Employment Development Department
State of California

INFORMATION NOTICE

Date: September 8, 2020 **Number:** WSIN20-12
Expiration Date: 9/8/2020

TEMPORARY I-9 VERIFICATION PROCESS CHANGES – FORM I-766

The Department of Homeland Security announced delays in the production and issuance of Employment Authorization Document (EAD) Form I-766 and is allowing individuals to temporarily use Approval Notices Form I-797 as an EAD when completing Employment Eligibility Verification Form I-9. America's Job Center of California SM (AJCC) staff should be aware of these temporary changes when verifying authorization to work documentation for *Workforce Innovation and Opportunity Act* Title I and Title III programs.

When verifying authorization to work, AJCC staff must use US Citizenship and Immigration Services (USCIS) Form I-9. AJCC staff should note that if an individual presents a Form I-797, it must have been issued from December 1, 2019 through August 20, 2020. Individuals may present their Form I-797 until December 1, 2020, and must also present AJCC staff with an acceptable Form I-9 List B document that establishes identity.

By December 1, 2020, AJCC staff must re-verify individuals who presented a Form I-797 as a List C document. These individuals will need to present AJCC staff with new evidence of employment authorization from either List A or List C on the Form I-9.

As outlined in Workforce Services Directive *Pathway to Services, Referral, and Enrollment* (WSD18-03) (PDF), each Local Workforce Development Area is required to have an Authorization to Work policy. AJCC staff should consult with their local policy to determine when AJCC staff should verify an individual's authorization to work documentation.

For more information, please refer to the USCIS I-9 Central webpage.

/s/ JAIME L. GUTIERREZ, Chief
Central Office Workforce Services Division

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