

New Version Of Form I-9, Employment Eligibility Verification, Required For Employers To Complete For All New Hires After January 22, 2017

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The U.S. Citizenship and Immigration Services (USCIS) recently published a new version of the Form I-9, Employment Eligibility Verification, which can be found [here](#). Employers must start using this new version for all new hires and for any employees requiring reverification by January 22, 2017. Please note that existing employees who have already completed a previous version of the Form I-9 at their original time of hire will not be required to complete this new version of the form. Beginning in November 1986, the U.S. government mandated the completion of the Form I-9 for all newly hired employees. Under the Immigration Reform and Control Act, employers are required to verify the work authorization of their employees, by reviewing identity and work authorization documents presented by new hires, and documenting these steps on the Form I-9. While the general format and types of questions asked on the Form I-9 largely remain unchanged, the most notable updates include the following:

1. Section 1 now asks for “other last names used” rather than “other names used.”
2. The addition of prompts to ensure the information is entered correctly.
3. The ability to enter multiple preparers and translators.
4. A dedicated area for including additional information rather than having to add it in the margins.
5. The instructions have been separated from the form, and explanatory notes have been embedded directly into each field on the form.
6. The form is now easier to complete on the computer with

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enhancements, such as drop-down lists, calendars for dates, and an option to clear the form and start over. These specific changes are only helpful for form completion on a computer, with the intent that users must still print out, hand-sign, and physically store the typed up forms.

All new hires are required to complete and sign Section 1 of a Form I-9 on or before their first day of employment. Employers are required to complete and sign Section 2 of a Form I-9 by an employee's third day of employment. Employees with temporary work authorization (such as Employment Authorization Cards or Nonimmigrant Work Visas) must undergo the reverification process. In the reverification process, employers are required to update Forms I-9 for employees with temporary work authorization prior to the employees' temporary work authorization expiration dates. Employers' Forms I-9 can be audited by the U.S. Immigration and Customs Enforcement (ICE) at any time; if, during an audit, ICE discovers any I-9s containing substantive paperwork errors, the employer could be subject to fines. Therefore, companies with questions on the proper process when completing Forms I-9 should seek legal counsel.