

Supported Employment Services. Initial Intake. Employment Eligibility Declaration

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Introduction

This standard is the follow-up standard that supplements the AMSI ID1 Taxonomy of Support Services for individuals with IDD and AMSI IDS1 Taxonomy of Supported Employment Services for Individuals with IDD.

This standard establishes guidelines for confirming employment eligibility during the intake process for Supported Employment (SEMP) services. It ensures compliance with federal regulations, including the Immigration Reform and Control Act (IRCA), while avoiding misuse of Form I-9 (Employment Eligibility Verification). The standard provides a uniform approach for SEMP providers to document an individual's work eligibility without assuming employer responsibilities. Additionally, this standard is designed to eliminate redundancy in documents and processes, simplify, and streamline the intake process for individuals with intellectual and developmental disabilities (IDD), their families, and SEMP providers.

By applying this standard, SEMP providers are responsible for overseeing and ensuring compliance within their organization.

Definitions of Modalities

- **Shall:** Indicates a mandatory requirement.
- **Should:** Indicates a best practice, based on previous experiences, which is recommended but not strictly required.

- **May:** Indicates a permissible action that is allowable within the context but not required.

1. Visualization of Employment Eligibility Declaration Process

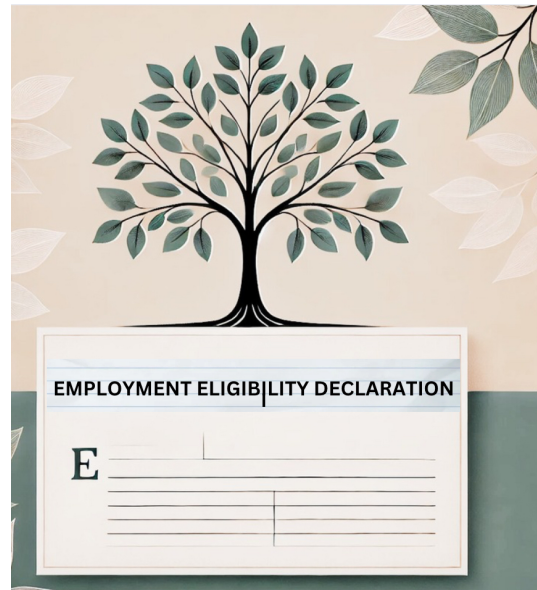


Figure 1: Employment Eligibility Declaration Visualization

This figure illustrates the Employment Eligibility Declaration Process, a structured and organized approach for confirming work eligibility during the Supported Employment Services intake. This visualization highlights the key steps involved, emphasizing compliance, clarity, and simplicity in the declaration process. It serves as a communication tool for staff and stakeholders to better understand the workflow and purpose of the eligibility declaration.

2. Key Requirements

2.1 Employment Eligibility Declaration

During the intake process, SEMP providers shall use the standardized Employment Eligibility Declaration form provided in Annex. The form is designed to confirm that the individual is authorized to work in the United States without constituting a formal verification process. The declaration includes:

- A statement affirming the individual’s work eligibility.

- A disclaimer that the form is not a substitute for Form I-9.
- Fields for the individual's full name, signature, and date.

2.2 Instructions for Use

- **When to Use the Declaration:** Use this form during the intake process to confirm an individual's eligibility to work in the United States.
- **How to Complete It:** Ensure the individual fills in their name, signs, and dates the declaration.
- **Document Retention:** Keep a copy of the signed declaration in the individual's intake file.
- **Clarify the Process:** Inform the individual that the formal Form I-9 may be completed by their future employer, depending on the hiring process.

2.3 Staff Training

- All SEMP staff shall undergo training on the purpose and proper use of the Employment Eligibility Declaration.
- Training shall cover the distinction between this declaration and the formal employer process using Form I-9.
- Staff shall understand the federal regulations governing employment eligibility verification.

2.4 Prohibited Actions

- SEMP providers and staff shall not use or sign Form I-9 during the intake process, as this is the responsibility of the employer.
- Misrepresentation or unauthorized completion of Form I-9 is strictly prohibited and may result in penalties under the Immigration Reform and Control Act (IRCA).

3. Compliance

3.1 Monitoring and Accountability

- SEMP providers shall ensure compliance with this standard by incorporating mechanisms to identify and address non-compliance during intake processes.
- SEMP providers shall regularly review intake processes to ensure adherence to this standard and identify areas for improvement.
- Challenges or issues with implementation shall be addressed within internal management systems.

4. Communication

- SEMP providers should distribute this standard to their staff and stakeholders relevant to the intake process.
 - Educational materials, including training guides, should be developed by the SEMP provider to support implementation.
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Annex: Employment Eligibility Declaration Form

Employment Eligibility Declaration

I, the undersigned, affirm that I am authorized to work in the United States and can provide documentation to verify my work eligibility upon securing employment.

I understand that this declaration is not a substitute for the formal employment verification process (Form I-9) and that the employer **may** complete the official verification upon hiring.

Individual's Full Name: _____

Signature: _____

Date: _____

Conclusion

This standard promotes a consistent, compliant, and streamlined approach for Supported Employment (SEMP) providers to confirm employment eligibility during the intake process. By following this standard, providers can ensure adherence to legal requirements, reduce redundancies, and improve the Supported Employment intake process by making it simpler, more efficient, less stressful, and person-centered for individuals with IDD and their families. The Employment Eligibility Declaration form provided in Annex supports SEMP providers in achieving these goals.

Special Note

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