

WHAT IS AN I-9?

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We all know that I-9s are a required part of the hiring process, but do we truly know why we need them and if we are completing them correctly? In 1986, Congress reformed immigration laws. All new employees hired after November 1, 1986 need a completed I-9 on file. Not having I-9s properly completed and filed can cause your company to incur penalties, which could include civil fines, criminal penalties and debarment from government contracts. An I-9 is a Form used to verify the identity of individuals hired for employment in the United States. Both the employee and employer must complete this Form. The employee must present acceptable documents to the employer to verify identity and the employer must ensure that these documents appear to be valid. So how can we make sure that we are completing these correctly and following the rules to prevent penalties? The list below will help you make sure your I-9 process is solid.

- Newly hired employees must complete and sign section 1 of the I-9 Form on their first day and no later.
- Employees have only three days to provide their employer with acceptable identification. If the employee cannot provide these documents within three days, they can no longer work for you and should be terminated.
- It is recommended to keep all I-9s together in one place, not separately in personnel files.
- Expired documentation cannot be accepted.
- Employers cannot tell an employee what documentation they will accept. Employees can choose what documentation they will provide from the list of acceptable documents provided within the I-9 packet.
- Copies of documentation cannot be accepted for verification. The employer must review the actual document.
- Laminated social security cards can be accepted as long as it does not state on the card that it is "not valid if laminated". You may accept a social security card if it is not signed.
- If an employee has a name change you do not need to have them fill out a new I-9, however, you do need to make note of their name change in section 3.
- Copies of the identification documents do not need to be made if you do not participate in E-verify. If you do participate in E-verify you must make a copy of the documents to provide the required photograph.

Make sure that you complete an annual audit of your I-9s. Check them against an employee roster to make sure everyone is accounted for. Examine sections 1 and 2 to make sure they are properly



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completed. Changes made on section 1 must be made by the employee and they must include the date and employee's initials. Changes made within section 2 must be made by the employer and it also include the date and initials. Purge I-9s of employees who are no longer with the company per the current record retention requirements.



If you have questions about this or any other human resource issue, please contact your Account Manager or [Amanda Mueller](mailto:amueller@connerash.com) at (314) 205-2510 or via email at amueller@connerash.com.