

Fredrikson



I-9 FAST FACTS

Form I-9 Employment Eligibility Verification

The Immigration Reform and Control Act of 1986 (IRCA) requires all employers to confirm the identity and employment eligibility of any employee hired in the United States after November 6, 1986. To comply with the law, employers must complete and retain a Form I-9, Employment Eligibility Verification, for each new hire. The Department of Homeland Security (DHS) can request copies of I-9 forms from employers via a subpoena or the issuance of a Notice of Inspection. In carrying out their I-9 obligations, employers must refrain from engaging in any activities which violate any anti-discrimination laws.

I-9 Completion tips

Employers can access the most current version of the Form I-9 at: www.uscis.gov/i-9

An employer should not begin the I-9 process until an employment offer has been made and the offer has been accepted.

I-9 Do's

- Establish a company-wide written I-9 policy addressing I-9 procedures, SSA no-match letter follow-up procedures, I-9 audits, and re-verification procedures
- Appoint an I-9 administrator (or I-9 administrators) for the company
- Have a third-party with I-9 audit expertise conduct a annual audit of the company's I-9s
- Maintain I-9 files separately from hiring and personnel files
- Maintain a consistent policy as to whether the company will or will not make photocopies of original I-9 supporting documents
- Conduct annual I-9 trainings for employees involved with the I-9 process
- Consider the pros and cons of registering with E-Verify if the company is not already required to register under state law or as a federal contractor/subcontractor
- Establish an I-9 audit response plan to ensure responsible personnel know what to do and who to call if there is a government investigation

I-9 Don'ts

- Don't assume your I-9s are perfect
- Don't complete Section 1 on behalf of employee by pre-populating the employee's data in Section 1
- Don't make specific requests for certain documents from employees to complete the I-9
- Don't use the Social Security Number Verification Service to verify I-9 information
- Don't require or accept more documents than are required for the I-9 process. Employers can be fined for document abuse or I-9 over-documentation
- Don't use white-out to correct I-9 errors. Corrections should be visible. Each correction must be dated and signed or initialed in red ink
- Don't be inconsistent in the use of E-Verify for employees if you are an E-Verify employer

Section 1. Employee information and attestation

A. To be completed only by the employee unless assisted by a preparer or translator.

B. Must be completed and dated no later than the first day of employment, and no earlier than the acceptance of job offer.

C. The online Smart I-9 provides helper text, for each question on the I-9.


D. Optional unless the employer is an E-verify participant.

E. Some fields may be left blank if not applicable and required. Employees should be allowed to leave fields blank in Section 1 where appropriate.

F. Entry required if Lawful Permanent Resident ("Green Card" holder).

G. Employment eligibility must be re-verified on or before expiration date. Must also complete A-Number, I-94 Admission Number, or Foreign Passport Number/Country of Issuance.

H. The Employer must ensure that Section 1 is completed correctly and on time (on or before first day of employment).



Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 07/31/2026

START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the [Instructions](#).

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in **Section 1**, or specify which acceptable documentation employees must present for **Section 2** or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: 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.

Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number (if any)	City or Town		State, ZIP Code
Date of Birth (mm/dd/yyyy)	Social Security Number	Employee's Email Address			Employee's Telephone Number	

I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.

Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):

1. A citizen of the United States

2. A noncitizen national of the United States (See Instructions.)

3. A lawful permanent resident (Enter USCIS or A-Number.)

4. A noncitizen (other than members 2. and 3. above) authorized to work until (exp. date, if any)

If you check **Item Number 4.**, enter one of these:

USCIS A-Number OR Form I-94 Admission Number OR Foreign Passport Number and Country of Issuance

Signature of Employee Today's Date (mm/dd/yyyy)

If a preparer and/or translator assisted you in completing Section 1, that person **MUST** complete the [Preparer and/or Translator Certification](#) on Page 3.

Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

List A	List B	List C
Document Title 1		
Issuing Authority		
Document Number (if any)		
Expiration Date (if any)		
Document Title 2 (if any)	Additional Information	
Issuing Authority		
Document Number (if any)		
Expiration Date (if any)		
Document Title 3 (if any)		
Issuing Authority		
Document Number (if any)		
Expiration Date (if any)		

Check here if you used an alternative procedure authorized by DHS to examine documents.

Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.

Last Name, First Name and Title of Employer or Authorized Representative Signature of Employer or Authorized Representative Today's Date (mm/dd/yyyy)

Employer's Business or Organization Name Employer's Business or Organization Address, City or Town, State, ZIP Code

For reverification or rehire, complete [Supplement B, Reverification and Rehire](#) on Page 4.

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Section 2. Employer or authorized representative must meet in person with employee to verify identity and employment authorization

I. Employer must complete. If using the online Form I-9, this section will automatically populate once the employee completes Section 1 and clicks "finish."

J. Employer should provide the employee with a copy of the List of Acceptable Documents but should not specify the documents to present. The fillable electronic I-9 will provide drop down menus with guidance regarding the List of Acceptable Documents.

K. To be completed by employer or its designated representative.

L. First day of employment must be entered.

M. Must be signed no later than 3 business days after the first day of employment.

N. Employer may use this space as needed for additional information relating to employment authorization, termination and/or retention date, and check the box if using the alternative inspection procedure authorized for E-Verify users For additional information regarding remote examination: www.uscis.gov/i-9-central/remote-examination-of-documents



**Supplement A,
Preparer and/or Translator Certification for Section 1**

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
Supplement A
OMB No. 1615-0047
Expires 07/31/2026



Last Name (Family Name) from Section 1.	First Name (Given Name) from Section 1.	Middle initial (if any) from Section 1.
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Instructions: This supplement must be completed by any preparer and/or translator who assists an employee in completing Section 1 of Form I-9. The preparer and/or translator must enter the employee's name in the spaces provided above. Each preparer or translator must complete, sign, and date a separate certification area. Employers must retain completed supplement sheets with the employee's completed Form I-9.

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator		Date (mm/dd/yyyy)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	
Address (Street Number and Name)	City or Town	State	ZIP Code

**SUPPLEMENT
A. Preparer and/
or Translator
Certification for
Section 1**

O. Must be completed when a preparer and/or translator assists an employee in completing Section 1. This Supplement is not required unless a preparer/translator assists.

**SUPPLEMENT B.
Reverification and
Rehire (formerly
Section 3)**

P. Employer must complete upon rehire if within the I-9 retention period, employment authorization re-verification, and/or name change. This Supplement is required only if relevant.

Q. Reverification must be completed prior to the expiration date in Section 1 or expiration of employment eligibility in Section 2, whichever is earlier.



**Supplement B,
Reverification and Rehire (formerly Section 3)**

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
Supplement B
OMB No. 1615-0047
Expires 07/31/2026



Last Name (Family Name) from Section 1.	First Name (Given Name) from Section 1.	Middle initial (if any) from Section 1.
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Instructions: This supplement replaces Section 3 on the previous version of Form I-9. Only use this page if your employee requires reverification, is rehired within three years of the date the original Form I-9 was completed, or provides proof of a legal name change. Enter the employee's name in the fields above. Use a new section for each reverification or rehire. Review the Form I-9 instructions before completing this page. Keep this page as part of the employee's Form I-9 record. Additional guidance can be found in the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#)

Date of Rehire (if applicable)	New Name (if applicable)		
Date (mm/dd/yyyy)	Last Name (Family Name)	First Name (Given Name)	Middle Initial

Reverification: If the employee requires reverification, your employee can choose to present any acceptable List A or List C documentation to show continued employment authorization. Enter the document information in the spaces below.

Document Title	Document Number (if any)	Expiration Date (if any) (mm/dd/yyyy)
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I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented documentation, the documentation I examined appears to be genuine and to relate to the individual who presented it.

Name of Employer or Authorized Representative	Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)
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Additional Information (Initial and date each notation.) Check here if you used an alternative procedure authorized by DHS to examine documents.

! Employers must continue to print out and sign Form I-9 even if completed electronically. The exception is if the employer is using an electronic I-9 software program that meets regulatory requirements for electronic I-9 software programs and which includes electronic signature capability.

! The employer or its representative must view the original documents in the physical presence of the employee unless relying on the alternative procedures for virtual inspection as an E-Verify user in good standing.

I-9 Resources

www.uscis.gov/i-9-central

www.e-verify.gov/

Handbook for Employers M-274

Best Practices for I-9 Employment Eligibility Verification Compliance

In order to establish an effective I-9 compliance program, companies must take into consideration their culture, resources, and needs. While there is no “one size fits all” strategy, an effective I-9 compliance program should include at minimum the following:

- 1. Integration of I-9 policy with the overall personnel policy, materials and applications.**
- 2. An overall I-9 compliance administrator.**

An I-9 compliance administrator should be designated for the company. This person should be charged with centralized oversight, management, and training regarding the I-9 compliance program. The goal is to create a uniform culture of I-9 compliance throughout the company.
- 3. Guidance on I-9 procedures and clarification to all company employees who have hiring authority or are part of the hiring process concerning:**
 - a. When verification and reverification must be completed;
 - b. What questions may be lawfully asked prior to the actual offer of employment, and
 - c. To whom employees should be referred for guidance and assistance on I-9 verification procedures.
- 4. Guidance on I-9 verification for employees charged with the implementation of I-9 procedures.**
- 5. Clear instructions for internal I-9 audits.**

To ensure compliance and mitigate damages, the company should have legal counsel conduct annual I-9 audits or, at minimum, an initial audit of all existing I-9s. An audit of the company’s I-9s will allow the company to determine errors and violations being committed to determine the areas of training needed for company personnel.

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