

FORM I-9 REQUIREMENTS

Scenario	I-9 Required	Form Action	Explanation
Employee accepts offer of employment for paid position in the United States	Yes	New Hire/Rehire	I-9 is to verify authorization to work in the United States for wages or other remuneration
Employee is hired and work location is out of the U.S. for duration of assignment	No	New Hire/Rehire	I-9 is to verify authorization to work in the United States for wages or other remuneration
Employee accepts offer of employment for paid position in the United States but employment began while employee was out of the U.S.	Yes	New Hire/Rehire	An I-9 must be completed at the time the employee begins work in the United States. The original date of hire should be used and a comment added upon completion of the I-9
No Pay employee with no current paid positions moves into a paid position of any type and retains No Pay Position	Yes	Additional Assignment	I-9 is to verify authorization to work in the United States for wages or other remuneration
No Pay employee with no current paid positions moves into a paid position of any type and terminates No Pay Position	Yes	Change in Position	I-9 is to verify authorization to work in the United States for wages or other remuneration
AY Faculty Reappointments	No	Reappointment	Individual not actively working during the AY non-duty period of 5/16 – 8/15 or during a period of leave, but they are still considered continuously employed by the University
Student to Support Staff Graduate Student to Support Staff Temp or On-Call to Support Staff	No	Change in Position	Deemed as continuous employment, no break in service
1585 Temp to 1585 Regular	Yes	New Hire but processed as Rehire	New I-9 required due to break in service
1585 Temp to any Regular Support Staff position	Yes	New Hire but processed as Rehire	New I-9 required due to break in service
Temp assignment ended, take one week break in service and rehire into recycled temp position	Yes	Rehire	New I-9 required due to break in service

FORM I-9 REQUIREMENTS

Scenario	I-9 Required	Form Action	Explanation
Temp assignment ended and switch to on-call status with no break	No	Change in Status	Deemed as continuous employment, no break in service
Active student employee to a temp/on-call position	No	Change Position	Deemed as continuous employment, no break in service
Student visa expired, rehired as a temp/on-call	Yes	Rehire	Different Visa for non-student work and work authorization date
Graduate Assistants who teach continuously over the summer. (TA Fall and Spring, hired as faculty in the summer)	No	Rehire action but processed as Change in Position	Deemed as continuous employment, no break in service
Grads that do not work for a semester (Spring, Summer 1, Summer 2 or Fall)	Yes	Rehire	New I-9 required due to break in service
TA in the Fall and RA in the Spring	No	Reappointment	Deemed as continuous employment, no break in service
Undergrads: professorial and undergraduate assistants	Yes	Rehire	New I-9 required due to break in service
Employee on an approved leave of absence (i.e., FMLA, short-term disability, sabbatical, etc.)	No	Leave	Individual not actively working during a period of leave, they are still considered continuously employed by the University
Employee returns from approved leave of absence (i.e., FMLA, short-term disability, sabbatical, etc.)	No	Leave Return	Deemed as continuous employment, no break in service
Terminated employee returns to work with a day break in service	Yes	Rehire	New I-9 required due to break in service
Retired employee returns to work with a day break in service	Yes	Rehire	New I-9 required due to break in service

Tip: A Hire or Rehire action almost always requires a new Form I-9. A Reappointment action typically does not require a new I-9. See table above.

Reminder: A Form I-9 can be completed once an employee accepts an offer for employment at MSU up to 6 months in advance. The employee must complete Section 1 of the Form I-9 on or before the original date of hire. The employer must complete Section 2 of the Form I-9 no later than 3 days past the original date of hire and MSU Human Resources practice is that both sections should be completed before a hire action is finalized.