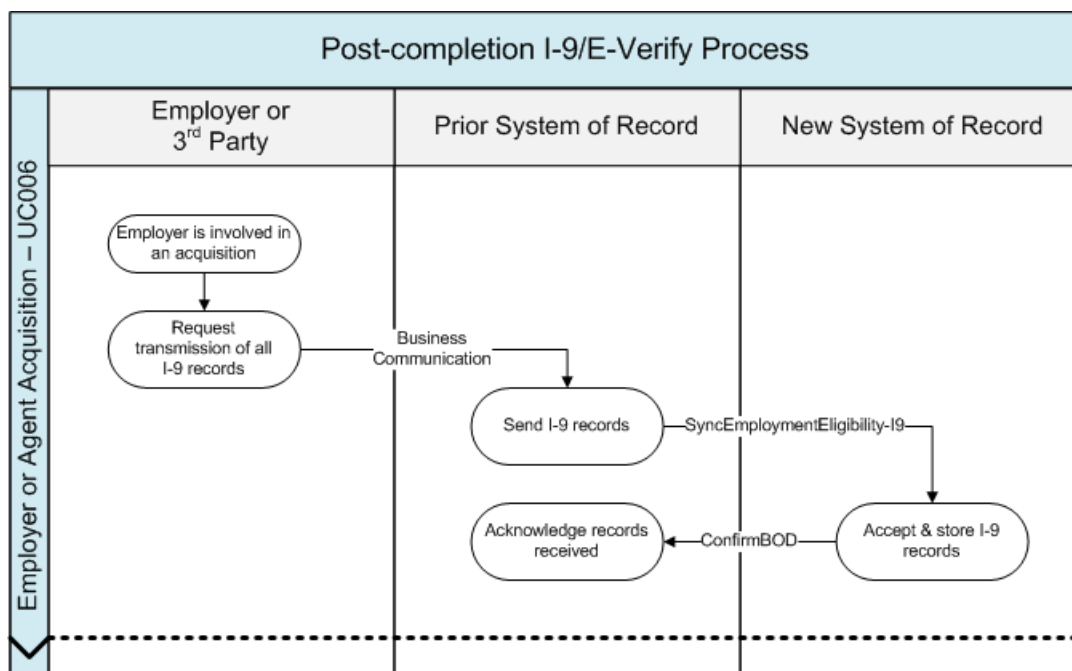
For example, ICE may audit only one specific work location (e.g., retail store) out of many that the Employer operates. Within that work location the auditor may only want to audit Forms I-9 for employees hired since the beginning of the year. Based on what the auditor finds the audit may be complete or the Employer may be asked to provide additional Forms I-9.

Technical Narrative.

1. Employer audit is initiated.
2. Employer sends a GetEmploymentEligibilityI-9 transaction to receive the Form I-9/E-Verify records from the System of Record (may be an Employer Agent).
3. The System of Record transfers the Form I-9/E-Verify records to the Employer via the ShowEmploymentEligibilityI-9 transaction.
4. The Employer provides the necessary Form I-9/E-Verify records to the auditor.

Acquisition - UC006

Summary. This use case articulates the workflow for employment eligibility when the Employer or Employer Agent is involved in an acquisition.



Business Narrative. The primary flow for this use case is when the Employer is involved in an acquisition and needs to transfer the Form I-9/E-Verify records from one System of Record to another. The System of Record may be an internal system, a 3rd Party system (e.g., an ATS), or an Employer Agent.

If the System of Record resides with an Employer Agent, and that Employer Agent is the company involved the acquisition, the Employer Agent will initiate the transfer, with notice given to the Employer.

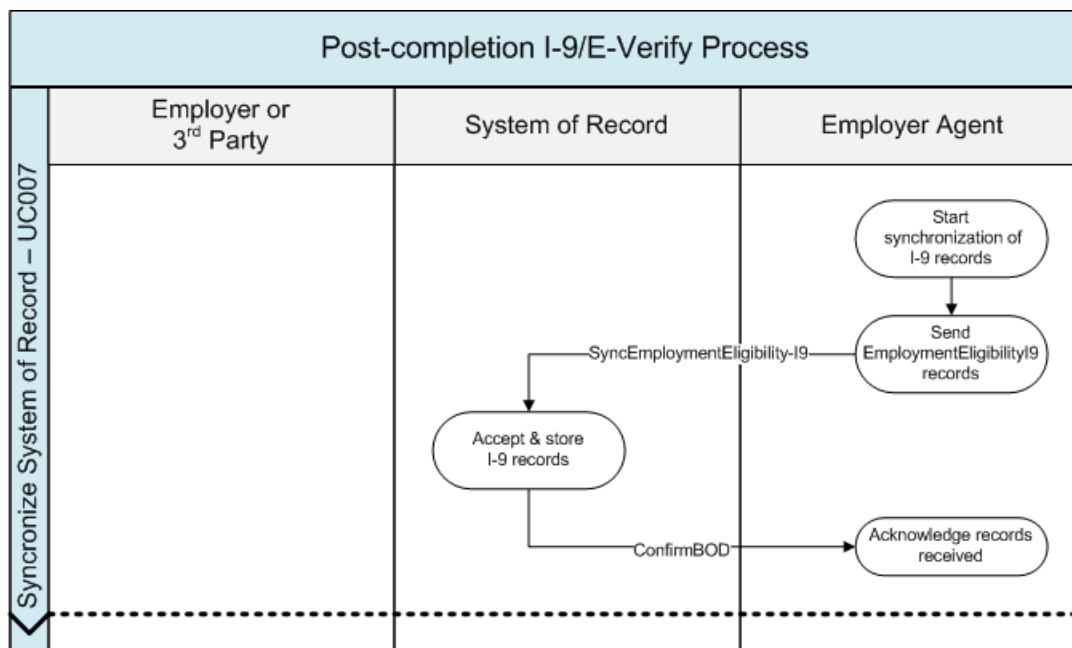
The example shows only four Forms I-9 for the synchronization. There may be hundreds or thousands of Forms I-9 to exchange. In this case, the forms could be transferred in batches.

Technical Narrative.

1. The Employer is involved in an acquisition.
2. The Employer requests all Form I-9/E-Verify records be transferred from the current System of Record to the new System of Record.
3. Form I-9/E-Verify records are transferred from the current System of Record to the new System of Record using the SyncEmploymentEligibilityI-9 transaction.
4. The new System of Record acknowledges receipt of the records through ConfirmBOD. This is also used to notify the sender of errors or warnings.

Synchronization between Employer Agent and System of Record - UC007

Summary. This use case articulates the workflow for employment eligibility when the Employer Agent needs to synchronize with the System of Record. This assumes that the Employer Agent is not the System of Record for the Employer.



Business Narrative. In the case when the Employer's System of Record is not the Employer Agent's system, there is a need for synchronization between the Employer Agent and the Employer's System of Record (repository). The Employer's System of Record may be an internal system or a 3rd Party system such as an HRIS.

The initiating criteria may change depending on the agreement between the parties involved. The synchronization may happen on a scheduled basis or in real time, as updates occur during the Form I-9/E-Verify processes. In most cases, the Employer Agent will initiate the transfer of information, rather than the System of Record initiating the transfer.

Multiple batch files may be necessary to synchronize Forms I-9 between the parties when the number of Forms I-9 and associated data (e.g., E-Verify case information, supporting documents, audit trails,



comments) being exchanged exceeds a reasonable size or the processing capacity of one of the parties. The batch files may be sent from any party to the other party as necessary to address the business need. When using multiple batch files it may be important for the receiving party to process the files in the same order they were created. For this reason, each batch file will contain a date and time stamp that can be used by the receiver to sequence the processing of the batch files.

Technical Narrative.

1. The Employer Agent initiates synchronization with the Employer's System of Record.
2. The Employer Agent sends updated Form I-9/E-Verify records to the Employer's System of Record using the SyncEmploymentEligibilityI-9 transaction.
3. The System of Record acknowledges receipt of the records through ConfirmBOD. This is also used to notify the sender of errors or warnings.

Appendix A: Examples

Examples for each of these components can be found in the Instances folder.

UC001_ProcessEmploymentEligibilityI-9.xml

UC001_AcknowledgeEmploymentEligibilityI-9.xml

UC002_NotifyEmploymentEligibilityI-9.xml

UC002_ProcessEmploymentEligibilityI-9.xml

UC002_AcknowledgeEmploymentEligibilityI-9.xml

UC003_GetEmploymentEligibilityI-9.xml

UC003_ShowEmploymentEligibilityI-9.xml

UC004_SyncEmploymentEligibilityI-9.xml

UC004_ConfirmBODSyncEmploymentEligibilityI-9.xml

UC005_GetEmploymentEligibilityI-9.xml

UC005_ShowEmploymentEligibilityI-9.xml

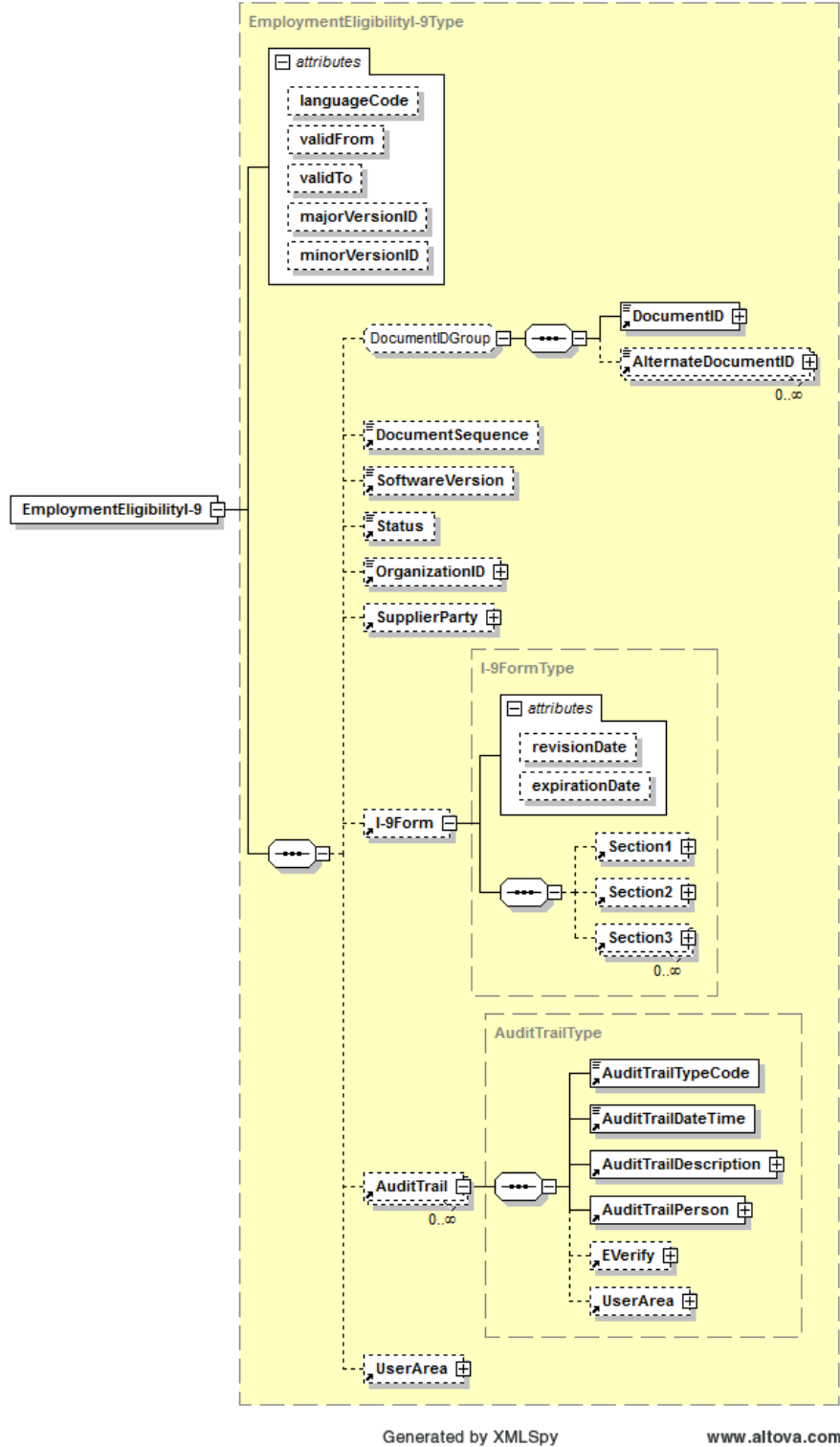
UC006_SyncEmploymentEligibilityI-9.xml

UC006_ConfirmBODSyncEmploymentEligibilityI-9.xml

UC007_SyncEmploymentEligibilityI-9.xml

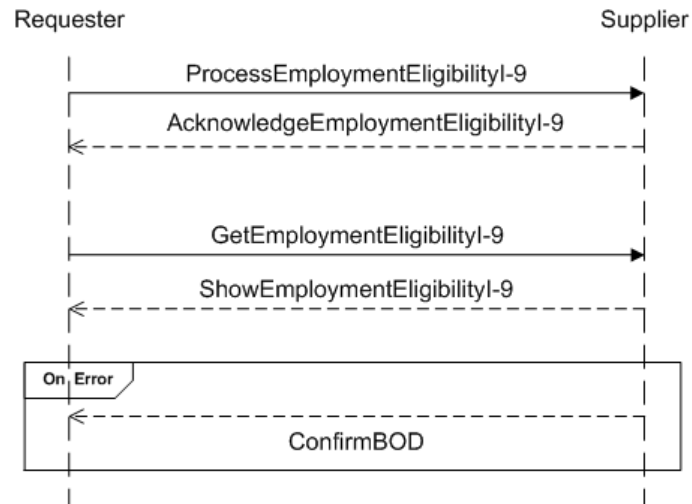
UC007_ConfirmBODSyncEmploymentEligibilityI-9.xml

Appendix B: Noun Layouts



Appendix C: Business Object Document Diagrams

EmploymentEligibility_SupplierPackage



EmploymentEligibility_RequesterPackage

