

Labor & Employment Law Alert

April 3, 2009
Allison D. Balus, Editor

*Practical and preventive information for managing
your workplace*

Employers Must Use Revised Form I-9 Effective Today!

Effective today, employers are required to use a revised version of the Form I-9. It is important that you are using the correct Form I-9 for any new hires or re-verifications of current employees as of April 3, 2009.

To assist you, the following is a link to the new Form I-9 as posted on the U.S. Citizenship and Immigration Service: http://www.uscis.gov/files/form/I-9_IFR_02-02-09.pdf. In addition, the USCIS has prepared a new Handbook for Employers, designed to reflect the new rules applicable to Form I-9 compliance, which can be downloaded from the following link: http://www.uscis.gov/files/nativedocuments/m-274_3apr09.pdf.

Failure to use the current Form I-9 may result in administrative penalties and fines. Failure to comply with new regulations governing the Form and completion of the Form I-9 would have the same result.

As discussed in our December *Labor & Employment Law Update*, on December 17, 2008, The U.S. Department of Homeland Security published newly revised employment verification regulations and a proposed new Form I-9. DHS amended the regulations governing acceptable employment authorization documents and identification that employees

may present for the new Form I-9 as well as made a number of technical and Form changes. The new Form I-9 was originally set to be effective February 2, 2009. However, when the new President took office, the new Form and the new regulations driving the need for the new Form, were suspended by White House directive. Please note that the new Form expires on June 30, 2009. We will keep you posted if and when there is another Form.

While our December *Labor & Employment Law Update* article goes into greater detail about the new rules, one fairly significant change is that employers can no longer accept expired identification documents for employment verification. If you have any questions, please feel free to contact us.

Amy Erlbacher-Anderson

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