



Form I-9
Employment Eligibility Verification

Form I-9  U.S. Citizenship and Immigration Services

Background

In 1986, in an effort to control illegal immigration, Congress passed the **Immigration Reform and Control Act (IRCA)**.

IRCA forbids employers from knowingly hiring individuals who do not have work authorization in the United States.


The employment eligibility verification provisions of **IRCA** are found in Section 274A of the Immigration and Nationality Act (INA).

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Background

To comply with the employment eligibility verification provisions of the INA an employer must:

- Verify the identity and employment authorization documents of employees hired after November 6, 1986
- Complete and retain a Form I-9 for each employee hired after November 6, 1986
- Refrain from discriminating against individuals on the basis of actual or perceived national origin, citizenship or immigration status


Form I-9 

Background

The anti-discrimination provisions of the INA prohibit four types of unlawful conduct:

- Citizenship or immigration status discrimination*
- National origin discrimination*
- Document abuse during Form I-9 process
- Retaliation

* Actual or perceived


Form I-9 

Background

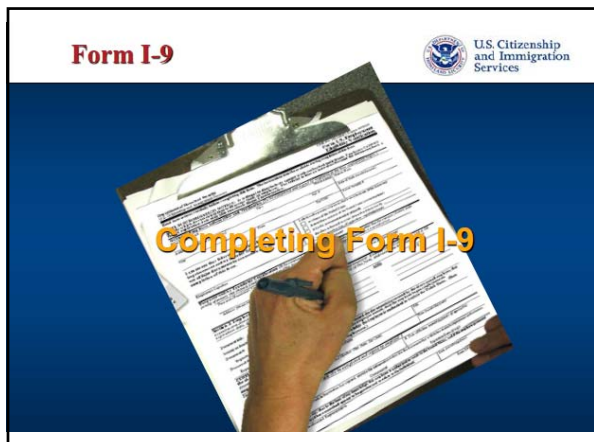
Form I-9 is an employment verification tool brought about by **IRCA**.

Form I-9 helps verify whether individuals are authorized to work in the United States.

Employers who knowingly violate or circumvent the Form I-9 process, or anti-discrimination requirements of the INA may be subject to civil and/or criminal penalties.



The Form I-9 is the only hiring form that we can fined for!!! It has to be 100% correct!



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Completing Form I-9

All U.S. employers must have a **Form I-9** on file for all current employees.

Exception: Employers are not required to have Forms I-9 for employees hired on or before November 6, 1986.

You may delegate the authority to complete **Form I-9** to a responsible agent, however, you will retain liability for any errors.

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Completing Form I-9

Section 1: Employee Information and Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

0309 (Rev. 04-15-09) Form I-9, Employment Eligibility Verification

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANYING FURNISHING NOTE: It is illegal to discriminate against or mistreat individuals. Employer CANNOT discriminate on the basis of race, color, sex, religion, or national origin. Employer CANNOT discriminate on the basis of age, sex, or marital status. Employer CANNOT discriminate on the basis of disability.

Section 1: Employee Information and Verification (To be completed and signed by employee or the new employer agent.)

Instructions: Last First Middle Initial (Last Name)

Address (Street, P.O. Box, and Zip Code) Apt. # Date of Birth (month day year) Social Security #

Signature of Employee or Employer Agent Date

I am aware that federal law provides the legal contract and that the false statement or use of false documents in connection with the completion of this form.

I am under penalty of perjury that I am not an alien who is not lawfully authorized to accept employment in the United States.

A copy of the United States Constitution.

A copy of the instructions to this form (see instructions).

A copy of the employee's Social Security Number (SSN).

A copy of the employee's passport, visa, or other document that establishes the employee's identity and legal status to accept employment in the United States.

Signature of Employer Agent Date

- To be completed by **EMPLOYEE**.
- Employer **MUST** verify Section 1 is **COMPLETE**.

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Completing Form I-9
Section 1: Important Area – Employee Attestation

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I swear, under penalty of perjury that I am (check one of the following):

- A citizen of the United States
- A permanent resident of the United States (see instructions)
- A lawful permanent resident (Alien #) _____
- An alien authorized to work (Alien # or Admission #) _____

Web: www.dhs.gov/e-verify/

Employee's Signature _____ Date (month/day/year) _____

- The **EMPLOYEE MUST** select one of the four categories and **sign and date** Section 1 of Form I-9.
- All employees must complete Section 1 no later than the **first business day** of employment for pay.

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Completing Form I-9
Section 1: Preparer/Translator Certification

Preparer and/or Translator Certification (To be completed and signed if Section 1 is prepared by a person other than the employee.) I swear, under penalty of perjury, that I have reviewed the information on this form and that to the best of my knowledge the information is true and correct.

Preparer/Translator's Signature _____ Print Name _____

Address (Street Name and Number, City, State, Zip Code) _____ Date (month/day/year) _____

- This certification is required when Section 1 is prepared by someone other than the employee.
- By signing, the preparer is attesting that Section 1 is **true and correct** to the best of his or her knowledge.
- Note that only the **EMPLOYEE** can sign the Section 1 Employee Signature Block.

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Completing Form I-9
Section 2: Employer Certification of Document Review


Section 2: Employer Certification of Document Review (To be completed and signed by employer. Document must remain with Form I-9. Information on this page is for the employer's use only.)

Document Title	Exam A	Exam B	Exam W	Exam ASIS	Exam C
Document Title	_____	_____	_____	_____	_____
Document Title	_____	_____	_____	_____	_____
Document Title	_____	_____	_____	_____	_____
Document Title	_____	_____	_____	_____	_____

EMPLOYER'S I-9 attests, under penalty of perjury, that I have examined the document(s) presented by the alien named above, that the above listed document(s) appear to be genuine and to reflect the employee's identity, and that the alien has knowledge of the employee's authorization to work in the United States. Once completed, the employer must retain this form for 3 years from the date of completion.


Signature of Employer/Preparer/Translator _____ Title _____ Date (month/day/year) _____

- Completed by **EMPLOYER**.
- **MUST** be completed no later than **3 business days** after the employee begins work for pay.
- **EMPLOYER MUST** examine **original documents**.
- Documents **MUST** be **UNEXPIRED**.

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Completing Form I-9
Section 2: Receipt Rule

- Receipts may be used as temporary proof of employment eligibility when a List A, B or C document has been lost, stolen or destroyed.
- The receipt must be issued by the originating agency.
- The employee must present a replacement document within 90 days of the hire date.

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Completing Form I-9
Section 3: Reverification

Section 3. Updating and Reverification <i>(To be completed and signed by employer.)</i>	
A. New Name <i>(if applicable)</i>	B. Date of Birth <i>(month/day/year)</i> <i>(if applicable)</i>
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.	
Document Title	Document #
Expiration Date <i>(if any)</i>	
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.	
Signature of Employer or Authorized Representative	Date <i>(month/day/year)</i>

You must reverify an employee on Section 3 or on a new Form I-9 if his or her temporary employment authorization has expired.
 You MAY also complete Section 3 if you:

- Rehire the EMPLOYEE within 3 years of original hire date*
- Update the biographic information of an employee

** USCIS recommends completing a new Form I-9 for rehires*

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Form I-9 Resources

- Form I-9, Employment Eligibility Verification
<http://www.uscis.gov/files/form/i-9.pdf>
- Form M-274, Handbook for Employers
<http://www.uscis.gov/files/nativedocuments/m-274.pdf>
- I-9 Central
www.uscis.gov/I-9Central
