

The New Form I-9

A detailed guide to
what may be the most
intimidating 2-page
employment document.

Updated: August 23, 2017

Introduction

The United States Citizenship and Immigration Services (USCIS) released a new Form I-9 on July 17.

Employers are able to use this revised version immediately, but may continue using the Form I-9 with a revision date of 11/14/16 through September 17, 2017.

Beginning September 18, employers must use the revised form with a revision date of 07/17/17 for all new employees.

Section 1

Filing and
retention

Section 2

Completing
the new I-9 – the
employee's responsibility

Section 3

Completing
the new I-9 – the
employer's responsibility

Section 4

Commonly asked
questions

HOW TO FILE

3 Keys to properly filing and storing your I-9s

1

KEEP THEM IN A
SEPARATE MASTER
FILE OR 3-RING
BINDER

I-9 files are subject to unique record retention laws. A separate file will help ensure that you retain these forms for as long as necessary and that you can readily discard them after the retention period expires.

2

REMOVE THE I-9
UPON TERMINATION

Removing an employee's I-9 from the master folder or binder on an employee's termination date, and storing it in a separate "terminated employee's" I-9 file until the appropriate destroy date, will help you stay organized.

3

RETAIN
SEPARATELY FROM
OTHER EMPLOYEE
INFORMATION

In the event of an audit, it's imperative that these documents are removed from all other identifying & confidential employee information before review, i.e., separate from an employee's personnel file.

Regardless of where an employer stores the I-9s, the law requires that the forms are made available upon request by authorized government officers with as little as 3 days' notice.



HOW LONG TO KEEP I-9s

Let's pause for some math!

Knowing how long to store I-9s comes down to a few different factors. Essentially, they must be retained for as long as the employee is working for you, so for their full length of employment.

Then, after an employee has separated employment, the form must be stored for 3 years after the date of hire, or 1 year after termination, **whichever date is later**.

I-9 RETENTION QUICK GUIDE

Employee's Start Date + three years = date A

Employee's Termination Date + one year = date B

Store their form I-9 until the later of the two dates

I-9 FORM: NEW VS. OLD

All U.S. employers must ensure proper completion of an I-9 for each individual that they hire for employment. This includes a form for citizen and noncitizen employees alike, and both **employees** and **employers** must complete sections of the form.

As of January 22, 2017 to September 18, 2017, employers must use the new version of the form. You can tell the versions apart by looking at the date in the bottom left-hand corner of the form.

OLD FORM. CAN BE USED UNTIL JANUARY 22, 2017.

Signature of Preparer or Translator:
Last Name (Family Name)
Address (Street Number and Name)
Form I-9 11/14/2016 N

NEW FORM. USE AFTER September 18, 2017.

Signature of Preparer or Translator:
Last Name (Family Name)
Address (Street Number and Name)
Form I-9 07/17/17 N

IMPORTANT: the new form will be used for newly hired employees moving forward. There is no need to ask your current employees to complete another form. In fact, doing so is prohibited by the US Citizenship and Immigration Services (USCIS).



GET THE FORM: uscis.gov

THE NEW I-9 “SMART” FORM

According to the USCIS, the changes to the new I-9 are intended to create a “smart” version of the form. The goal is to reduce technical errors and make the form easier to complete on a computer.

The fillable PDF includes drop-down menus for various fields, on-screen instructions, calendar fields, and error messages for incomplete information.

However, this “smart” form should not be confused with an electronic I-9 as defined by USCIS — meaning one that is completed and stored via a fully electronic system. The latter form must comply with specific USCIS criteria to be certain of the integrity of the electronic system.

Even with the new “smart” form, an employer must still print the completed I-9, obtain the proper signatures, monitor completed forms for reverification, and retain the I-9s for the appropriate period.



COMPLETING THE FORM

SECTION 1: EMPLOYEE'S RESPONSIBILITY

Both the employer and employee have responsibilities on the I-9. The following section focuses on the fields the employee is required to complete.



COMPLETING THE FORM: EMPLOYEE

SECTION 1: EMPLOYEE'S RESPONSIBILITY — PERSONAL INFORMATION



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 08/31/2019

Instructions
Start Over
Print

► **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

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 ?	Other Last Names Used (if any) ?	
Address (Street Number and Name) ?			Apt. Number ?	City or Town ?		State ? ▼
Date of Birth (mm/dd/yyyy) ?	U.S. Social Security Number ?	Employee's E-mail Address ?			Employee's Telephone Number ?	

Name and Address

The employee must begin by entering the following:

- » Full, legal name, including other last names used such as a maiden name
- » Home address
- » Date of birth

The “other last names used” field used to require **all** previous names, but now focuses only on legal **last name** changes.

Email and Phone

Email and phone number are both optional in this section of the form. However, **employees must enter N/A into any field left blank.** Previously this was recommended, but not required.

SSN

Providing a social security number is voluntary for all employees, unless you’re an employer participating in the USCIS E-Verify program. An employer may not ask an employee to provide them with a specific document for the I-9 with the employee’s social security number on it. Doing so may constitute unlawful discrimination.

COMPLETING THE FORM: EMPLOYEE

SECTION 1: EMPLOYEE'S RESPONSIBILITY — CITIZENSHIP STATUS

I attest, under penalty of perjury, that I am (check one of the following boxes):

<input type="checkbox"/> 1. A citizen of the United States [?]	
<input type="checkbox"/> 2. A noncitizen national of the United States <i>(See instructions)</i> [?]	
<input type="checkbox"/> 3. A lawful permanent resident [?] (Alien Registration Number/USCIS Number): [?] _____	
<input type="checkbox"/> 4. An alien authorized to work [?] until (expiration date, if applicable, mm/dd/yyyy): [?] _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i> <i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9: An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i> 1. Alien Registration Number/USCIS Number: [?] _____ OR 2. Form I-94 Admission Number: [?] _____ OR 3. Foreign Passport Number: [?] _____ Country of Issuance: [?] _____	QR Code - Section 1 Do Not Write In This Space

Signature of Employee [?]	Today's Date (mm/dd/yyyy) [?]
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Citizenship Status

In the middle of Section 1, employees must identify themselves as: a citizen; a noncitizen; a lawful permanent resident; or an alien authorized to work on a temporary work visa.

If this last option is the case, the employee must enter the date their employment authorization expires followed by either the USCIS number, Form I-94 admission number, or Foreign passport number that accompanies their visa and entrance paperwork. Each of these statuses has a corresponding digit — 1 through 4 — which will be used in Section 2 of the form.

Signature and Date

The fields for an employee's signature and date cannot be pre-populated, and thus must be added after printing the form. The accurate date on this signature line is the date the employee completes Section 1.

This section may be completed any time after the job offer was made, or on the start date. An employee can complete this form before the start date, so long as an employment offer has been made.

COMPLETING THE FORM: EMPLOYEE

SECTION 1: EMPLOYEE'S RESPONSIBILITY — PREPARER/TRANSLATOR

Preparer and/or Translator Certification (check one): ?

☐ I did not use a preparer or translator. ☐ A preparer(s) and/or translator(s) assisted the employee in completing Section 1.
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

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.

NEW: The employee must check one of these boxes.

Last Name (Family Name) ? First Name (Given Name) ? Today's Date (mm/dd/yyyy) ?

Address (Street Number and Name) ? City or Town ? State ? ZIP Code ?

Click to Finish

STOP! Employer Completes Next Page STOP!

Preparer and/or Translator Certification

The bottom of Section 1 includes a Preparer or Translator block. If the employee cannot complete Section 1 without assistance, for instance if the employee is a minor and their parent helps, or if an employee needs the form translated, someone may assist.

This person must read the form to the employee, assist with completion of Section 1 and have the employee sign or mark the form in the appropriate places. Then, the preparer or translator must complete the final block of this section of the I-9.

Click to Finish

If completed on the computer, the employee will then select the “click to finish” icon at the bottom of the page, at which time the “smart” form will check to ensure that each field in Section 1 is complete.

Incomplete areas will be highlighted for the employee to review and update accordingly.

If completed via a paper version, the employer is responsible for reviewing and ensuring that all employees fully and properly complete Section 1 of the form.

COMPLETING THE FORM: EMPLOYER

SECTION 2: EMPLOYER'S RESPONSIBILITY

Both the employer and employee have responsibilities on the I-9. For the employer's section, it must be completed by the employer or an employer representative, such as a designated personnel officer, or anyone else acting on the employer's behalf.

However, having an employer representative complete the form includes some risk, as the employer is still liable for any violations in connection with the form or the verification process. Utilizing a non-employee representative requires ample training — and trust on the employer's part.

It's very important to note that the same person who reviews and validates the documents provided by an employee for completion of Section 2, must fully

complete that section (the employer's section that includes dates and the employer's signature). This is something that is frequently done incorrectly.

For example, it is not permissible for a manager to review a newly hired employee's documents, while HR completes Section 2. The same person must complete both responsibilities.

Using a notary public

If needed, a notary public may act as an authorized representative of the company; however, some notaries cannot and will not sign Section 2 due to notary regulations. Whether or not a notary is used, no section of the I-9 requires official notarization.



COMPLETING THE FORM: EMPLOYER


SECTION 2: EMPLOYER'S RESPONSIBILITY — **IMPORTANT: This section must be completed within 3 business days of the employee's first day of employment**

Employee Information / Citizen Immigration Status

At the top of this section, you must begin by entering the employee's last name, first name and middle initial from Section 1. (This will pre-populate if using the online version).

Then, there's the new "Citizenship/Immigration Status" field. The response in this field is a digit from 1 to 4, which correlates to the number of the citizenship or immigration status checkbox the employee selected back in Section 1.

When completing the form on the computer, this field will pre-populate itself. And additionally, once this field is pre-populated, the Document Title drop-downs that follow will be directly related to the employee's selected citizenship or immigration status.



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 08/31/2019

[Instructions](#) [Start Over](#) [Print](#)

Section 2. Employer or Authorized Representative Review and Verification
(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 a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1 ?	Last Name (Family Name) ?	First Name (Given Name) ?	M.I. ?	Citizenship/Immigration Status ?
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List A

Identity and Employment Authorization

Document Title ?
Issuing Authority ?
Document Number ?
Expiration Date (if any) (mm/dd/yyyy) ?
Document Title ?

OR

List B

Identity

Document Title ?
Issuing Authority ?
Document Number ?
Expiration Date (if any) (mm/dd/yyyy) ?

AND

List C

Employment Authorization

Document Title ?
Issuing Authority ?
Document Number ?
Expiration Date (if any) (mm/dd/yyyy) ?

N/A

U.S. Passport

U.S. Passport Card

Perm. Resident Card (Form I-551)

Alien Reg. Receipt Card (Form I-551)

Foreign Passport with Temp. I-551 Stamp

Foreign Passport with Temp. I-551 MRIV

Employment Auth. Document (Form I-766)

COMPLETING THE FORM: EMPLOYER

SECTION 2: EMPLOYER'S RESPONSIBILITY — EXAMINING THE EMPLOYEE DOCUMENTS

Checking the Documents

Employers must physically examine the employee's documents, in the presence of the employee, and identify each in the appropriate columns. Keep in mind that an employer may not include more or fewer documents than required for completion of this form. *(Please see the list of acceptable documents on the next page.)*

Even if you collect photocopies of documents, which is optional, each document must also be entered into Section 2. Copying documents and stapling them with the I-9 does not negate the requirement to fully complete this form.

Photocopies

Unless participating in the E-Verify program, **employers are not required** to photocopy or scan documents for retention, and doing so is voluntary.

NOTE: If you wish to make photocopies of documents other than those used for E-Verify, you must do so for all employees, regardless of national origin or citizenship, and you must be consistent with this decision. In addition, these photocopies must be stapled to the I-9 and may not be used for any other purpose.

Instructions		Start Over		Print	
		Employment Eligibility Verification Department of Homeland Security U.S. Citizenship and Immigration Services		USCIS Form I-9 OMB No. 1615-0047 Expires 08/31/2019	
Section 2. Employer or Authorized Representative Review and Verification <i>(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 a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")</i>					
Employee Info from Section 1		Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
List A Identity and Employment Authorization		OR List B Identity		AND List C Employment Authorization	
Document Title		Document Title		Document Title	
Issuing Authority		Issuing Authority		Issuing Authority	
Document Number		Document Number		Document Number	
Expiration Date (if any) (mm/dd/yyyy)		Expiration Date (if any) (mm/dd/yyyy)		Expiration Date (if any) (mm/dd/yyyy)	
Document Title					

LIST OF ACCEPTABLE ID DOCUMENTS

EMPLOYEE MUST SHOW ONE FROM LIST A – OR ONE EACH FROM LIST B + LIST C

List A

Documents that Establish Both Identity and Employment Authorization

1. U.S. Passport
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa
4. Employment Authorization Document that contains a photograph (Form I-766)
5. 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:
 01. The same name as the passport; and
 02. 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.
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI

List B

Documents that Establish Identity

1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address
2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address
3. School ID card with a photograph
4. Voter's Registration Card
5. U.S. Military card or draft record
6. Military Dependent's ID Card
7. U.S. Coast Guard Merchant Mariner Card
8. Native American Tribal Document
9. Driver's license issued by a Canadian government authority

For persons under 18 who are unable to present a document listed above

1. School record or report card
2. Clinic, doctor, or hospital record
3. Day-care or nursery school record

List C

Documents that Establish Employment Authorization

1. A Social Security Account Number card, unless the card includes one of the following restrictions:
 01. NOT VALID FOR EMPLOYMENT
 02. VALID FOR WORK ONLY WITH INS AUTHORIZATION
 03. VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
4. Native American tribal document
5. U.S. Citizen ID Card (Form I-197)
6. Identification Card for Use of Resident Citizen in the United States (Form I-179)
7. Employment authorization document issued by the Department of Homeland Security

COMPLETING THE FORM: EMPLOYER

SECTION 2: EMPLOYER'S RESPONSIBILITY — ACCEPTABLE EMPLOYEE DOCUMENTS

Document Combinations

When it comes to proof of ID, employees must produce:

- » One document from List A on the previous page; or
- » One document from List B along with one document from List C.

Employers may not specify which document and employee provides for the I-9. Instead, provide each employee with the List of Acceptable Documents in order to accurately complete the form.

All documents presented must be unexpired. Photocopies of documents *are not* acceptable. However, a certified copy of a birth certificate is allowed.

The 3-Day Requirement

As mentioned above, all documents presented must be unexpired. And the employee must present them within 3 business days of the hire date.

To remain in compliance with the time requirements, consider informing employees that these documents are required on the first day of work as part of the offer letter or pre-employment packet.

If an employee forgets the document(s) on day 1, an employer may allow the employee to work for up to 3 business days, while making sure that the “due date” for the missing documents is clear.

If an employee hasn't provided the necessary documents after 3 days, we recommend suspending the employee from work until the proper documents are produced, and placing a timeframe on the suspension. For example, allow the employee 10 days to produce the required documents. After that, the position could be reopened based on the employee's inability to meet the employment verification requirements.

The “Receipt Rule”

There is an exception to the 3-Day Requirement, called the “Receipt Rule.”

If an employee is unable to present the required documents within 3 business days of the date work began, they must present an acceptable receipt within that time in lieu of the required document.

If the employee is unable to present the required documents within 3 business days of the date work began, they must present an acceptable receipt within that time in lieu of the required document. This rule is designed to cover situations in which an employee is authorized to work at the time of initial hire, but they're not in possession of a document on the acceptable documents list.

COMPLETING THE FORM: EMPLOYER

SECTION 2: EMPLOYER'S RESPONSIBILITY — CERTIFICATION

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear 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.

The employee's first day of employment (mm/dd/yyyy): _____ (See instructions for exemptions)

Signature of Employer or Authorized Representative ?	Today's Date (mm/dd/yyyy) ?	Title of Employer or Authorized Representative ?
Last Name of Employer or Authorized Representative ?	First Name of Employer or Authorized Representative ?	Employer's Business or Organization Name ?
Employer's Business or Organization Address (Street Number and Name) ?	City or Town ?	State ? ZIP Code ?

Click to Finish

Checking the Dates

The dates in this section are very important, so pay close attention to them.

The employee's first day of employment

This is the date of hire, or the exact date that an employee began employment for wages. This date must match the payroll and timekeeping records.

Today's date

This is simply the date that you examined the documentss your employee presented and completed the employer's section, and this date must be within 3 business days of the date employment begins.

Fill in the rest of this section with your company name, position title, and company address.


Again, the form must be printed, at which time you'll add your signature and signature date, as these can't be entered via the computer fillable fields.

COMPLETING THE FORM: EMPLOYER

SECTION 3: EMPLOYER'S RESPONSIBILITY — REVERIFICATION AND REHIRES

This section continues to serve a few purposes, most of which have to do with reverifying those granted temporary work authorization and rehiring a previous employee.

Keep in mind the I-9 retention period calculation mentioned earlier. If you rehire an employee within 3 years of the date of the initial I-9, you can either complete a new I-9, or you may be able to rely on the previously completed I-9 in certain circumstances. You'll want to further inspect this section and the original I-9 to determine how to proceed.



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Employee Name from Section 1:		Last Name (Family Name) ?	First Name (Given Name) ?	Middle Initial ?
Section 3. Reverification and Re hires <i>(To be completed and signed by employer or authorized representative.)</i>				
A. New Name (if applicable) ?			B. Date of Rehire (if applicable)	
Last Name (Family Name) ?	First Name (Given Name) ?	Middle Initial ?	Date (mm/dd/yyyy) ?	
C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.				
Document Title ?	Document Number ?	Expiration Date (if any) (mm/dd/yyyy) ?		
<p>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 document(s), the document(s) I have examined appear to be genuine and to relate to the individual.</p>				
Signature of Employer or Authorized Representative ?	Today's Date (mm/dd/yyyy) ?	Name of Employer or Authorized Representative ?		

Click to Finish

WHEN AN I-9 IS *NOT* REQUIRED

Non-employees including volunteers, unpaid interns, and independent contractors should not complete an I-9, as none of these workers (if properly classified) are employees.

Additionally, those hired before November 6, 1986, those hired for casual domestic work in a private home, and those who do not perform work on U.S. soil, do not need to complete an I-9.

Lastly, those providing labor to you, who are actually employed by a contractor providing contract services (e.g., employee leasing or temporary agencies), do not need to complete an I-9 with you; the I-9 should be done with their primary employer.



I-9 FREQUENTLY ASKED QUESTIONS

What should I do about I-9s for remote employees?

USCIS requires that all documents required on the I-9 must be viewed in their original format, meaning that fax or scan is not acceptable.

The original documents must be in-hand of a company representative and the one signing the I-9, and reviewed in the presence of the employee. So, here are a few options when it comes to remote employees:

1. Have the employee's manager fly to the location of the new employee and train them to complete the I-9 with new hire within three days of the individual beginning work. It is important that if someone else fills out the I-9 on your behalf, they must carry out full I-9 responsibilities, meaning completing all sections of the I-9.
2. Have the new hire fly to your location for onboarding/training within three days of beginning work.

If neither of these work, you can see if a non-employee notary public can act as a company representative to complete the form. Just keep in

mind with the information on page 11, and that some notaries cannot or will not sign Section 2 due to notary regulations, and failure to complete the entire form is not permissible. Remember though, no area of the I-9 requires notarization, so a notary is simply acting as an employer representative for completion of the I-9.

Can you leave the issuing authority in Section 2 blank for the Social Security Card?

No. The proper issuing authority is either the Social Security Administration or the U.S. Department of Health and Human Services, depending on the age of the card.

What is the proper issuing authority for a Birth Certificate?

A birth certificate will be issued by the U.S. Department of State or a local state, county, municipal authority, or outlying possession of the United States. Birth certificates vary depending on when and where they were issued, so review the document closely for the proper authority.

I-9 FREQUENTLY ASKED QUESTIONS

What are the penalties for not complying?

There are civil and criminal penalties for knowingly hiring or continuing to employ an unauthorized alien, for failing to comply with employment eligibility requirements and for misusing identity documents. There are also unlawful discrimination penalties for engaging in unfair immigration-related employment practices.

Failure to properly complete, retain and/or make an I-9 available for inspection may result in a civil penalty ranging from \$110 and \$1,100 for each violation. The Department of Homeland Security (DHS) will take the company size, any good faith effort made by the employer, the seriousness of the violation, and the history of previous violations into account when assessing the penalty.

However, the penalty can become financially burdensome in a hurry when multiplied by the number of current and previous employees. Even simple clerical errors can be costly.

It's important to note that "good faith" effort aside, technical errors will also be penalized. So, an I-9 that is 99% complete, but missing one line, is still subject to these penalties.

This is another reason why it's so important that anyone representing the company to complete the form is properly trained to do so, and another reason to utilize the new smart computer version to reduce errors.

Failure to properly complete, retain, and /or make an I-9 available for inspection may result in a civil penalty ranging from \$110 to \$1,100 for each violation.



I-9 FREQUENTLY ASKED QUESTIONS

Do we need to complete a new I-9 for current employees because a new version was released?

No. You should not complete a new I-9 for current employees who already have an I-9 on file. The new version only needs to be used moving forward for newly hired employees.

Do I need a new I-9 when an employee changes their name?

No. You do not need to complete a new I-9 when an employee changes their legal name. Additionally, an employer is not required to update an employee's I-9 after a legal name change, and an employee is not required to provide documentation to show that they have changed their name for the purpose of the I-9.

However, the US Citizenship and Immigration Services (USCIS) recommends maintaining correct information on I-9s. In order to update the employee's original I-9, enter their new legal name in Box A of Section 3, and then sign, date and print your name on the final line.

If an employee makes an error in Section 1 that I catch later, is it acceptable for me to correct it and initial/date?

No. If you determine that an employee made an error or omission in Section 1 of the form, you must ask the employee to correct the error/commission. When correcting Section 1, the employee should enter the missing information, initial and date the newly entered information, and attach a written explanation as to what happened. If the employee is terminated when the error is found, the employer should attach a written explanation about the error/omission to the employee's I-9.





Legal Disclaimer: This document is intended for informational purposes only, and does not constitute legal information or advice. This information is provided in consultation with federal and state statutes and does not encompass other regulations that may exist, such as local ordinances. If you are seeking legal advice, you are encouraged to consult an attorney.