As we work towards the goal of having all required documentation to the BSD OAA in time for us to meet our payroll deadlines, I thought it might be helpful for all of us to be reassured that it is legitimate to complete Form I-9 before the start date of employment.

The “Handbook for Employers: Instructions for Completing Form I-9 (Employment Eligibility Verification Form),” issued by the U.S. Citizenship and Immigration Services (USCIS), states:

The law requires that you complete Form I-9 only when the person actually begins working. However, you may complete the form earlier, as long as the person has been offered and has accepted the job. You may not use the Form I-9 process to screen applicants.

To be sure, circumstance occasionally may throw down challenges to processing a Form I-9 prior to the start date of employment, but in most cases it should be possible to arrange a meeting with the incumbent for the position prior to his or her start date to complete the employer portion of the Form I-9. On the rare occasion when a face-to-face meeting is not possible prior to the start date of employment, departments have arranged for documents to be express-mailed back and forth between the department and the incumbent with an appropriate independent attestation denoted by a remote notary public that confirms the documents in question relate to the incumbent.

Thank you all for your assistance in helping us meet our payroll deadlines.