

Legal Alert

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NEW I-9 FORM REQUIRED SEPTEMBER 18, 2017

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The U.S. Citizenship and Immigration Services has made some minor changes to Form I-9. For all employees hired after September 17, 2017, it will be mandatory that the new I-9 form be used.

What is an I-9 form? As we trust you are aware, employers must complete a Form I-9 for each employee hired on the date they begin work. That form must be maintained for at least three years after the date of hire, or one year after the employee's employment ends, whichever is later. The Department of Homeland Security conducts audits of Forms I-9 and employers can find themselves liable for civil fines for failure to properly complete or retain Forms I-9 for their employees.

Because immigration enforcement has become a priority item for the White House, it is critically important that you make sure that you are completing Form I-9 properly and that the new form is being used.

The changes to the new Form I-9 are relatively minor. Some of the wording has changed, but not materially. The major change has to do with certain birth records that can be utilized to satisfy the documentation requirements of List C on the I-9. Most employers in Arizona will never see these documents as they involve items such as a Consular Report of Birth Abroad (Form FS-240).

So, the bottom line is you must continue to properly fill out the I-9 form using the new form, preferably on the day the person first starts to work, and continue to maintain those forms for the necessary period of time.

If you have any questions regarding I-9 compliance issues, or you would like for your HR staff to receive training in the proper preparation of Forms I-9, please contact Rick Mahrle.