



# Guardian I-9 Processing for J-1 Exchange Visitors

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# FAQ

## ➤ **How do we complete an I-9 for a new hire who is an F-1 Student or J-1 Exchange Visitor who presents an I-94 with an expiration date of D/S?**

Certain employees who are working pursuant to their F-1 Student Status are not required to apply for an EAD work authorization card, as well as certain J-1 Exchange Visitors who are pursuing an internship or training program, will not have an expiration date written on their I-94. The I-94 will instead have a notation of D/S (Duration of status). In this case, employees must present an additional document, besides their foreign passport and I-94, to document the expiration of their temporary work status. This is typically issued by SEVIS (Student Exchange Visitor Information System) and contains a number beginning with the letter "N" and a program expiration date, which should be used for the alien authorized to work date in Section 1 and the re-verification date in Section 2.

# FAQ

## ➤ **How does the I-9 process differ for J-1 or F-1 employees?**

The latest M-274 Handbook for Employers provides guidance on how to provide documentation of employment authorization for J-1 Exchange Visitors and F-1 Students in Section 2 of the I-9. In particular, it indicates that three documents should be presented: the foreign passport and form I-94/I-94A indicating the F-1 or J-1 nonimmigrant status as well as the form I-20 or DS-2019 illustrating work authorization.

# Section 1

Awaiting Issuance of SSN

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with this application. I attest, under penalty of perjury, that I am (check one of the following):

- 1. A citizen of the United States
- 2. A noncitizen national of the United States (See [instructions](#))
- 3. A lawful permanent resident (Alien Registration Number/USCIS Number):
- 4. An alien authorized to work until (expiration date, if applicable mm/dd/yyyy) . Some aliens may write "N/A" in this field. (See [instructions](#))

Aliens authorized to work must provide only one of the following document numbers to complete Form I-9. An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.

1. Alien Registration Number/USCIS Number:

OR

2. Form I-94 Admission Number:

OR

3. Foreign Passport Number:

Country of Issuance:

Preparer and/or Translator Certification (check one):

- I did not use a preparer or translator
- A preparer(s) and/or translator(s) assisted the employee in completing Section 1.

Employee will enter their alien authorized to work date (the program end-date from the employee's **DS-2019**), as well as either their **I-94 Admission Number** OR **Foreign Passport Number** on Section 1. See the Section 1 tutorial and/or workflow tutorials for additional information.

Sign

# Section 2

In Section 2, select the **Foreign Passport, I-94/I-94A, and DS-2019 Document Title from List A.**



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## Employer / Agent Review and Verification

To fulfill the requirements of the I-9 form, please inspect the identity and employment eligibility documents that the employee has provided. Find the corresponding document in one of the lists below. You will need to select either an item from List A or items from both List B and List C and record the required information.

[Review I-9 Form Instructions](#)

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### Section 2. Employer or Authorized Representative Review and Verification

*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR examine a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents")*

<b>Employee Info from Section 1</b>	Last Name (Family Name) Smith	First Name (Given Name) John	M.I. N/A	Citizenship/Immigration Status 4
-------------------------------------	----------------------------------	---------------------------------	-------------	-------------------------------------

List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title <a href="#">View Sample Document</a> Foreign Passport, I-94/I-94A, and DS-2019		Document Title		Document Title
Employment Authorization Document (Form I-766)		Issuing Authority		Issuing Authority
Foreign Passport, I-94/I-94A, and I-20		Document Number		Document Number
Foreign Passport and I-94/I-94A		Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)
Passport from Federated States of Micronesia with I-94				
Passport from Republic of Marshall Islands with I-94		Additional Information ⓘ		

# Section 2

Click **View Sample Document**, if needed, for guidance in locating the Issuing Authority, Document Number and Expiration Date of each document.



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List A Identity and Employment Authorization OR List B Identity

Document Title [View Sample Document](#)

Foreign Passport, I-94/I-94A, and DS-2...

Replacement Receipt

ExDoc\_0074.png (1350x1754) - Google Chrome

Secure | https://dev1.perfectcompliance.com/examples/ExDoc\_0074.png

LawLogix

### Foreign Passport with Form I-94/I-94A and Form DS-2019

**Document Insights**

- Foreign exchange visitors in J-1 visa status who are eligible to work as part of their program may present an unexpired foreign passport, a Form I-94/I-94A bearing the same name as the passport and indicating the individual's J-1 status, and a Form DS-2019 which has been endorsed by a Designated School Official (DSO) for employment.
- While the Form I-94 was traditionally handwritten on a white card (attached to the passport), the Customs and Border Protection now issues electronic I-94s at all airports and seaports. An employee may thus present a website printout.
- The Foreign Passport information should be recorded in the first set of List A fields; the I-94 should be recorded in the second set of List A fields; and the Form DS-2019 should be recorded in the third set of List A fields.
- For the Form DS-2019, enter the SEVIS number and program expiration date.

**SAMPLE PASSPORT PAGE (VARIES BY COUNTRY)**

**ELECTRONIC I-94 PRINT-OUT**

**I-94A PAPER**

**FORM DS-2019**

Issuing Authority

Document Number

Expiration Date (if any)/(mm/dd/yyyy)

# Section 2

Enter the Foreign Passport document information.

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List A	OR	List B	AND	List C
Identity and Employment Authorization		Identity		Employment Authorization
Document Title <a href="#">View Sample Document</a> Foreign Passport, I-94/I-94A, and DS-2... <input type="checkbox"/> Replacement Receipt ⓘ		Document Title <input type="text"/>		Document Title <input type="text"/>
Issuing Authority CHINA		Issuing Authority <input type="text"/>		Issuing Authority <input type="text"/>
Document Number 123456789 <i>Unexpired Foreign Passport Number</i>		Document Number <input type="text"/>		Document Number <input type="text"/>
Expiration Date (if any)(mm/dd/yyyy) 01/01/2025 <i>The expiration date on this field must be recorded, and not expired.</i>		Expiration Date (if any)(mm/dd/yyyy) <input type="text"/>		Expiration Date (if any)(mm/dd/yyyy) <input type="text"/>
Document Title I-94/I-94A		Additional Information ⓘ <input type="text"/>		
Issuing Authority <input type="text"/>				
Document Number <input type="text"/>				
I-94/I-94A Document Number <input type="text"/>				
Expiration Date (if any)(mm/dd/yyyy) <input type="text"/> <input type="checkbox"/> D/S <i>The expiration date on this field must be recorded, and not expired.</i>				
Document Title ⓘ DS-2019				
Issuing Authority <input type="text"/>				



# Section 2

Enter the **I-94** document information. Select the provided **D/S** option for the Expiration Date.

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List A Identity and Employment Authorization	OR	List B Identity Employment Authorization
Document Title <a href="#">View Sample Document</a> <input type="text" value="Foreign Passport, I-94/I-94A, and DS-2..."/> <input type="checkbox"/> Replacement Receipt ⓘ		Document Title <input type="text"/>
Issuing Authority <input type="text" value="CHINA"/>		Issuing Authority <input type="text"/>
Document Number <input type="text" value="123456789"/> <i>Unexpired Foreign Passport Number</i>		Document Number <input type="text"/>
Expiration Date (if any)(mm/dd/yyyy) <input type="text" value="01/01/2025"/> <i>The expiration date on this field must be recorded, and not expired.</i>		Expiration Date (if any)(mm/dd/yyyy) <input type="text"/>
Document Title <input type="text" value="I-94/I-94A"/>		Additional Information ⓘ <div style="border: 1px solid gray; height: 150px;"></div>
Issuing Authority <input type="text" value="U.S. Customs and Border Protection"/>		
Document Number <input type="text" value="12345678910"/>		
I-94/I-94A Document Number		
Expiration Date (if any)(mm/dd/yyyy) <input type="text" value="D/S"/> <input checked="" type="checkbox"/> D/S <i>The expiration date on this field must be recorded, and not expired.</i>		
Document Title ⓘ <input type="text" value="DS-2019"/>		
Issuing Authority		

# Section 2

Enter the **DS-2019** document information.

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**acme**

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I-94/I-94A Document Number	
Expiration Date (if any)(mm/dd/yyyy)	<input type="text" value="D/S"/> <input checked="" type="checkbox"/> D/S
<i>The expiration date on this field must be recorded, and not expired.</i>	
Document Title ⓘ	<input type="text" value="DS-2019"/>
Issuing Authority	<input type="text" value="U.S. Department of State"/>
Document Number	<input type="text" value="N123456789"/>
SEVIS Number	
Expiration Date (if any)(mm/dd/yyyy)	<input type="text" value="01/01/2018"/>
<i>The expiration date on this field must be recorded, and not expired.</i>	

**Certification:** I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy):  (See [instructions for exemptions](#))

Signature of Employer or Authorized Representative		Date (mm/dd/yyyy):	Title of Employer or Authorized Representative		
			<input type="text" value="Implementation &amp; Training Specialist"/>		
Last Name of Employer or Authorized Representative		First Name of Employer or Authorized Representative		Employer's Business or Organization Name	
<input type="text" value="Reaume"/>		<input type="text" value="Robert"/>		<input type="text" value="Guardian Company"/>	
Employer's Business or Organization Address (Street Number and Name)			City or Town	State	Zip Code
<input type="text" value="123 Elm"/>			<input type="text" value="Phoenix"/>	<input type="text" value="AZ"/>	<input type="text" value="85201"/>

When ready, click **Sign** to initiate the electronic signature process. It will be checked for errors automatically.

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# Section 2

If employee is a J-1 student, enter the Responsible Officer's authorization letter information in the **Additional Information space**. See the Section 2 tutorial and/or the workflow tutorials for additional information.

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List A	OR	List B
Identity and Employment Authorization		Identity
Document Title <a href="#">View Sample Document</a> Foreign Passport, I-94/I-94A, and DS-2... <input type="checkbox"/> Replacement Receipt ⓘ		Document Title <input type="text"/>
Issuing Authority CHINA		Issuing Authority <input type="text"/>
Document Number 123456789 <i>Unexpired Foreign Passport Number</i>		Document Number <input type="text"/>
Expiration Date (if any)(mm/dd/yyyy) 01/01/2025 <i>The expiration date on this field must be recorded, and not expired.</i>	Expiration Date (if any)(mm/dd/yyyy) <input type="text"/>	Expiration Date (if any)(mm/dd/yyyy) <input type="text"/>
Document Title I-94/I-94A		<b>Additional Information</b> ⓘ Work authorization provided in writing by Program Responsible Officer.
Issuing Authority U.S. Customs and Border Protection		
Document Number 12345678910		
I-94/I-94A Document Number		
Expiration Date (if any)(mm/dd/yyyy) D/S <input checked="" type="checkbox"/> D/S <i>The expiration date on this field must be recorded, and not expired.</i>		
Document Title ⓘ DS-2019		
Issuing Authority		

# Monitoring Pending Re-Verification

A Reverification Reminder **Task** is automatically created, and the employee will also appear on the **Top Pending Re-Verifications** dashboard panel.

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**acme**® Dashboard:  Employee Group  Location

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**Top Pending Re-Verifications**

	Date I-9 Created	Employee Name	Expiration Date	Days Left
	01/16/2017	Smith, John	01/01/2018	350

**Top Pending Tasks**

	Reminder Date	Subject	Employee Name	Expiry Date
	12/02/2017	Reverification Reminder	Smith, John	01/01/2018

Navigation menu: Dashboard, Start I-9, E-Verify, Reports, Employees, I-9 Forms, Tasks, Charts & Graphs, Announcements, Help, My Settings, Administration, Logout

# For Additional Assistance

- Select **Help** from the vertical toolbar to access other Guardian tutorials.
- For additional assistance contact your in-house Guardian expert.

# Confidential User Guide

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Thank you.