

I-9 and E-Verify Compliance

This playbook provides employers with a guide to properly complete and maintain Form I-9 and use the E-Verify system for immigration compliance.

Step 1: **Obtain Form I-9**

Ensure you have the latest version of Form I-9 from the U.S. Citizenship and Immigration Services (USCIS) website.

Step 2: **Complete Section 1**

Have the employee fill out Section 1 of Form I-9 on their first day of employment (but not before accepting a job offer).

Step 3: **Verify Documents**

Physically examine one document from List A or a combination of one document from List B and one from List C that the employee presents to determine if they appear to be genuine and relate to the employee.

Step 4: **Complete Section 2**

Complete Section 2 of Form I-9 by recording the document information provided by the employee and by signing and dating the certification within three business days of the employee's first day of work.

Step 5: Maintain Records

Store completed Form I-9 securely in a manner that protects the privacy of the employee and allows for inspection by authorized government officers.

Step 6: Use E-Verify

If your company is enrolled, submit the necessary employee information from Form I-9 to E-Verify, usually within three days of the employee's first day of employment.

Step 7: Respond to TNC

In case of a Tentative Nonconfirmation (TNC) from E-Verify, promptly notify the employee and take the required steps to resolve it.

Step 8: Audit Forms

Conduct regular internal audits of I-9 forms to ensure accuracy and compliance.

Step 9: Reverify Employment

Reverify employee eligibility when required, for example, in case of the expiration of work authorization.

General Notes

Retaining I-9

Retain Form I-9 for three years after the date of hire or one year after the date of termination, whichever is later.

Electronic I-9

You may use an electronic I-9 system, but it must meet USCIS regulations and provide for a reliable audit trail.

Avoid Discrimination

Do not specify which documents you will accept from the lists. This could be considered unlawful discrimination.

Privacy Protection

Protect the privacy of the information employees provide on Form I-9 and any personal information obtained via E-Verify.

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