

ALERTS

Immigration Update

03.11.2013

USCIS Releases New I-9 Form, Prior Versions CANNOT Be Used After May 7th

USCIS has just released a new Form I-9, Employment Eligibility Verification, dated 3/8/13. The new I-9 form has several significant changes. It is now two pages, and includes new fields for the employee's passport information, telephone number and email address. The form also has revised instructions and space for a 3D bar code for scanning. All US employers must use the new I-9 form for anyone hired to work in the U.S. after 5/7/2013. Any I-9's completed after this date on a prior version of the I-9 form will be treated by ICE in an I-9 audit as substantively non-compliant. Any re-verification completed in Section 3 after 5/7/13 for any current employees will need Section 3 to be completed on the new version of the I-9 form and stapled to the original I-9 completed on a prior version to be compliant. Electronic I-9 users have until 5/7/13 to update their electronic forms to comply with the new version. The Spanish language version of the form can only be used in Puerto Rico and any previous editions in Spanish cannot be used in Puerto Rico after May 7th. Note: the requirement to use the new I-9 form by May 7th applies only to new hires and employee's whose temporary work authorization is subject to re-verification. Employers do NOT need to complete a new I-9 on the new version of the form for other existing employees. If you have any questions regarding the new I-9 form, I-9 compliance or audit assistance, please contact a member of the Immigration team.