

## COMPLIANCE UPDATE: Revised Employment Eligibility Verification Form I-9 Available

### Payroll

U.S. Citizenship and Immigration Services (USCIS) has issued a long-awaited revision of Form I-9, *Employment Eligibility Verification*. This new form has grown from one page to two, while the instructions have expanded from four pages to seven. The form has a revision date of March 8, 2013, and an expiration date of March 31, 2016. [Click here](#) to obtain the updated form.

### Use of the revised form: 60-day transition period

In a notice published in the Federal Register, USCIS advises that although employers should begin using the new form right away, older forms with revision dates of Feb. 2, 2009 and Aug. 7, 2009 will be accepted until May 7, 2013. After that date, only the new form will be accepted

USCIS understands that some employers may need additional time to update their business processes to allow for use of the new form. Modifications to electronic systems may be particularly necessary for employers utilizing electronic I-9 forms. For these reasons, USCIS is providing employers 60 days to make necessary changes.

### Understanding the revised Form I-9

#### • Changes in Section 1:

-The instructions (in the heading) have been clarified to read: Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.

-The data field for Maiden Name has been replaced with: Other Names Used (if any).

-Data fields have been added for E-mail Address and Telephone Number, although these fields are optional.

-Below the checkbox for "aliens authorized to work," data fields have been added for Alien Registration Number/USCIS Number **OR** Form I-94 Admission Number.

-Data fields have been added for Foreign Passport Number and Country of Issuance (if applicable).

#### • Changes in Section 2:

-The instructions (in the heading) have been clarified to read: Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A **OR** examine a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, issuing authority, document number, and expiration date, if any.

- The revised instructions clarify that the person who examines the employee's documents must be the same person who signs Section 2 and that the examiner and the employee must both be physically present during the examination.

-The space for recording document information has been expanded and labels have been added to each information item.

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-The Certification heading no longer includes the parenthetical sentence: State employment agencies may omit the date the employee began employment.

- **Changes in Section 3:**

- The signature line now includes a space to Print Name of Employer or Authorized Representative.

**The revised Lists of Acceptable Documents**

- The following note has been added above the lists, which are essentially unchanged: Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

- In List A, Item 5 has been reformatted and punctuated for clarity: For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) the same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.

- In List C, Item 1 has been revised to include enumerated restrictions: A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION.

*If you would like to further discuss this with one of PROXUS' payroll experts to ensure your company's compliance to avoid big penalties using the revised Form I-9, please contact PROXUS Principal **John Israel** at **215-654-9140, ext. 110** or [jisrael@proxushr.com](mailto:jisrael@proxushr.com).*

**Source:** American Payroll Association, 2013

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