

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE Oct 20, 1987
ADMINISTRATIVE LAW DIVISION

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Regents TITLE NUMBER: 128
CITE AUTHORITY: Immigration and Reform Control Act of 1986, Public Law
99-603.
RULE TYPE: PROCEDURAL _____ INTERPRETIVE XX
EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW _____

AMENDMENT TO AN EXISTING RULE: YES X, NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 12

TITLE OF RULE BEING AMENDED: ALIEN EMPLOYMENT CONTROL POLICY

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS DECEMBER 18, 1987

Edubird Knowe
Vice Chancellor
Administrative Affairs

WEST VIRGINIA BOARD OF REGENTS

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FILED

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SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION

RULE TITLE: ALIEN EMPLOYMENT CONTROL POLICY

RULE TYPE: INTERPRETATIVE

The enclosed rule constitutes the official rule adopted by
the West Virginia Board of Regents

on: October 6, 1987 and filed with the
Secretary of State. On October 19, 1987

Edward Grose

Edward Grose, Vice Chancellor
for Administrative Affairs

October 19, 1987

DATE

WEST VIRGINIA INTERPRETATIVE RULES
WEST VIRGINIA BOARD OF REGENTS
CHAPTER 18-26
SERIES I - GENERAL

SUBJECT: POLICY BULLETIN NO. 12

TITLE: ALIEN EMPLOYMENT CONTROL POLICY

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WEST VIRGINIA INTERPRETATIVE RULE
WEST VIRGINIA BOARD OF REGENTS
CHAPTER 18-26
SERIES I

Policy Bulletin No. 12

TITLE: ALIEN EMPLOYMENT CONTROL POLICY

Section 1. General

1.1 Scope - The West Virginia Board of Regents prohibits the hiring of illegal aliens and will require all applicants for employment to present proof of applicant's identity and authorization for employment.

1.2 Authority - Immigration and Reform Control Act of 1986, Public Law 99-603.

1.3 Filing Date - October 19, 1987

1.4 Effective Date - December 18, 1987

Section 2. Alien Employment Control Purpose

2.1 The purpose of this policy is to comply with the Federal Government's efforts to stem the flow of illegal aliens into the United States and to provide an opportunity for a large group of unauthorized aliens already here to obtain legal status.

Section 3. Alien Employment Control Policy

3.1 It is unlawful to hire any person knowing that that person is an illegal alien.

3.2 The person's identity and eligibility to be employed must be verified.

Section 4. Alien Employment Control Procedures

4.1 All job applicants must fill out and sign a government form I-9, within three business days of the date of the hire

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Interpretative Rule
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providing biographical information and attesting that the worker is a citizen or an alien authorized to work in this country.

4.2 Applicants may provide, and the employing institution may request, verification of identity and eligibility for employment.

4.3 The verification records are to be made available for inspection by officers of the Immigration and Naturalization Service or the Department of Labor.

Section 5. Penalties for Violation of Alien Employment Control Policy

5.1 Violators of the ban on hiring and recruiting persons known to be illegal aliens are to be penalized on a graduated scale for the number of instances of noncompliance. In addition to being ordered to cease violations, a civil penalty will be assessed.

5.2 The falsification of a verification statement or the fraudulent misuse of an immigration document may result in fines, imprisonment or both.

Adopted: April 6, 1987
Amended: October 6, 1987

**TITLE 128
INTERPRETIVE RULES
WEST VIRGINIA BOARD OF TRUSTEES**

**SERIES 12
ALIEN EMPLOYMENT CONTROL POLICY**

§128-12-1. General.

1.1. Scope. -- The West Virginia Board of Trustees prohibits the hiring of illegal aliens and will require all applicants for employment to present proof of applicant's identity and authorization for employment.

1.2. Authority. -- Immigration and Reform Control Act of 1986, Public Law 99-603

1.3. Filing Date. -- October 19, 1987

1.4. Effective Date. -- December 18, 1987

§128-12-2. Alien Employment Control Purpose.

2.1. The purpose of this policy is to comply with the Federal Government's efforts to stem the flow of illegal aliens into the United States and to provide an opportunity for a large group of unauthorized aliens already here to obtain legal status.

§128-12-3. Alien Employment Control Policy.

3.1. It is unlawful to hire any person knowing that that person is an illegal alien.

3.2. The person's identity and eligibility to be employed must be verified.

§128-12-4. Alien Employment Control Procedures.

4.1. All job applicants must fill out and sign a government form I-9, within three (3) business days of the date of the hire, providing biographical information and attesting that the worker is a citizen or an alien authorized to work in this country.

4.2. Applicants may provide, and the employing institution may request, verification of identity and eligibility for employment.

4.3. The verification records are to be made available for inspection by officers of the Immigration and Naturalization Service or the Department of Labor.

§128-12-5. Penalties for Violation of Alien Employment Control Policy.

5.1. Violators of the ban on hiring and recruiting persons known to be illegal aliens are to be penalized on a graduated scale for the number of instances of noncompliance. In addition to being ordered to cease violations, a civil penalty will be assessed.

5.2. The falsification of a verification statement or the fraudulent misuse of an immigration document may result in fines, imprisonment or both.