

New I-9 Form Goes Into Effect

Following a brief moratorium, the new I-9 form goes into effect on Friday, April 3, 2009. Old versions of the I-9 form should be discarded and the new form should be put into immediate use. The I-9 form and its instructions can be found at the following link: <http://www.uscis.gov/i-9>.

The major difference between the current version and the new version is that on the new I-9 all required documents for the completion of the form must be unexpired. Prior versions of the I-9 instructions allowed for expired documents such as U.S. passports to prove identity and work authorization. The new form also eliminates documents that previously were used to certify an employee's identity and work authorization, but are now no longer issued by the government.

Every new hire is required to complete the I-9 form within three days of their start with their new employer. The employer is required to visually inspect all of the documents offered to prove a person's identity and work authorization in the United States.

The I-9 form is a major component of an employer's overall immigration compliance program. The current administration recently stated that they will be focusing their immigration enforcement efforts on employers. To schedule meeting on how to develop a customized immigration compliance program or for I-9 audit services please contact Sanford Posner at posner@elarbeethompson.com.