

Publications

Immigration Alert: New Version of Form I-9 Available – Use of New Version Becomes Mandatory Starting May 1, 2020

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The U.S. Citizenship and Immigration Services (USCIS) released a new version of Form I-9, Employment Eligibility Verification. The new version is dated 10/21/2019 and is now available on the USCIS website in paper form and in an electronic, fillable form. USCIS recommends that employers start using the new form now, but the previous version dated 07/17/2017 may also be used through April 30, 2020. **Starting May 1, 2020, all U.S. employers and new hires must use the new version of the form.**

Other than the edition date, no changes were made to the paper version of the new Form I-9. The electronic, fillable Form I-9 adds two new countries to the Country of Issuance field and foreign passport issuing authority field. Notable changes to the instructions for completing the form include clarification as to who may act as an authorized representative for the employer and clarification regarding acceptable documents. The List of Acceptable Documents remains unchanged.

The Form I-9 is used to verify the employee's identity and work authorization in the U.S. The obligations of both employers and new hires pertaining to the completion of the Form I-9 remain the same. All employers are required to ensure their new hires properly complete Section 1 of the I-9 on or before their first day of employment, and employers (or their authorized representatives) are required to complete Section 2 within three days of the hire date. Employers must retain the completed forms for a designated period and make them available for inspection when requested to do so by the authorities. Employers may be subject to civil and criminal penalties if they fail to ensure proper completion and retention of the Form I-9.

If you have any questions regarding the new version of the Form I-9, we encourage you to contact your Vorys attorney.