



## Employers Required to use New I-9 Form Effective April 2, 2009

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Employers are required to use a new Employment Eligibility Verification form (I-9 Form) to verify an employee's identity and authorization to work in the United States. The new rule, which significantly changes the I-9 Form, was issued by the U.S. Citizenship and Immigration Services (USCIS) and takes effect April 2, 2009.

The USCIS requires employers to verify a new employee's identity and authorization to work in the United States for any employee who was hired after November 6, 1986. The new employee must present original documents of his or her choice from a list on the I-9 Form that establishes the employee's identity and work authorization. The USCIS audits employers' I-9 Forms and any deviation or noncompliance from such requirements in the I-9 Form could lead to fines, enforcement actions, or, even, raids.

The new I-9 Form must be completed for all new hire employees and for reverification of certain employees with temporary work authorization.

One of the significant changes to the I-9 Form is that employers may no longer accept expired documents in the employment verification process. For example, employers may not accept an expired US Passport and certain expired ID documents (known as "B" documents on the I-9 Form). Social Security cards, which do not have expiration dates, will remain valid forms of verification. The new rule also precludes the use of a temporary resident card and employment authorization card (known as "A" documents on the I-9 Form). These documents will not be acceptable, as the USCIS no longer issues such documents and any outstanding issued documents have since expired.

The USCIS will be updating its *Handbook for Employers, Instructions for Completing the Form I-9* to reflect the new rule changes and new I-9 Form. The Handbook and the new I-9 Form are available on the USCIS website at [www.uscis.gov](http://www.uscis.gov).

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