

## 33.99.12 New Employee Processing

Revised [August 18, 2021](#)

Next Scheduled Review: August 18, 2026

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### Regulation Summary

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This regulation establishes uniform employment processing requirements for new employees of The Texas A&M University System (system).

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### Regulation

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#### 1. INFORMATION NEW EMPLOYEES MUST PROVIDE

- 1.1 In accordance with the Immigration Reform and Control Act of 1986, each member must verify the employment eligibility of all new employees (including U.S. citizens) hired after November 6, 1986 by completing and retaining the Employment Eligibility Verification Form (Form I-9) and refrain from discriminating against individuals on the basis of national origin or citizenship. The Form I-9 must be completed for all newly-hired employees, including an employee transferring from another member or state agency with a different Employer Identification Number, in accordance with the timelines provided in the United States Citizenship and Immigration Services (USCIS) Handbook for Employers (M-274), included on the USCIS website.

Employees must complete Section 1 of Form I-9 by their first day of work for pay. However, based on a reasonable business need, the Form I-9 may be completed prior to the first day of work for pay, provided the employee has been offered and accepted the job. The employee must present original, unexpired documentation to establish identity and employment eligibility in accordance with the list of acceptable documents included as part of the Form I-9.

Within three business days of the first day of work for pay, the employer must certify that the proper documents were submitted and examined, appear to be genuine and relate to the person presenting them. Effective September 1, 2015, Texas Government Code § 673.002 requires all state agencies, including institutions of higher learning, to E-Verify all new employees. E-Verify is an internet-based system that compares information from an employee's Form I-9 to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility. This documentation need not be photocopied unless the employee presents a document used as part of Photo Matching. If photocopies are made by a member, they must be made for all new employees of that member (regardless of national origin or citizenship status) and retained with the new employee's Form I-9.

Federal regulations require that each member retain an employee's completed Form I-9 for as long as the individual works for the employer. This federal record retention requirement

is noted in the M-274 which states that “once the individual’s employment has terminated, the employer must determine how long after termination the Form I-9 must be retained, which is either three years after the date of hire, or one year after the date employment is terminated, whichever is later.” Each member is strongly encouraged to destroy the Form I-9 in strict compliance with the federal record retention requirement as noted above and in The Texas A&M University System Records Retention Schedule.

- 1.2 A new employee is required to provide a social security number or apply for a social security number and card when legally required and necessary to conduct certain business functions, including the administration of employment taxes.
- 1.3 Upon hire, an employee must complete certain forms including, but not limited to, the following:
  - (a) Internal Revenue Service Form W-4;
  - (b) System Employee Personal Data form;
  - (c) Notice to Employees of Workers’ Compensation Insurance;
  - (d) Direct Deposit Authorization form, in accordance with Regulation *31.01.07, Direct Deposit of Payroll Payments*; and
  - (e) An acknowledgement form developed by the member and signed by the employee to document that the new employee received the required information on policies, programs and benefit plans.
- 1.4 See System Regulation *31.02.02, Group Insurance Programs*, regarding benefits orientation.
- 1.5 The member must provide an employee who is eligible to elect the Optional Retirement Program (ORP) with the *An Overview of TRS and ORP* document, and the employee must sign the ORP Information Acknowledgment Form or the Prior ORP Participation Acknowledgment Form.

## 2. INFORMATION TO BE PROVIDED TO NEW EMPLOYEES

- 2.1 Certain information must be provided to a new employee including, but not limited to, the following:
  - (a) System Policy *07.01, Ethics*, and Texas Government Code, Chapter 572, Subchapter C, Standards of Conduct and Conflict of Interest Provisions (must be provided no later than the third business day from the employee’s hire date);
  - (b) An educational pamphlet on HIV/AIDS;
  - (c) Benefit enrollment information to use in making benefit decisions, if eligible;
  - (d) Information on employee rights under COBRA. A notification letter for each new employee is generated and sent to the employee’s home address; and
  - (e) For nonfaculty budgeted positions, the position description or equivalent document may be reviewed in Workday or by other means determined by the member. For faculty positions, the position description or equivalent document such as an

appointment letter in accordance with System Policy *12.01, Academic Freedom, Responsibility and Tenure*.

- 2.2 A new employee must also take training as required in System Regulation *33.05.02, Required Employee Training*.

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## **Related Statutes, Policies, or Requirements**

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[Tex. Gov't Code § 673.002](#)

[The Texas A&M University System Records Retention Schedule](#)

[System Policy 07.01, Ethics](#)

[System Policy 12.01, Academic Freedom, Responsibility and Tenure](#)

[System Policy 24.01, Risk Management](#)

[System Policy 31.02.02, Group Insurance Programs](#)

[System Regulation 33.05.02, Required Employee Training](#)

[System Regulation 33.99.09, Employment of Foreign Nationals](#)

[System Regulation 34.04.03 HIV/AIDS in the Workplace and Learning Environment](#)

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## **Member Rule Requirements**

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A rule is not required to supplement this regulation.

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## **Contact Office**

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