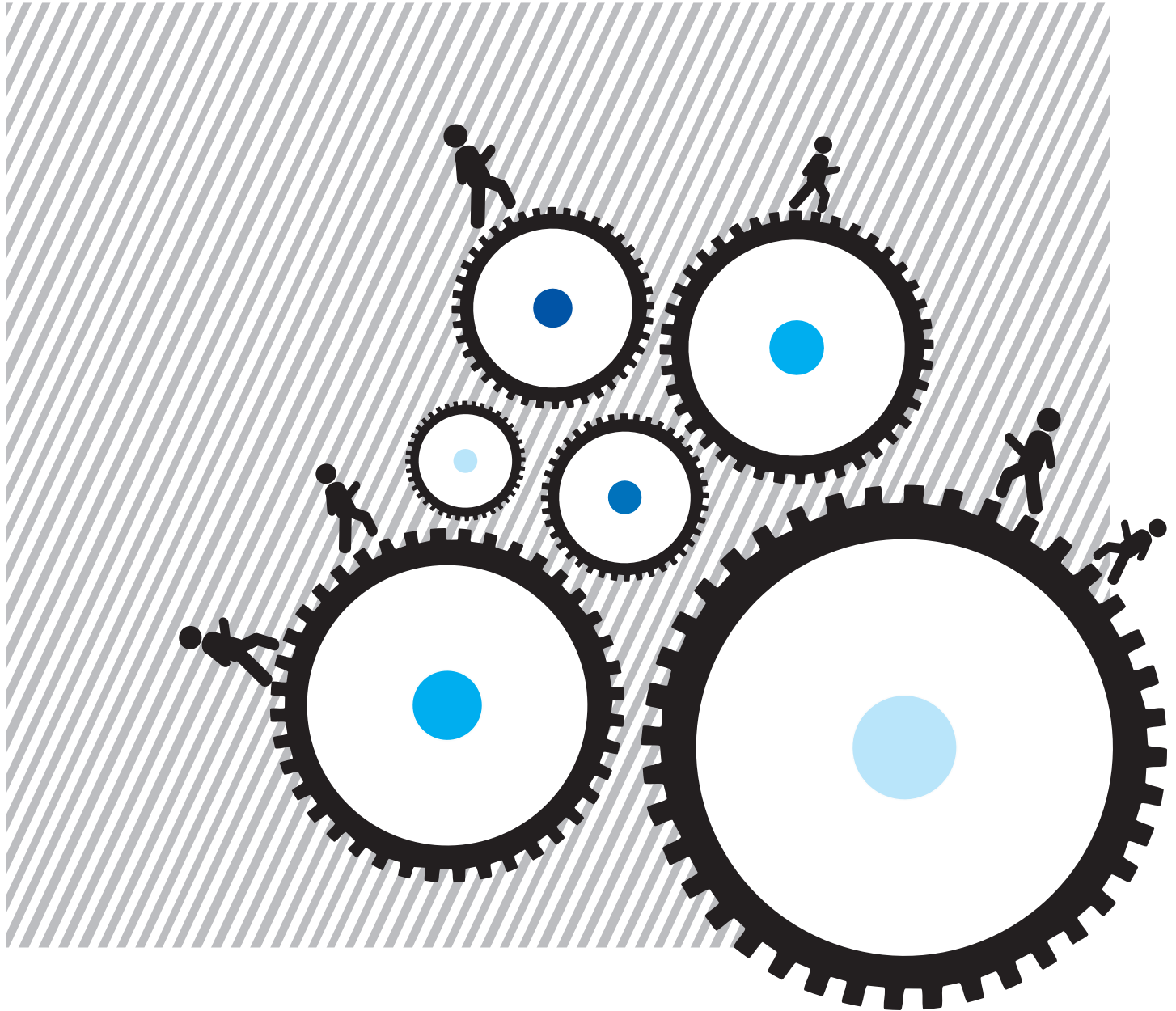


Beginner/Intermediate  
2011-2012 STUDENT EDITION

# THE RIGHT TO WORK

## Understanding Immigrant Employment Rights

*A Workbook for ESOL Classes*



**NYC COMMISSION ON HUMAN RIGHTS**  
MICHAEL R. BLOOMBERG, Mayor | PATRICIA L. GATLING, Commissioner / Chair

**NEW YORK IMMIGRATION COALITION**

**THE CITY UNIVERSITY OF NEW YORK ADULT LITERACY / GED / ESL PROGRAM**

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Practices, Civil Rights Division,  
US Department of Justice.

**THE RIGHT TO WORK**  
**Understanding Immigrant**  
**Employment Rights**

*A Workbook for ESOL Classes*

**NEW YORK CITY COMMISSION ON HUMAN RIGHTS**

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# The Right to Work

## Understanding Immigrant Employment Rights

A Workbook for ESOL Classes | Beginner/Intermediate Level

### Introduction

These lessons will educate immigrant workers about their protections against discrimination under the Immigration and Nationality Act (INA) and NYC Human Rights Law. It also provides resources to contact if discrimination occurs.

**The Immigration and Nationality Act (INA)** protects U.S. citizens and certain work-authorized individuals from employment discrimination based upon citizenship or immigration status. The INA protects all work-authorized individuals from national origin discrimination, unfair documentary practices relating to the employment eligibility verification process, and from retaliation.

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**Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice** is responsible for enforcing the anti-discrimination provisions of the Immigration and Nationality Act (INA), 8 U.S.C. § 1324b. OSC conducts an outreach and education program aimed at educating employers, potential victims of discrimination, and the general public about their rights and responsibilities under the INA's anti-discrimination and employer sanctions provisions.

**The City University of New York Adult Literacy/GED/ESL Program** operates on 14 campuses of The City University of New York (CUNY) and has been in existence for over 30 years. With an average enrollment of 10,000 students a year, hundreds of thousands of New York City adults have learned to speak English, read and write and do math with greater facility, and prepare for high school credentialing through the GED Exam. Many students have also made strengthened transitions to college through the CUNY college transition programs. In addition to classes in reading/writing, math, ESOL and GED preparation, different CUNY campus programs offer instruction in a variety of special topics courses in such areas as health, family literacy, or work and college-going preparation.

[www.cuny.edu](http://www.cuny.edu)

**The Literacy Assistance Center** has provided services for adult education programs since 1983. Its data management support, professional development programs, and technical assistance enable these programs to improve the quality of their instruction and the efficiency of their organization. The LAC also works with a wide range of other cultural, educational, financial, health, and legal agencies and institutions. It assists these groups in improving their communication skills so that their clients with limited literacy can seize opportunities available to them and become full participants in the broader community.

[www.lacnyc.org](http://www.lacnyc.org)

**New York City Commission On Human Rights (CCHR)** enforces the NYC Human Rights Law, one of the most comprehensive civil rights laws in the nation. The Law prohibits discrimination in employment, housing and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, marital status, or partnership status. In addition, the Law affords protection against discrimination in employment based on arrest or conviction record and status as victim of domestic violence, stalking or sex offenses. In housing, the Law affords additional protections based on lawful occupation, any lawful source of income, and family status. The City Human Rights Law also prohibits retaliation and bias-related harassment. The Commission also conducts extensive education about the law for the general public.

[www.nyc.gov/cchr](http://www.nyc.gov/cchr)

**New York Immigration Coalition** is an umbrella policy organization for approximately 200 groups in New York State that work with "newcomers" to the US. The NYIC was founded in 1987 and has evolved into a powerful advocacy voice, analyzing the impact of immigration policy proposals, promoting and protecting the rights of immigrants and their family members, improving newcomers' access to services, resolving problems with public agencies, and mobilizing member groups to respond to public issues and community needs.

[www.thenyc.org](http://www.thenyc.org)

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# Working in the United States

## Immigrant Employment Rights Part I

### VIDEO 1 | Tomás needs a job.



#### 1. Watch Video 1.

- Who do you see?
- What **documents** do you see?
- What is the problem?

#### 2. Talk about the Video.

Circle **YES** or **NO**.

A man needs a job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man goes to a deli.	<input type="radio"/> YES	<input type="radio"/> NO
The man talks to the boss.	<input type="radio"/> YES	<input type="radio"/> NO
The boss asks the man for his documents.	<input type="radio"/> YES	<input type="radio"/> NO
The man shows the boss his documents.	<input type="radio"/> YES	<input type="radio"/> NO
The man gets the job.	<input type="radio"/> YES	<input type="radio"/> NO

### 3. What is the problem?

Complete the dialogue.



Sr. Santos



Tomás

**Sr. Santos:**

Do you have your \_\_\_\_\_ with you?

**Tomás:**

No, but I have my \_\_\_\_\_ and \_\_\_\_\_.

**Sr. Santos:**

That's good but I need to see your \_\_\_\_\_.

Complete the sentences.

Tomás is the _____.	employer	job applicant
Sr. Santos is the _____.	employer	job applicant
Sr. Santos _____ Tomás for his documents.	asks	shows
Tomás _____ Sr. Santos his documents.	asks	shows
Sr. Santos _____ Tomás's documents.	accepts	refuses
Tomás _____ the job.	gets	does not get





# Working in the United States

## Immigrant Employment Rights Part I

### I-9 FORM

1. Look at an I-9 form.
2. The Immigration and Nationality Act (INA) says that employers must use the I-9 form.
3. Employers use the I-9 form to check every new employee's **identity** and **work authorization**.
4. Employees must have the right documents.
5. You need one document that proves *both* **identity** and **work authorization**.
6. Or, you need one document that proves **identity** *and* one document that proves **work authorization**.
7. Look at the **lists of acceptable documents**.
  - a. Which documents does Tomás have?
  - b. Which document proves his **identity**?
  - c. Which document proves his **work authorization**?
  - d. Does Tomás have the right documents?



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

**Form I-9, Employment Eligibility Verification**

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Verification** (To be completed and signed by employee at the time employment begins.)

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #

**I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.**

I attest, under penalty of perjury, that I am (check one of the following):

- A citizen of the United States
- A noncitizen national of the United States (see instructions)
- A lawful permanent resident (Alien # \_\_\_\_\_)
- An alien authorized to work (Alien # or Admission # \_\_\_\_\_)  
until (expiration date, if applicable - month/day/year)

Employee's Signature	Date (month/day/year)
----------------------	-----------------------

**Preparer and/or Translator Certification** (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature	Print Name
Address (Street Name and Number, City, State, Zip Code)	
Date (month/day/year)	

**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: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

**CERTIFICATION:** I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) \_\_\_\_\_ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

**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: _____	Document #: _____	Expiration Date (if any): _____
-----------------------	-------------------	---------------------------------

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)
--	-----------------------



**LISTS OF ACCEPTABLE DOCUMENTS**

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)				2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		3. School ID card with a photograph		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		4. Voter's registration card		5. Native American tribal document
		5. U.S. Military card or draft record		6. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card		8. Employment authorization document issued by the Department of Homeland Security
		8. Native American tribal document		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		9. Driver's license issued by a Canadian government authority		
		<b>For persons under age 18 who are unable to present a document listed above:</b>		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
	12. Day-care or nursery school record			

**Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)**



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## KNOW THE LAW | Document Abuse

Document abuse is against the law. The law says an employee can choose which documents to show an employer. The I-9 form says, "Employers cannot specify which document(s) they will accept from an employee."

These are possible examples of **document abuse**.

- The employer asks for your documents **before** they offer you the job.
- The employer asks you for **different** documents.
- The employer asks you for **more** documents.
- The employer asks you for **specific** documents.

If you have questions about document abuse, you can contact:




**THE OFFICE OF SPECIAL COUNSEL  
FOR IMMIGRATION RELATED UNFAIR  
EMPLOYMENT PRACTICES (OSC)**

*The OSC is a part of the  
U.S. Department of Justice (DOJ).*

**Call 1-800-255-7688. The call is free.**

**TDD: 1-800-237-2515**



**THE NEW YORK CITY COMMISSION  
ON HUMAN RIGHTS (CCHR)**

*There is an office in every borough.*

**Call 311.**

**Or, call the Central Office at 1-212-306-7450.**

The New York City Commission on Human Rights helps residents of the five boroughs of New York City.

You can get help in your language from OSC and CCHR. If you need an interpreter, say:

"I need an interpreter. I speak \_\_\_\_\_."



## REPORTING A PROBLEM

Complete the dialogue. Practice the dialogue with a partner.

*Tomás:*

I have a problem.

*Friend:*

What's the matter?

*Tomás:*

I have two documents, but my boss only wants to see my green card.

*Friend:*

Call \_\_\_\_\_. They can help you, for free!

*Tomás:*

But my English is not very good.

*Friend:*

If you want to speak your language, you can ask for an \_\_\_\_\_.

---

## NEW WORD PRACTICE

What's another word for...?

against the law	illegal
documents	papers, identification
employer	boss
employee	worker
green card	permanent residence card
refuse	reject
valid	OK, acceptable

Complete the sentences. Use the words in the box.

documents	green card	employee	employer
job	law	valid	

1. Tomás needs a job.
2. Tomás has \_\_\_\_\_ documents.
3. Sr. Santos refuses Tomás's \_\_\_\_\_.
4. Sr. Santos asks Tomás for his \_\_\_\_\_.
5. Document abuse is against the \_\_\_\_\_.
6. An \_\_\_\_\_ can choose which documents to show employers.
7. An \_\_\_\_\_ cannot refuse valid documents.



**Circle the same word:**

<p><b>job</b></p> <p><b>documents</b></p> <p><b>valid</b></p> <p><b>employer</b></p> <p><b>employee</b></p> <p><b>law</b></p> <p><b>refuse</b></p>	<p>jab</p> <p>document</p> <p>valid</p> <p>employ</p> <p>employ</p> <p>lawyer</p> <p>refusal</p>	<p>jib</p> <p>documents</p> <p>invalid</p> <p>employee</p> <p>employee</p> <p>lab</p> <p>refuse</p>	<p><b>job</b></p> <p>documentation</p> <p>valued</p> <p>employed</p> <p>employed</p> <p>law</p> <p>fuse</p>	<p>jot</p> <p>documented</p> <p>value</p> <p>employer</p> <p>employer</p> <p>low</p> <p>refuge</p>
--	--	---	---	--

**Write the missing letter:**

J O \_

\_ O \_ U M E N T \_

V A \_ I D

E \_ P \_ O \_ E R

E \_ P \_ O \_ E \_

L A \_

R \_ F U S \_

# Working in the United States

## Immigrant Employment Rights Part I

### VIDEO 2 | A New Job



#### 1. Watch Video 2.

- Who do you see?
- Do you see **document abuse**?



Employee



Employer

#### 2. Talk about the Video.

Circle **YES** or **NO**.

A woman has a new job.	<b>YES</b>	NO
This is a temporary job.	YES	NO
Her employer asks for her documents.	YES	NO
Her documents are permanent.	YES	NO
Her employer asks for different documents.	YES	NO
This is an example of document abuse.	YES	NO





### 3. Listen and Practice

**Employer:**

What's this Temporary Proof of Permanent Residence?

**Employee:**

It's all I have.

**Employer:**

But this is a permanent job, not temporary. I need something permanent.

**Employee:**

Well, I'm here permanently. It's just the card that expires, like a driver's license.

**Employer:**

I don't know. I need your green card. Your Permanent Resident Card. Why don't you reapply when you get your permanent card? Okay?

### 4. Complete the sentences. Use the words from the box below.



Employee

documents  
job  
law  
I-9 Form

Office of Special Counsel  
Permanent Resident Card  
Temporary Proof of Permanent Residence

- a. This woman has a new \_\_\_\_\_.
- b. Today, her employer is checking her \_\_\_\_\_.
- c. At the interview, she shows the employer her \_\_\_\_\_.
- d. The employer asks to see her \_\_\_\_\_.
- e. She can call the \_\_\_\_\_ for help.
- f. Document abuse is against the \_\_\_\_\_.
- g. Her employer can call the OSC to ask about her \_\_\_\_\_.

# Working in the United States

## Immigrant Employment Rights Part I

### VOCABULARY | Finding a Job

	<b>TO LOOK FOR A JOB:</b> <ul style="list-style-type: none"><li>• a job advertisement</li><li>• classified ads</li><li>• “help wanted”</li></ul>
	<b>TO APPLY FOR A JOB:</b> <ul style="list-style-type: none"><li>• a job application</li></ul>
	<b>TO INTERVIEW FOR A JOB:</b> <ul style="list-style-type: none"><li>• a job interview</li></ul>

### DIALOGUE

Complete the dialogue. Practice the dialogue with a partner.

**Applicant:** \_\_\_\_\_ *Hello, I'm looking for a job.*

**Interviewer:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Interviewer:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Interviewer:** \_\_\_\_\_



**Write**

- What is your name?
- Where are you from?
- Where do you live?
- Do you work? Where do you work?
- What is your job?
- What is your dream job?



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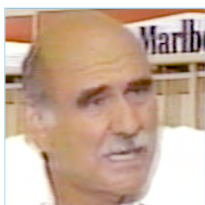
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# Discrimination

## Immigrant Employment Rights Part II

### VIDEO 3 | *A deli needs a dishwasher.*



Deli Boss



Applicant

#### 1. Watch Video 3.

- Who do you see?
- What is the problem?

#### 2. Talk about the Video.

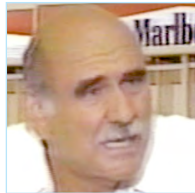
Circle **YES** or **NO**.

A man needs a job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man goes to a deli.	<input type="radio"/> YES	<input type="radio"/> NO
The man talks to the boss.	<input type="radio"/> YES	<input type="radio"/> NO
The boss needs a painter.	<input type="radio"/> YES	<input type="radio"/> NO
The boss asks the man for his documents.	<input type="radio"/> YES	<input type="radio"/> NO
The man shows the boss his documents.	<input type="radio"/> YES	<input type="radio"/> NO
The man gets the job.	<input type="radio"/> YES	<input type="radio"/> NO



**3. What is the problem?**

*Read the dialogue.*



Deli Boss



Applicant

**Deli Boss:**

Are you legal? Green card?

**Applicant:**

Sí. Yes.

**Deli Boss:**

Listen, I'm sorry. I just can't hire you. You have to speak better English to work here.

*Complete the sentences.*

A man wants a job as a _____.	dishwasher	painter
He _____ experience as a dishwasher.	has	does not have
The man _____ his green card.	has	does not have
The man _____ a little English.	speaks	does not speak
The deli boss _____ a little Spanish.	speaks	does not speak
English _____ necessary to do the job.	is	is not
The man _____ the job.	gets	does not get

# Discrimination




## Immigrant Employment Rights Part II

---

### ❖ *KNOW THE LAW | National Origin and Citizenship Status Discrimination*

1. A man wants a job as a dishwasher.
2. He has valid documents to work in the U.S.
3. The employer does not like his **accent**.
4. The employer says he needs better English.
5. English is not necessary to do the job.
6. But, the employer does not want to hire him.
7. This is an example of **national origin discrimination**.
8. **Discrimination** is different and unfair treatment of people.
9. An employer cannot treat you differently because of:
  - a. your **place of birth**
  - b. **native language**
  - c. **accent**
  - d. **appearance**
  - e. **citizenship status**

## VOCABULARY | Finding a Job

	<p><b>PLACE OF BIRTH</b></p> <ul style="list-style-type: none"><li>• where you were born</li></ul>
	<p><b>NATIVE LANGUAGE</b></p> <ul style="list-style-type: none"><li>• your first language</li><li>• the language of your home country</li></ul>
	<p><b>ACCENT</b></p> <ul style="list-style-type: none"><li>• how you speak</li></ul>
	<p><b>APPEARANCE</b></p> <ul style="list-style-type: none"><li>• how you dress</li><li>• how you look</li></ul>
	<p><b>CITIZENSHIP STATUS</b></p> <ul style="list-style-type: none"><li>• if you are a citizen or not</li></ul>

## NEW WORD PRACTICE

Write the correct word under the picture. Use the words below.

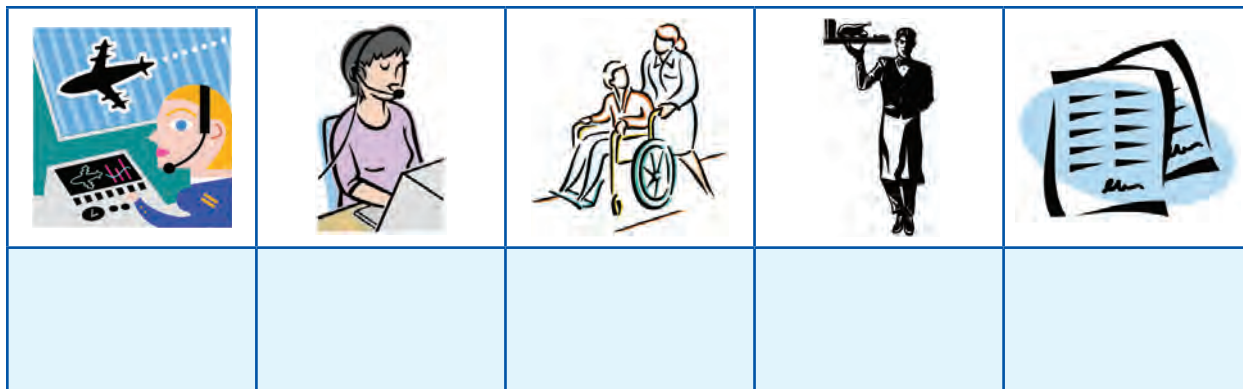
911 operator

air traffic controller

contract

nurse

waiter



The laws says some jobs can require English. For example:

- *air traffic controller*
- *911 operator*

The laws says some jobs can require uniforms or dress codes. For example:

- *waiter*
- *nurse*

The laws says some jobs can require citizenship status. For example:

- *when required by government contract*










## DISCRIMINATION

Can you find examples of discrimination? Read the sentences and choose **YES** or **NO**.

- **YES** = that's OK
- **NO** = that's against the law

1. An employer can write a job advertisement that says, "Women only."	YES	NO
2. An employer can say, "We don't interview people from your country."	YES	NO
3. An employer can ask employees to wear a uniform.	YES	NO
4. An employer can pay some employees more because they are not immigrants.	YES	NO
5. A manager at a department store can say, "Only citizens get promotions."	YES	NO
6. An employer can ask employees to speak only English all the time at work.	YES	NO
7. An employer can fire employees who complain about discrimination.	YES	NO
8. An employee can wear a turban or scarf at work for religious reasons.	YES	NO

## VOCABULARY | *On the Job*

	<ul style="list-style-type: none"><li>• Employers <b>hire</b> employees.</li><li>• Employees <b>get hired</b>.</li></ul>
	<ul style="list-style-type: none"><li>• Employers <b>pay</b> employees.</li><li>• Employees <b>get paid</b>.</li></ul>
	<ul style="list-style-type: none"><li>• Employers <b>train</b> employees.</li><li>• Employees <b>get trained</b>.</li></ul>
	<ul style="list-style-type: none"><li>• Employers <b>promote</b> employees.</li><li>• Employees <b>get promoted</b>.</li></ul>
	<ul style="list-style-type: none"><li>• Employers <b>fire</b> employees.</li><li>• Employees <b>get fired</b>.</li></ul>

### Talk with a partner:

- Do you work?
- When did you **get hired**?
- How do you **get paid**? Do you **get paid** in cash or by check?
- How often do you **get paid**?

# Discrimination

## Immigrant Employment Rights Part II

### FOR MORE INFORMATION | *National Origin Discrimination*

The Immigration and Nationality Act and the New York City Human Rights Law protect employees against discrimination based on national origin or citizenship status.

If you have questions about discrimination, you can contact:



**THE OFFICE OF SPECIAL COUNSEL  
FOR IMMIGRATION RELATED UNFAIR  
EMPLOYMENT PRACTICES (OSC)**

*The OSC is a part of the  
U.S. Department of Justice (DOJ).*


**Call 1-800-255-7688. The call is free.**

**TDD: 1-800-237-2515**

The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) helps employees and employers anywhere in the United States.

*You can find information about discrimination online in these languages: Arabic, Cambodian, Chinese, Farsi, French, Haitian Creole, Hindi, Hmong, Korean, Laotian, Punjabi, Russian, Spanish, Tagalog, Urdu, and Vietnamese.*

Visit: [www.justice.gov/crt/osc/htm/CRTNatorigin.htm](http://www.justice.gov/crt/osc/htm/CRTNatorigin.htm).



**THE NEW YORK CITY COMMISSION  
ON HUMAN RIGHTS (CCHR)**

*There is an office in every borough.*

**Call 311.**

**Or, call the Central Office at 1-212-306-7450.**

The New York City Commission on Human Rights helps residents of the five boroughs of New York City.

Visit: [www.nyc.gov/cchr](http://www.nyc.gov/cchr)

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## ***DISCUSS*** | ***Do you have experience with discrimination?***

The Office of Special Counsel (OSC) and The New York City Commission on Human Rights want to stop national origin discrimination. The Office of Special Counsel (OSC) and The New York City Commission on Human Rights teach employers and employees about how to stop discrimination.

- Do you have experience with discrimination?
- What happened?
- What did you do?
  
- Find a partner and create a dialogue about discrimination for the class.
- What is the problem?
- Who can help you?

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## DIALOGUES

Complete these dialogues. Find solutions to the problems. Practice the dialogues with a partner.

**Employee:** I have a problem.

**Friend:** What's the matter?

**Employee:** My employer says I cannot speak Spanish at work. But I only speak Spanish during breaks.

**Friend:** Call the \_\_\_\_\_. They can help you, for free!

**Employee:** But my English is not very good.

**Friend:** You can ask for an \_\_\_\_\_.

**Husband:** How was your day?

**Wife:** Not good. My manager says I can't get a promotion because I wasn't born in the U.S.

**Husband:** I don't think that's legal. Let's call \_\_\_\_\_.

**Wife:** I don't want any problems.

**Husband:** Don't worry. The law protects you against \_\_\_\_\_.

# Problems and Solutions

## Immigrant Employment Rights Part III

<b>PROBLEM</b>	<b>WHO CAN HELP?</b>
<b>BENEFITS</b>	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
<b>BREAKS</b>	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
<b>DISCRIMINATION</b>	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC). Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515.</i>  <i>NYC Commission on Human Rights (CCHR)</i> Call 1-212-306-7450.
<b>DOCUMENT ABUSE</b>	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC). Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515.</i>
<b>E-VERIFY GENERAL QUESTIONS</b>	<i>U.S. Citizenship and Immigration Services E-Verify Worker Hotline.</i> Call 1-888-897-7781.
<b>E-VERIFY DISCRIMINATION</b>	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC). Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515.</i>
<b>IMMIGRATION STATUS OR CITIZENSHIP QUESTIONS</b>	<i>New York Immigration Coalition (NYIC)</i> Call 1-212-627-2227.  <i>New York State Immigration Hotline</i> Call 1-212-419-3737 or 1-800-566-7636.  <i>CUNY Citizenship Now! Immigration Centers</i> Call 1-646-344-7245.
<b>MINIMUM WAGE</b>	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
<b>OVERTIME</b>	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
<b>SAFETY PROBLEMS ON THE JOB</b>	<i>U.S. Office of Occupational Safety and Health Administration</i> Call 1-800-321-OSHA.
<b>UNPAID WAGES</b>	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.

# Problems and Solutions

## Immigrant Employment Rights Part III

### REPORTING A PROBLEM | Listen and Practice.

Tomás calls the Office of Special Counsel for advice. Listen and practice.

<i>Tomás:</i>	Hello. Is this the OSC?
<i>Operator:</i>	Yes. How can I help you?
<i>Tomás:</i>	I have a problem with an employer.
<i>Operator:</i>	What is your problem?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Do you have the employer's name and address?
<i>Tomás:</i>	_____.
<i>Operator:</i>	When did this happen?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Where did this happen?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Do you want help in your language?
<i>Tomás:</i>	_____.
<i>Operator:</i>	What is your native language?
<i>Tomás:</i>	_____.
<i>Operator:</i>	One minute, please.

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## **KEEP A RECORD**

**If you have a problem on the job, you need to keep a record of the problem.**

<b>Employee Name</b>	
<b>Employee Contact Information</b>	
<b>Employer Name and Names of People Involved</b>	
<b>Employer Address or Location</b>	
<b>Date of Problem</b>	
<b>Time</b>	
<b>What happened?</b>	



# Problems and Solutions

## Immigrant Employment Rights Part III

### THE OFFICE OF SPECIAL COUNSEL (OSC)

What happens if I report a problem to the OSC?

If there is a problem, the OSC will ask you to complete a **charge form**.



On the **charge form** you provide:

- your name, address, and telephone
- the name, address and telephone of the employer where you had the problem
- a description of what happened, when and where

You must make a complaint *within 180 days*.

Find a **charge form** online in English, Spanish, Chinese or Vietnamese at:

<http://www.justice.gov/crt/osc/htm/charge.php>

What happens next? Here are some possibilities:

- The OSC contacts the employer.
- The OSC informs the employer about the law.
- The employee gets the job or gets hired back.
- The employee gets back pay.
- The employer pays fines or damages.
- The employer attends training.

Investigations typically take no longer than 7 months.

### Vocabulary

What is...?

<b>CHARGE FORM</b>	<i>the document you complete when you have a problem with discrimination and want to report it to the OSC</i>
<b>BACK PAY</b>	<i>money you were not paid when you worked</i>
<b>FINES OR DAMAGES</b>	<i>money an employer pays the government as a penalty</i>



### WAGES



1. When you work, you must get paid.
2. Another word for the money you get paid is **wages**.
3. The law says all workers must get **promised wages**.
4. **Undocumented workers** must get **promised wages**.
5. If you work, an employer must pay you for your work.
6. If an employer doesn't pay you after you have done the work, you can call the **New York State Department of Labor** at 1-800-447-3992.
7. The **New York State Department of Labor** can help workers who have problems with **promised wages**.
8. If you have questions about your **immigration status**, you can call:
  - The New York Immigration Coalition at 1-212-627-2227.
  - The New York Immigration Hotline at 1-212-419-3737 or 1-800-566-7636.
  - The City University of New York Citizenship Now! Immigration Centers at 1-646-344-7245.



# Problems and Solutions

## Immigrant Employment Rights Part III

### E-VERIFY



1. Some employers use a computer system to check an employee's information on the I-9 form.
2. This system is called **E-Verify**.
3. E-Verify checks an employee's information on the I-9 form:
  - with the **Social Security Administration**
  - with the **Department of Homeland Security** (non-citizens)
4. You can have problems with E-Verify if there are changes in your personal information. For example:
  - your name changes because you get married or divorced
  - your citizenship status changes
5. Always report changes in your personal information to the **Social Security Administration** or the **Department of Homeland Security**.

<b>Social Security Administration</b>	<a href="http://www.socialsecurity.gov">www.socialsecurity.gov</a> 1-800-772-1213
<b>Department of Homeland Security</b>	<a href="http://www.dhs.gov/E-Verify">www.dhs.gov/E-Verify</a> 1-888-897-7781

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## VIDEO 4 | María's employer uses E-Verify.



### 1. Watch Video 4.

- Who do you see?
- What **documents** do you see?

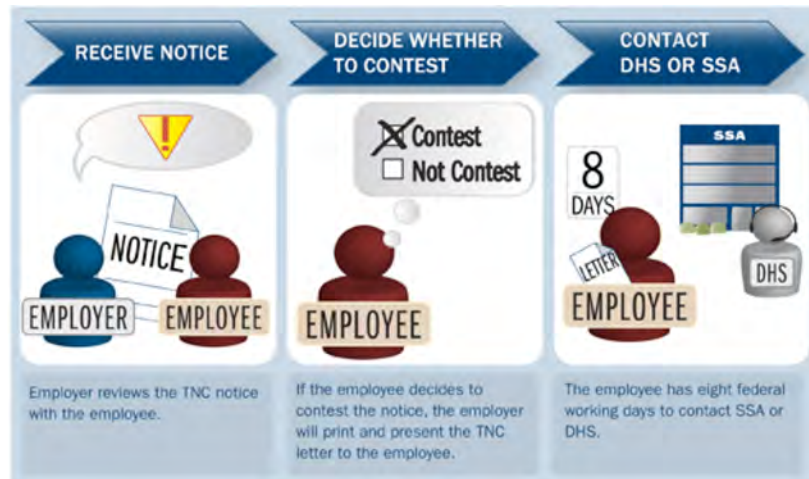
### 2. Talk about the Video.

Circle **YES** or **NO**.

Does María have a new job?	YES	NO
Does her employer check her I-9 form?	YES	NO
Does María have the right documents?	YES	NO
Does María have a new name?	YES	NO
Does María have a problem when her employer uses E-Verify?	YES	NO

## **KNOW THE LAW | Tentative Nonconfirmation (TNC)**

1. Problems with E-Verify are called **Tentative Nonconfirmation (TNC)**.
2. María's employer receives a **TNC** from E-Verify.
3. What can María do?
4. María can **not contest the TNC** and lose her job.
5. Or, María can **contest the TNC** and try to fix the problem.
6. She has 8 or fewer work days to begin to fix the problem.



If you have problems with E-Verify, you can contact:

- The Department of Homeland Security E-Verify employee hotline at **1-888-897-7781** or [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify).
- The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) at **1-800-225-7688** or [www.usdoj.gov/crt/osc](http://www.usdoj.gov/crt/osc) if your employer discriminates against you because of a problem with E-Verify.

### E-Verify Questions

Maria receives a tentative nonconfirmation (TNC) from her employer. What can she do? Read Maria's questions and choose **YES** or **NO**.



1. Will I get fired?	YES	NO
2. Will I get paid?	YES	NO
3. Can I go to training?	YES	NO
4. Will my schedule change?	YES	NO
5. Will you tell my supervisor?	YES	NO
6. Can I have time to fix the problem?	YES	NO
7. Can you tell me what to do to fix the problem?	YES	NO



## KNOW THE LAW | E-Verify Self Check

1. If you want to review your personal information before a job interview, you can use [E-Verify Self Check](#).
2. E-Verify Self Check is **optional**. No employer can require you to use E-Verify Self Check.
3. It is available in English and Spanish
4. It is only **online**, not on paper.
5. It is **free**. There is **no fee**.
6. Personal information on E-Verify Self Check is **confidential**.
7. There are four steps to use E-Verify Self Check:



To learn more about E-Verify Self-Check, go to: [www.uscis.gov/EVerifySelfCheck](http://www.uscis.gov/EVerifySelfCheck).

If an employer requires you to use E-Verify Self Check, contact The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) at [1-800-225-7688](tel:1-800-225-7688) or [www.usdoj.gov/crt/osc](http://www.usdoj.gov/crt/osc). No one can require you to use E-Verify Self Check.

# Activities

## Immigrant Employment Rights Part IV

### KNOW YOUR ACRONYMS

Acronyms are words made from the first letters in a name. Find the correct acronym for each name. Choose from the box below:

DHS	DOJ	DOL	OSHA	ICE	INA
CCHR	NYIC	OSC	SSN	USCIS	SSA

NAME	ACRONYM
1. Department of Homeland Security	DHS
2. US Citizenship and Immigration Services	
3. Immigration and Customs Enforcement	
4. Department of Justice	
5. Office of Special Counsel for Immigration-Related Unfair Employment Practices	
6. Department of Labor	
7. Social Security Administration	
8. Social Security Number	
9. Immigration and Nationality Act	
10. Occupational Safety and Health Administration	
11. New York City Commission on Human Rights	
12. New York Immigration Coalition	





# Activities

## Immigrant Employment Rights Part IV

### WHAT'S MY WEB ADDRESS?



1. Go to [www.google.com](http://www.google.com)
2. Enter the acronym in the search box.
3. Write down the web address.
4. Check your answers with your teacher or a classmate.

AGENCY	WEB ADDRESS
1. DHS	<u><a href="http://www.dhs.gov">www.dhs.gov</a></u>
2. USCIS	
3. DOJ	
4. DOL	
5. OSHA	
6. New York State DOL	
7. CCHR	
8. NYIC	

# Activities

## Immigrant Employment Rights Part IV

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**WHAT'S YOUR JOB? | Tell me about yourself.**

The diagram consists of five overlapping circles arranged in a cross pattern. A central circle is surrounded by four other circles. Each circle contains a label for a specific piece of job information. The labels are: 'WHERE I WORK' (top-left), 'DAYS I WORK' (top-right), 'MY JOB TITLE' (center), 'HOURS I WORK' (bottom-left), and 'MY BOSS'S NAME' (bottom-right). All circles are empty, intended for user input.

# Activities

## Immigrant Employment Rights Part IV

### WHAT'S YOUR JOB? | Ask a classmate.

Here is a list of jobs in the workbook:

painter	air traffic controller	nurse
dishwasher	911 operator	manager
deli owner	waiter	interpreter

What are the jobs in your class? Ask your classmates.

Write the names and jobs below:

NAME	JOB

# Activities

## Immigrant Employment Rights Part IV

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### **PRONUNCIATION PRACTICE**

Practice saying these new words. How many syllables? Where is the stress?

1.     **job**
2.     **law**
3.     **val** • id
4.     **ac** • cent
5.     **lan** • guage
6.     **pay** • check
7.     **doc** • u • ment
8.     **im** • mi • grant
9.     **ap** • pli • cant
10.    **in** • ter • view
11.    **cit** • i • zen
12.    em • **ploy** • er
13.    em • **ploy** • ee
14.    ap • **pear** • ance
15.    **cit** • i • zen • ship
16.    ad • ver • **tise** • ment
17.    ap • pli • **ca** • tion
18.    dis • crim • i • **na** • tion

# APPENDIX

# Appendix

## I-9 Form

OMB No. 1615-0047; Expires 08/31/12

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

### Form I-9, Employment Eligibility Verification

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

**ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.**

**Section 1. Employee Information and Verification** *(To be completed and signed by employee at the time employment begins.)*

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #

**I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.**

I attest, under penalty of perjury, that I am (check one of the following):

- A citizen of the United States
- A noncitizen national of the United States (see instructions)
- A lawful permanent resident (Alien #) \_\_\_\_\_
- An alien authorized to work (Alien # or Admission #) \_\_\_\_\_ until (expiration date, if applicable - month/day/year)

Employee's Signature	Date (month/day/year)
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**Preparer and/or Translator Certification** *(To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.*

Preparer's/Translator's Signature	Print Name
Address (Street Name and Number, City, State, Zip Code)	Date (month/day/year)

**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: _____	OR	_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

**CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) \_\_\_\_\_ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)**

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

**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: _____	Document #: _____	Expiration Date (if any): _____

**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)
--	-----------------------



## LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization	LIST B Documents that Establish Identity	LIST C Documents that Establish Employment Authorization
<b>OR</b>		<b>AND</b>
1. U.S. Passport or U.S. Passport Card	1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		
4. Employment Authorization Document that contains a photograph (Form I-766)		
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form	2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
	3. School ID card with a photograph	3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
	4. Voter's registration card	
	5. U.S. Military card or draft record	4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
	6. Military dependent's ID card	
	7. U.S. Coast Guard Merchant Mariner Card	5. Native American tribal document
8. Native American tribal document	6. U.S. Citizen ID Card (Form I-197)	
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI	9. Driver's license issued by a Canadian government authority	7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
	<b>For persons under age 18 who are unable to present a document listed above:</b>	
	10. School record or report card	8. Employment authorization document issued by the Department of Homeland Security
	11. Clinic, doctor, or hospital record	
12. Day-care or nursery school record		

**Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)**

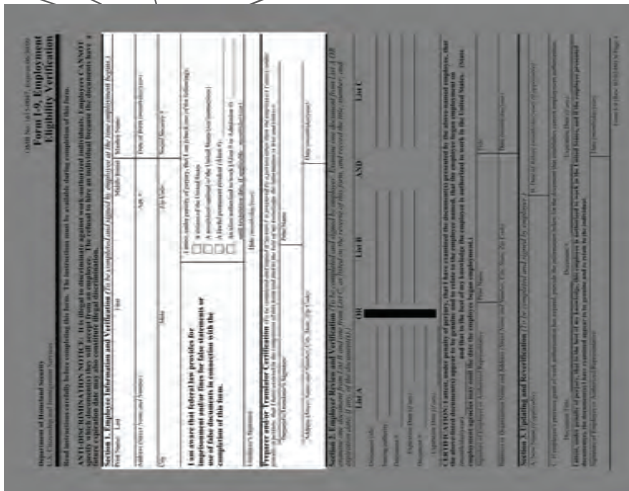
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# I-9 Form Summary

## Appendix

# Form I-9

## Employment Eligibility Verification



The I-9 Form can look confusing, but it is actually very simple. These three sections are important to understand.

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

The anti-discrimination law is printed on the top of every I-9 form. It states that it is illegal for your employer to discriminate against you if you have work authorization. Your employer cannot tell you which documents to show them or ask you for more or different documents than the form requires.

**Section 1. Employee Information and Verification** (To be completed and signed by employee at the time employment begins.)

First Name: Last	Middle Initial	Maiden Name
Address (Street Name and Number)	City	State
Zip Code	City	State
Age #	Date of Birth (month/day/year)	Social Security #

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

- A citizen of the United States
- A noncitizen national of the United States (see instructions)
- A lawful permanent resident (Alien #)
- An alien authorized to work (Alien # or Admission #) until (expiration date, if applicable - month/day/year)

Employee's Signature: \_\_\_\_\_ Date (month/day/year): \_\_\_\_\_

**Preparer and/or Translator Certification** (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature: \_\_\_\_\_ Date (month/day/year): \_\_\_\_\_

Address (Street Name and Number, City, State, Zip Code): \_\_\_\_\_

In this section, you must fill out your information. You can ask someone to help you translate or complete this section.

- 1 Employee enters full name and maiden name, if applicable.
- 2 Employee enters current address and date of birth.
- 3 Employee enters his or her city, state, ZIP Code, and Social Security number. Entering the Social Security number is optional unless the employer verifies employment authorization through the USCIS E-Verify Program.
- 4 Employee reads warning and attests to his or her citizenship or immigration status.
- 5 Employee signs and dates the form.
- 6 If the employee uses a preparer or translator to fill out the form, that person must certify that he or she assisted the employee by completing this signature block.





# Form I-9

## Employment Eligibility Verification

The I-9 Form can look confusing, but it is actually very simple. These three sections are important to understand.

**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: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

**CERTIFICATION:** I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) (2) and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative \_\_\_\_\_ Title \_\_\_\_\_

Business or Organization Name and Address (Street Name and Number, City, State, Zip Code) \_\_\_\_\_ Date (month/day/year) \_\_\_\_\_

Your employer will fill out this section. This is where you must show your employer your documents to prove your identity and work authorization. You only need to show your employer one document from List A, OR, one document from List B and one from List C. The lists of documents are listed on the back of the I-9 Form.

- 1 Employer records document title(s), issuing authority, document number, and the expiration date from original documents supplied by employee. See Part Eight for the Lists of Acceptable Documents.
- NOTE:** You may use abbreviations for commonly used documents, e.g., DL for driver's license and SS for Social Security.
- 2 Employer enters date employment began.
- 3 Employer attests to examining the documents provided by filling out the signature block.







This most recent older version of the Permanent Resident Card shows the DHS seal and contains a detailed hologram on the front of the card. Each card is personalized with an etching showing the bearer's photo, name, fingerprint, date of birth, alien registration number, card expiration date, and card number.

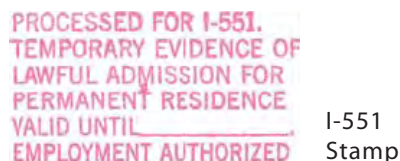
Also in circulation are older Resident Alien cards, issued by the U.S. Department of Justice, Immigration and Naturalization Service, which do not have expiration dates and are valid indefinitely. These cards are peach in color and contain the bearer's fingerprint and photograph.



Older version Permanent Resident Card (Form I-551) front and back



Unexpired Foreign Passport with I-551 Stamp



### Unexpired Foreign Passport with I-551 Stamp or MRIV

USCIS uses either an I-551 stamp or a temporary I-551 printed notation on a machine-readable immigrant visa (MRIV) to denote temporary evidence of lawful permanent residence. Sometimes, if no foreign passport is available, USCIS will place the I-551 stamp on a Form I-94 and affix a photograph of the bearer to the form. This document is considered a receipt.

Reverify the employee in Section 3 of Form I-9 when the stamp in the passport expires, or one year after the issuance date if the stamp does not include an expiration date. For temporary I-551 receipts, at the end of the receipt validity period, the individual must present the Permanent Resident Card (Form I-551) for Section 2 of Form I-9.

The MRIV demonstrates permanent resident status for one year from the date of admission found in the foreign passport that contains the MRIV.





## Form I-20 Accompanied by Form I-94 or Form I-94A

Form I-94 or Form I-94A for F-1 nonimmigrant students must be accompanied by a Form I-20, Certificate of Eligibility for Nonimmigrant Students, endorsed with employment authorization by the designated school official for off-campus employment or curricular practical training. USCIS will issue an Employment Authorization Document (Form I-766) to all students (F-1 and M-1) authorized for a post-completion OPT period.

Form I-20 Accompanied by Form I-94 or I-94A

**Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student**  
 U.S. Department of Education  
 Department of Education  
 Office of Education  
 4000 G Street, NW  
 Washington, DC 20520-5000

**Section 1: Student Information**  
 Name (Print Name): Middle Name  
 Country of Birth: State of Birth (Country/State)  
 Country of Citizenship: Address (Country)

**Section 2: School Information**  
 School (Official name as certified by the U.S. State and Dept. of Education)  
 School address (Include zip code)  
 School code (Including I-94) with, if not used, approval date

**Section 3: Employment Authorization**  
 This certificate is issued to the student named above for:  
 1. Curricular and non-curricular  
 2. Curricular only  
 3. Curricular and non-curricular  
 4. Curricular only  
 5. Curricular and non-curricular  
 6. Curricular only

**Section 4: Financial Information**  
 This school certifies the student's average cost for an academic term of:  
 (a) Tuition and fees  
 (b) Living expenses  
 (c) Expenses of dependent  
 (d) Other (Specify):  
 Total

**Section 5: Student Contribution**  
 I have read and agree to comply with the terms and conditions of my admission and those of my admission as specified on page 2. I certify that all information provided on this form is true and correct to the best of my knowledge. I certify that I will remain in the United States temporarily, and only for the purpose of pursuing a full course of study at the school named on page 1 of this form. I also certify that the named school will release any information from my records which is needed by the INS pursuant to 8 CFR 214.8(a) in connection with my nonimmigrant status.

## Form DS-2019 Accompanied by Form I-94 or Form I-94A

Nonimmigrant exchange visitors (J-1) must have a Form I-94 or Form I-94A accompanied by an unexpired Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, issued by the U.S. Department of State, that specifies the sponsor. J-1 exchange visitors working outside the program indicated on the Form DS-2019 also need a letter from their responsible officer.

Form DS-2019 Accompanied by Form I-94 or Form I-94A

**Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status**  
 U.S. Department of State  
 OFFICE OF EXCHANGE VISITOR STATUS  
 1600 Pennsylvania Avenue, NW  
 Washington, DC 20520-5000

**Section 1: Personal Information**  
 Name (Print Name):  
 Date of Birth:  
 Country of Birth:  
 Country of Citizenship:

**Section 2: Sponsor Information**  
 Sponsor (Print Name):  
 Address (Print Name and Address):  
 Telephone (Print Name and Address):

**Section 3: Program Information**  
 Exchange Visitor Program:  
 Exchange Visitor Category:  
 Exchange Visitor Status:  
 Exchange Visitor Class:  
 Exchange Visitor Subclass:

**Section 4: Financial Information**  
 Exchange Visitor Sponsor's Financial Statement:  
 Exchange Visitor Sponsor's Financial Statement:  
 Exchange Visitor Sponsor's Financial Statement:

**Section 5: Additional Information**  
 Exchange Visitor Sponsor's Financial Statement:  
 Exchange Visitor Sponsor's Financial Statement:  
 Exchange Visitor Sponsor's Financial Statement:



### Form I-94 or Form I-94A Arrival/Departure Record

CBP and sometimes USCIS issue arrival-departure records to nonimmigrants. This document indicates the bearer’s immigration status, the date that the status was granted, and when the status expires. The immigration status notation within the stamp on the card varies according to the status granted, e.g., L-1, F-1, J-1. The Form I-94 has a handwritten date and status, and the Form I-94A has a computer-generated date and status. Both may be presented with documents that Form I-9 specifies are valid only when Form I-94 or Form I-94A also is presented, such as the foreign passport, Form DS-2019, or Form I-20.

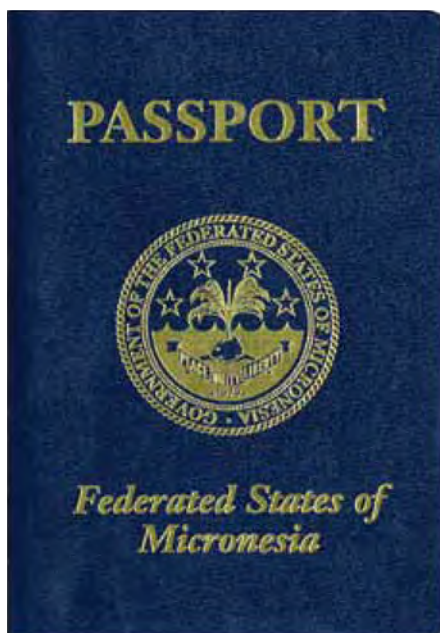
Form I-9 provides space for you to record the document number and expiration date for both the passport and Form I-94 or Form I-94A.

Departure Number: 626633123 12  
 OMB No. 1651-0111  
 I-94  
 Departure Record  
 Family Name: SAMPLE  
 First (Given) Name: JANE  
 Birth Date (Day/Mo/Yr): 23, 03, 68  
 Country of Citizenship: NEW ZEALAND  
 Status: L-1  
 Date: JUN 25 2006  
 Port of Entry: ATL  
 Date of Entry: April 23, 2009  
 CBP Form I-94 (10/04)  
 STAPLE HERE

Form I-94  
 Arrival/  
 Departure  
 Record

Departure Number: 813106636 11  
 Department of Homeland Security  
 CBP I-94A (1/104)  
 Departure Record  
 Family Name: SAMPLE  
 First (Given) Name: AHMET  
 Birth Date (Day Mo. Yr): 22, 12, 50  
 Country of Citizenship: PAKISTAN  
 Status: L1  
 Date: 09/17/2007  
 Port of Entry: USA  
 20041122 US-VISIT 20050207 MULTIPLE  
 STAPLE HERE

Form I-94A  
 Arrival/  
 Departure  
 Record



Passport from the Federated States of Micronesia.

### Passports of the Federated States of Micronesia and the Republic of the Marshall Islands

In 2003, Compacts of Free Association (CFA) between the United States and the Federated States of Micronesia (FSM) and Republic of the Marshall Islands (RMI) were amended to allow citizens of these countries to work in the United States without obtaining an Employment Authorization Document (Form I-766).

For Form I-9 purposes, citizens of these countries may present FSM or RMI passports accompanied by a Form I-94 or Form I-94A indicating nonimmigrant admission under the CFA, which are acceptable documents under List A. The exact notation on Form I-94 or Form I-94A may vary and is subject to change. As of early 2009, the notation on Form I-94 or Form I-94A typically states “CFA/FSM” for an FSM citizen and “CFA/MIS” for an RMI citizen.

# List B

## Appendix

### Documents that Establish Identity Only

The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.



Driver's License from the Commonwealth of Virginia front

#### State-issued Driver's License

A driver's license can be issued by any state or territory of the United States (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a Canadian government authority, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their drivers' licenses that state the card does not confirm employment authorization. For Form I-9 purposes, these drivers' licenses, along with every other state's, establish the identity of an employee. When presenting any driver's license, the employee must also present a List C document that establishes employment authorization.



Identification Card from the Commonwealth of Virginia front

#### Sample State Identification Card

An ID card can be issued by any state (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a local government, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their ID cards that state the card does not confirm employment authorization. For Form I-9 purposes, these cards, along with every other state's, establish the identity of an employee. When presenting any state-issued ID card, the employee must also present a List C document that establishes employment authorization.





# List C

## Appendix

### Documents That Establish Employment Eligibility Only

*The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.*

#### U.S. Social Security Account Number Card

The U.S. Social Security account number card is issued by the Social Security Administration (older versions were issued by the U.S. Department of Health and Human Services), and can be presented as a List C document unless the card specifies that it does not authorize employment in the United States. Metal or plastic reproductions are not acceptable.



U.S. Social Security Card

#### Certifications of Birth Issued by the U.S. Department of State

These documents may vary in color and paper used. All will include a raised seal of the office that issued the document, and may contain a watermark and raised printing.



Certification of Birth Abroad Issued by the U.S. Department of State (FS-545)



Certification of Report of Birth Issued by the U.S. Department of State (DS-1350)

### Birth Certificate

Only an original or certified copy of a birth certificate issued by a state, county, municipal authority, or outlying possession of the United States that bears an official seal is acceptable. Versions will vary by state and year of birth. Beginning October 31, 2010, only Puerto Rico birth certificates issued on or after July 1, 2010 are valid. Please check [www.uscis.gov](http://www.uscis.gov) for guidance on the validity of Puerto Rico birth certificates for Form I-9 purposes.



Birth Certificate



### U.S. Citizen Identification Card (Form I-197)

Form I-197 was issued by the former Immigration and Naturalization Service (INS) to naturalized U.S. citizens. Although this card is no longer issued, it is valid indefinitely.

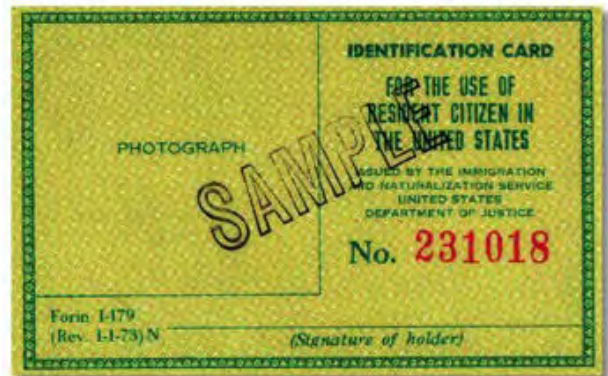
U.S. Citizen Identification Card  
(Form I-197)



### Identification Card for Use of Resident Citizen in the United States (Form I-179)

Form I-179 was issued by INS to U.S. citizens who are residents of the United States. Although this card is no longer issued, it is valid indefinitely.

Identification Card for Use of Resident  
Citizen in the United States (Form I-179)





**THE RIGHT TO WORK: UNDERSTANDING IMMIGRANT EMPLOYMENT RIGHTS**

