



NEW FORM I-9, EMPLOYMENT ELIGIBILITY VERIFICATION

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After much anticipation, on November 14, 2016, the United States Citizenship and Immigration Services (USCIS) published a revised version of Form I-9, Employment Eligibility Verification. USCIS announced that effective January 22, 2017, employers must begin using only the revised Form I-9, dated November 14, 2016.

What is new? Substantively, not too much has changed. Most changes appear to focus on improving the accuracy and usability of Form I-9. USCIS outlined the following changes in a recent news release:

- Section 1 asks for “other last names used” rather than “other names used”
- Streamlines certification for certain foreign nationals
- Addition of prompts to ensure information is entered correctly
- Ability to enter multiple preparers and translators
- A dedicated area for including additional information rather than adding it in the margins
- A supplemental page for the preparer/translator
- Instructions have been separated from the form and include specific instructions for completing each field
- Includes drop-down lists and calendars for filling in dates
- On-screen instructions for each field
- Easy access to the full instructions
- An option to clear and start over
- When an employer prints the completed form, a quick response (QR) code is automatically generated, which can be read by most QR readers

Employers should also be aware that effective August 1, 2016, the Department of Justice, Department of Homeland Security, and Department of Labor announced higher penalties against employers who commit I-9 violations. The increased fines will apply to violations that took place after November 2, 2015. Given this significant increase, it is more important than ever that employers proceed prudently and ensure their practices comply with federal requirements.

Employers should also expect an update to the *Handbook for Employers* for additional guidance.

If you have any questions about this topic, please contact one of the listed Roetzel attorneys.

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