# 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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