

Subject: CITIZENSHIP

| REFERENCES | SECTIONS |
|---|--|
| Law & Regulation http://www.leginfo.ca.gov/calaw.html | GC: 1020 |
| Personnel Management Policy and Procedures Manual (PMPPM) | 371.1 |
| Other: | |
| Immigration & Naturalization Source Personnel Operations Manual (POM) Section: Immigration/I9 | http://uscis.gov/graphics/formsfee/forms/i-9.htm http://www.documents.dgs.ca.gov/ohr/pom/I9_Revise.pdf |

Subject: CITIZENSHIP

Definition/Explanation: Citizenship is not required for employment in any State classifications, except peace officer classifications, provided that the employment is consistent with the noncitizen's status under the United States Immigration Reform and Control Act (IRCA). Noncitizens are required to verify their eligibility to work in the United States

Policy:

Noncitizens who are authorized to work in the United States may be employed in all classifications except peace officer classifications, as defined by Penal Code Section 830. For employment beginning on or after November 7, 1986, the IRCA requires both citizens and noncitizens to have appropriate identification and employment eligibility documents.

Procedure: The law states that employers should hire only United States citizens or aliens who are authorized to work in the United States.

The law also requires employers to verify the employment eligibility of all persons hired on or after November 7, 1986, and to complete a Form I-9.

Employee/Employer Responsibility:

1. The employee must present certain documents (as described below), and the employer, or the employer's authorized representative, must verify that the documents have been reviewed. Both the employee and the employer, or the employer's authorized representative must sign the I-9 form.
2. The employer cannot request that an employee present more or different documents than are required. Also, an employer cannot refuse to honor documents, which on their face reasonably appear to be genuine and to relate to the person presenting them.
3. An employer may not specify which document(s) an employee must present. The employee must present either one document from List A or one document from List B and one document from List C: (see Immigration/I-9 Section in this manual for comprehensive information).