



Social Security Number & Employment Authorization Correction Policy

I. Background

The University of Wisconsin System (UWS) is required, by law or regulation, to transmit data to various governmental agencies. One essential piece of information common to the data required is the employee's Social Security number. The Social Security number is used as a key identifier to report employment, earnings, and taxes to the Internal Revenue Service, the Wisconsin Department of Revenue, the Social Security Administration, and other federal and state governmental agencies. The University of Wisconsin Service Center (UWSC) serves as the UWS's primary reporting agent. In this capacity, outside governmental agencies notify the UWSC when discrepancies appear relative to an individual's Social Security number and related records, such as when an employee's name does not match the corresponding Social Security number on file with the outside governmental agency or when the immigration status document or employment authorization document presented or referenced by the employee in completion of Form I-9 is assigned to another person.

The purpose of this policy is to provide UWS institutions with a procedure to follow when an outside governmental agency advises us of a Social Security or other employment authorization discrepancy for a UWS employee. This policy has been updated due to new regulations implemented by the Department of Homeland Security, 8 CFR Part 274a.

II. Policy

This policy sets forth the minimum procedural requirements for the correction of an employee's Social Security number, immigration status, or employment-authorization documentation presentation communicated to the UWSC by an outside governmental agency. These minimum procedural requirements are established to provide consistency in the systemwide application of this correctional process. The UWS institution's Human Resource Departments may adopt additional procedural requirements subject to review and approval by the UWSA Office of Human Resources.

Social Security number discrepancies, such as the Social Security number does not match the employee's name, can be caused by many legitimate reasons, such as human error in the daily course of business. When the UWSC is notified by an outside governmental agency of a Social Security number, immigration status, or documentation presentation discrepancy, the UWSC will notify the respective UWS institution's Human Resource Department. Ultimately the employee is responsible for any follow-up with the proper governmental agency to correct the problem.

The UWS Human Resource Departments may not provide legal advice to employees to correct any reported discrepancies.

III. Procedure

Notification Process

Over the course of the year, the UWSC is required to provide a number of outside governmental agencies with employee employment information. The Department of Workforce Development (DWD), the Internal Revenue Service (IRS), the Social Security Administration (SSA), and the Department of Homeland Security (DHS) are examples of some of the outside governmental offices to which the UWSC may be required to provide information. Periodically these outside governmental agencies communicate to the UWSC that a discrepancy exists when an employee's employment information was compared to the outside governmental agency's records on file. In addition, there can be instances such as after an I-9 audit in which an employee's employment authorization documents presented in connection with

completion of the I-9 form do not match DHS records. The outside agency will transmit a report or send a letter or notice to UWSC when such discrepancies occur.

Corrective Process -- Social Security Number Discrepancy

For all UWS institutions, the UWSC will forward the names of employees and Social Security numbers on record where errors or questions have occurred to the Director of Human Resources ("HR Director"), or other designee, at the individual's employing UW institution.

When an HR Director or designee receives a Social Security question, the procedure will be for the UW institution to check its records to determine whether the discrepancy resulted from a typographical, transcription or similar clerical error. If the UW institution determines that the discrepancy is due to an error, they will correct the error and inform the Social Security Administration of the correct information. The UW institution must complete this step within 30 days of UWSC receipt of the written notice.

If the UW institution determines that the discrepancy is not due to an error in its own records, a letter will be sent to the employee. Due to the confidential nature of these questions or process, any and all correspondence should be mailed to the employee's home address.

The letter will explain the nature of the question and direct the employee to take action to correct the error. If the employee is unable to correct the error within 90 days of the date UWSC received the notice from the Social Security Administration, the UW institution must again verify the employee's employment authorization and identity within an additional 3 days. If the UW institution cannot verify the employee's work eligibility through the completion of a new I-9 form, the employee will be notified of their immediate termination.

Corrective Process -- Documentation Discrepancy

For all UWS institutions, the UWSC will forward a copy of a written notice from the Department of Homeland Security where errors or questions have occurred to the Director of Human Resources ("HR Director"), or other designee, at the individual's employing UW institution.

When an HR Director or designee receives a written notice from DHS, the procedure will be for the UW institution to contact the local Department of Homeland Security office (in accordance with the written notice's instructions) and attempt to resolve the question raised by DHS about the immigration status document or employment authorization document. The UW institution must complete this step within 30 days of UWSC receipt of the written notice.

If the UW institution is unable to verify with the Department of Homeland Security within 90 days of UWSC receipt of the written notice that the immigration status document or employment authorization document is assigned to the employee, the UW institution must again verify the employee's employment authorization and identity within an additional 3 days. If the UW institution cannot verify the employee's work eligibility through the completion of a new I-9 form, the employee will be notified of their immediate termination.

Effective Date: September 15, 2007