



ABC's of Church Management Newsletter

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This newsletter has been developed to provide compliance guidelines for local congregations concerning state and federal regulations. It is shared as a basic reference newsletter with the understanding that the publisher is not giving legal, financial, or other professional service/advice. The publisher acknowledges that the laws and regulations of each state may vary. If professional assistance is required, the services of a competent professional should be secured.

Churches Required to Complete & Retain Form I-9

The Immigration Reform and Control Act requires all employers, including churches, to complete and retain Form I-9 for each employee, including pastors. Form I-9 is called the "Employment Eligibility Verification Form" and is a verification of the individual's identity and employment eligibility. The form can be downloaded at www.i9check.com/I9download.htm.

Form I-9 contains three (3) sections. Section 1 is to be completed by the employee by the end of the first day of their employment. Section 2 is to be completed by the employer by the end of the third day of employment. Section 3 is to be completed if the form is in need of updating. Updating can become necessary of documents used for proof of identity and employment eligibility contained expiration dates.

Section 1: Employee Information and Verification:

This section contains the full name (including maiden when applicable) of the employee, their address, date of birth, social security number, and verification of residency. The employee must sign and date this section. If the employee has a designated preparer or translator prepare Section 1 for them, the preparer must sign, date, and list their address in this section as well.

Section 2: Employer Review and Verification:

This section contains a list of documents used to verify the employee's identity and eligibility for employment. The employer may choose one identification document from List A or one document from each List B and List C.

List A documents establish both identity and employment eligibility and include a U.S. passport; Certificate of U.S. Citizenship; Certificate of Naturalization; Unexpired foreign passport, with I-551 stamp or attached Form I-94 indicating unexpired employment authorization; Permanent Resident Card or Alien Registration Receipt Card with photograph; Unexpired Temporary Resident Card; Unexpired Employment Authorization Card; Unexpired Reentry Permit; Unexpired Refugee Travel Document; or a Unexpired Employment Authorization Document issued by the DHS that contains a photograph.

Churches must complete and retain Form I-9 for each employee including the pastor. These forms may be kept in the employees' files or in a separate file. Form I-9 must be kept until one year past the employee leaving the church. The church is responsible to provide the forms for inspection when requested by the Bureau of Immigration and Customs Enforcement, Department of Labor, and/or the Justice Department's Office of Special Counsel for Unfair Immigration-Related Employment Practices.

List B contains only documents of identity. These include: a driver's license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address; ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address; School ID card with a photograph; Voter's registration card; U.S. Military card or draft record; Military dependent's ID card; U.S. Coast Guard Merchant Mariner Card; Native American tribal document; or Driver's license issued by a Canadian government authority. For persons under age 18 who are unable to present a document listed above: School record or report card; clinic, doctor or hospital record; Day-care or nursery school record.

List C contains only documents of employment eligibility. These include: U.S. social security card issued by the Social Security Administration; Certification of Birth Abroad issued by the Department of State; Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal; Native American tribal document; U.S. Citizen ID Card; ID Card for use of Resident Citizen in the United States or Unexpired employment authorization document issued by DHS.

Because List B only establishes identity and List C only establishes employment eligibility, a document from each list must be recorded in Section 2.

The employer must provide the following additional information in Section 2: date employee started employment, signature of authorized representative of employer, title of the representative, the business or organization's name and address, and date document was signed.

Section 3: Updating and Reverification:

If any documents used in Section 2 has expiration dates (ex.: driver's license), this section would be used to update a new document.

The church may wish to attach photocopies of all documents used in verifying identity and employment eligibility. However, this is not required.

All I-9 forms are to be kept until one year after the employee no longer works at the church. The church is responsible to provide all I-9 forms for inspection if requested by the Bureau of Immigration and Customs Enforcement, the Department of Labor, and/or the Justice Department's Office of Special Counsel for Unfair Immigration-Related Employment Practices.

Fall Hayride Safety

Many church fall activities include hayrides. The National Safety Council recommends that churches consider the 3 H's, hitching, highways, and horseplay, when planning a hayride.

- Hitching includes the wagon, the tractor or truck that is pulling the wagon, and the safeguards used to ensure that the wagon is properly attached. Never attach more than one wagon behind the pulling vehicle. Extra wagons make the “snaking” action of the caravan more severe and may result in sideswiping or overturning of the trailing wagons. A truck or tractor should never pull a wagon so fast that it sways out of a straight line. “Proper hitching also includes using a well-designed hitch pin with a clip or lock between the wagon and the pulling vehicle; and installing safety chains to ensure that the wagon does not disconnect while in motion,” according to Professor Dennis J. Murphy, agricultural safety specialist at the Pennsylvania State University.
- Highway considerations include the careful planning of the hayride route. Highways with excessive vehicular traffic moving at high rates of speed should be avoided at all costs. Hayride organizers should consult with local law enforcement agencies to seek their advice on which roads to use. These agencies may also be willing to provide security and safety during the hayride. To further reduce the highway hayride hazard, have escort vehicles traveling in front and in back of the hayride with their emergency lights activated. Of course, your hayride could stay off highways altogether!
- Horseplay on a hayride should not be tolerated and may become an unwanted distraction to the driver. Adult supervision is a must! Hayride participants can easily fall from a wagon or truck and be run over by the vehicle’s wheels causing traumatic injuries. All riders should be sitting down while the wagon or truck is moving. Be sure these rules are clearly stated to all participants before the rider begins.

Have a safe and wonderful fall season.

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