

ARTICLE 34
IMMIGRATION REFORM AND CONTROL ACT

- A.** Letters of appointment/reappointment or other appropriate appointment documents will include a statement that the individual must provide verification of employment eligibility pursuant to University requirements established in accordance with the Immigration Reform and Control Act of 1986 (IRCA). Letters of appointment/ reappointment will also include notification of any proposed University assistance in complying with IRCA. The offer of the appointment, continued eligibility to complete the appointment term and the pay will be contingent on compliance with these requirements.
- B.** All appointments/reappointments will be contingent upon the employee's completion of an I-9 form and provision of the employment eligibility documents required by the University to comply with IRCA. Failure to provide the necessary documentation within the required time limitations or failure to remain eligible will constitute grounds for release from employment for failure to comply with University requirements implementing the IRCA.
- C.** Nothing in this Article prohibits the reappointment of an NSF upon compliance with the requirements of IRCA.
- D.** Any employment relationship which is terminated for failure to comply with the requirements set forth herein will not be subject to Article 30 — Discipline and Dismissal.
- E.** When the University intends to release an NSF for failure to comply with University requirements implementing the provisions of IRCA, the NSF shall be given written notice of the intent to release.

The notice shall:

- 1. be given to the NSF either by delivery of the notice to the NSF in person, or by mail with a Proof of Service;
- 2. state how the NSF has failed to comply with University requirements implementing IRCA;
- 3. state that the NSF has the right to respond, and to whom, within ten (10) calendar days from the date of issuance of such notice of intent, either orally or in writing; and,
- 4. state the effective date of the action.

- F.** The University will consider any response from the NSF. If the NSF can provide the University with proof of complete compliance with University requirements implementing IRCA, the University will withdraw the letter of intent.
- G.** If no response is received by the University or the NSF does not comply with University requirements implementing IRCA, the NSF will be released on the date set forth in the letter of intent to release.