



U.S. Citizenship
and Immigration
Services



American Payroll Association
NY Metropolitan Chapter:
Form I-9, Employment Eligibility Verification

Presenter: Michelle Vivian, E-Verify Engagement

September 21, 2022

AGENDA

- ✓ Background
- ✓ Employment Verification
- ✓ Form I-9 Section 1
- ✓ Form I-9 Section 2
- ✓ Form I-9 Section 3
- ✓ Preventing Discrimination
- ✓ E-Verify Introduction
- ✓ Resources



BACKGROUND



Employment is often the magnet that attracts people to reside in the United States illegally.

Federal laws require that every employer in the U.S. must verify your employee's identity and employment authorization by completing Form I-9, Employment Eligibility Verification:

- ✓ [Immigration Reform and Control Act \(IRCA\)](#)
- ✓ [Immigrant and Nationality Act \(INA\)](#)
- ✓ [Immigration Act of 1990](#)
- ✓ [Illegal Immigration Reform and Immigrant Responsibility Act \(IIRIRA\) of 1996](#)

AUTHORIZED WORKERS

The purpose of employment eligibility verification is to remove the incentive of illegal immigration by requiring employers to hire only individuals who may legally work:

- ✓ U.S. citizens
- ✓ Noncitizen nationals
- ✓ Lawful permanent residents
- ✓ Noncitizens (aliens) authorized to work



“United States” includes: the 50 states, DC, Guam, Virgin Islands, Puerto Rico, and the commonwealth of the Northern Mariana Islands (CNMI)

EMPLOYMENT VERIFICATION

To comply with federal employment eligibility verification provisions, ALL employers must:

- ✓ Verify the identity of all new employees
- ✓ Verify the employment authorization of all new employees
- ✓ Complete and retain Form I-9 pursuant to retention rules
- ✓ Refrain from discriminating against individuals based on national origin, citizenship, or immigration status



FORM I-9, EMPLOYMENT ELIGIBILITY VERIFICATION

All U.S. employers must properly complete Form I-9 for each individual they hire for employment in the United States.

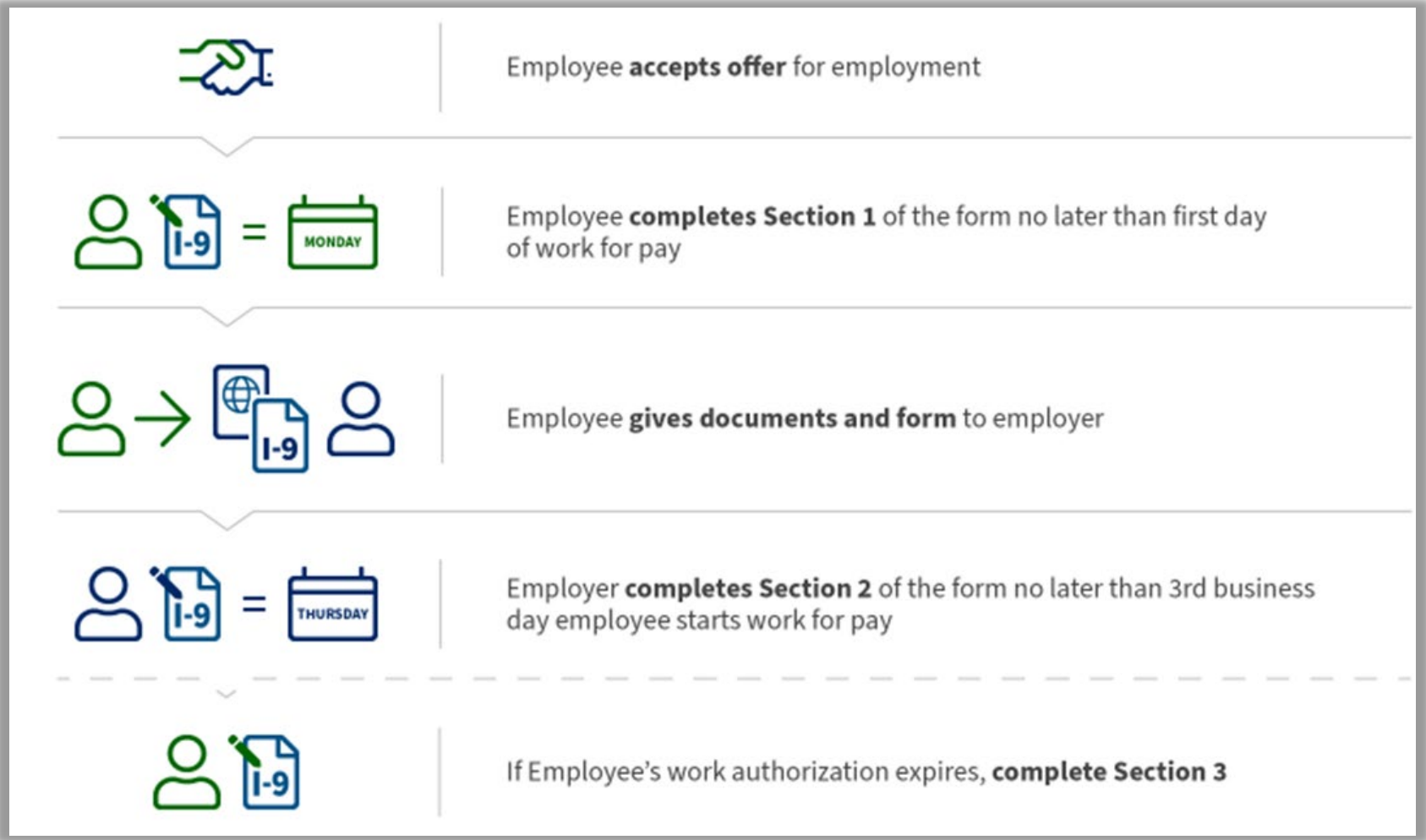
- ✓ Form I-9 is only completed after an offer of employment has been extended and accepted
- ✓ As of May 1, 2020, you can only use [Form I-9, Employment Eligibility Verification](#), with the 10/21/2019 revision date for all new hires and reverifications
- ✓ Provide new hires with the [Instructions for Form I-9](#) including the [Lists of Acceptable Documents](#)
- ✓ Form I-9 is available in English and Spanish
 - Only employers in Puerto Rico may use the [Spanish version](#) as their official Form I-9
 - Employees may use the Spanish version as a translation guide

FORM I-9 EXCEPTIONS

You are **NOT** required to complete Form I-9 for:

- ✓ Casual domestic service employees working in a private household when work is sporadic, irregular or intermittent
- ✓ Independent contractors for whom you do not set work hours or provide tools to do the job
- ✓ Employees working outside the United States
- ✓ Individuals hired before November 6, 1986

FORM I-9 TIMELINES



SECTION 1: EMPLOYEE INFORMATION AND ATTESTATION

Section 1 is completed by the **EMPLOYEE**:

- ✔ On or before their first day of work for pay
- ✔ Biographical Information:
 - Name
 - Address
 - Date of Birth
- ✔ Optional Fields:
 - Email Address
 - Telephone Number
- ✔ Social Security Number: Employees of E-Verify employers must provide their Social Security Number; Otherwise: N/A

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 | ZIP Code |
| Date of Birth (mm/dd/yyyy) | | U.S. Social Security Number | | Employee's E-mail Address | | Employee's Telephone Number | |

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.
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 (See instructions) |
| <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. (See instructions) |

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.

| | |
|---|---|
| 1. Alien Registration Number/USCIS Number: _____ OR 2. Form I-94 Admission Number: _____ OR 3. Foreign Passport Number: _____ Country of Issuance: _____ | OR Code - Section 1 Do Not Write in This Space |
|---|---|

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

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.

| | | | | | |
|-------------------------------------|--|---------------------------|--------------|-------|----------|
| Signature of Preparer or Translator | | Today's Date (mm/dd/yyyy) | | | |
| Last Name (Family Name) | | First Name (Given Name) | | | |
| Address (Street Number and Name) | | | City or Town | State | ZIP Code |

SECTION 1: EMPLOYEE INFORMATION AND ATTESTATION CONTINUED

Section 1 is completed by the **EMPLOYEE**:

- ✓ Attestation:
 - Citizen of the United States
 - Noncitizen National
 - Lawful Permanent Resident
 - Alien (Noncitizen) Authorized to Work
- ✓ Signature and Date
- ✓ Preparer or Translator
- ✓ Employee has three business days to present:
 - 1 List A document

OR

 - 1 List B document **AND** 1 List C document

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 ZIP Code |
| Date of Birth (mm/dd/yyyy) | U.S. Social Security Number | | Employee's E-mail Address | | Employee's Telephone Number | |

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.
I attest, under penalty of perjury, that I am (check one of the following boxes):

1. A citizen of the United States

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

3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____

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. (See instructions)

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.

1. Alien Registration Number/USCIS Number: _____
OR
2. Form I-94 Admission Number: _____
OR
3. Foreign Passport Number: _____
Country of Issuance: _____

OR Code - Section 1
Do Not Write in This Space

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

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.

| | | |
|-------------------------------------|--|-----------------------------|
| Signature of Preparer or Translator | | Today's Date (mm/dd/yyyy) |
| Last Name (Family Name) | | First Name (Given Name) |
| Address (Street Number and Name) | | City or Town State ZIP Code |


LISTS OF ACCEPTABLE DOCUMENTS

| LISTS OF ACCEPTABLE DOCUMENTS All documents must be UNEXPIRED | | |
|---|---|---|
| Employees may present one selection from List A or a combination of one selection from List B and one selection from List C. | | |
| LIST A Documents that Establish Both Identity and Employment Authorization | OR | LIST B Documents that Establish Identity AND LIST C Documents that Establish Employment Authorization |
| 1. U.S. Passport or U.S. Passport Card | OR | 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. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) | | 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. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa | | 3. School ID card with a photograph |
| 4. Employment Authorization Document that contains a photograph (Form I-766) | | 4. Voter's registration card |
| 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: (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. | | 5. U.S. Military card or draft record |
| | | 6. Military dependent's ID card |
| 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 | 7. U.S. Coast Guard Merchant Mariner Card | 2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240) |
| | 8. Native American tribal document | 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 |
| | 9. Driver's license issued by a Canadian government authority | 4. Native American tribal document |
| | For persons under age 18 who are unable to present a document listed above: | 5. U.S. Citizen ID Card (Form I-197) |
| | 10. School record or report card | 6. Identification Card for Use of Resident Citizen in the United States (Form I-179) |
| | 11. Clinic, doctor, or hospital record | 7. Employment authorization document issued by the Department of Homeland Security |
| | 12. Day-care or nursery school record | |


Examples of many of these documents appear in Part 13 of the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.

Employee may present either:

 **List A document** that establishes both identity and employment authorization

OR

 **List B document** that establishes identity (for E-Verify employers, List B document **must** include photo)

AND

 **List C document** that establishes employment authorization

You **cannot** specify which document(s) an employee will present from the list.

AUTHORIZED REPRESENTATIVE

You may designate, hire, or contract with any person you choose to complete, update or make corrections to Section 2 or 3 on your behalf. This person is known as an authorized representative.

- ✓ He or she must carry out full Form I-9 responsibilities
- ✓ Employees **CANNOT** act as authorized representatives for their own Form I-9
- ✓ You, the employer, are still liable for any violations
- ✓ Examples of Authorized Representatives:
 - Personnel officer
 - Foreman
 - Agent
 - Supervisor
 - Notary Public



SECTION 2: EXAMINING DOCUMENTS

Acceptable documents must be:

- ✓ Original (Photocopies are not permissible)*
- ✓ Unexpired
- ✓ Reasonably appear **GENUINE**
- ✓ Relate to the individual presenting it

* You may accept a certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States that bears an official seal.



**** RELEVANT LINK ****

[**Acceptable Document Examples**](#)

SECTION 2: RECEIPT RULE

You must accept a receipt indicating your employee has applied to replace any List A, B, or C document that was **lost, stolen** or **damaged**:

- ✓ The receipt must be issued by the originating agency
- ✓ Employee must present original replacement document or another acceptable document(s) within 90 days of the hire date
- ✓ Receipts are never acceptable if employment will last less than 3 business days
- ✓ E-Verify cases should be delayed until the replacement receipt is provided

**** RELEVANT LINK ****

[Section 4.3 \(Receipts\) of the M-274](#)

SECTION 2: PHOTOCOPYING DOCUMENTS

- ✓ If you choose to make copies of an employee's documents, **you must do so for ALL employees**
- ✓ Retain document copies with their Form I-9 or their personnel record
- ✓ Copying documents does not take the place of completing Form I-9
- ✓ Do not destroy or dispose of copies of documents
 - Copies of documents must be retained pursuant to Form I-9 retention rule
- ✓ ICE IMAGE best practice

| START COPYING DOCUMENTS | STOP COPYING DOCUMENTS |
|---|---|
| Create a policy memo | Create a policy memo |
| Copy ALL documents | Do not destroy or dispose of copies |
| Store with either Form I-9 or in employee's personal record | Retain document copies pursuant to Form I-9 retention requirement |

SECTION 2: EMPLOYER OR AUTHORIZED REPRESENTATIVE REVIEW AND VERIFICATION

Section 2 is completed by the **EMPLOYER**:

- ✓ MUST be completed no later than **3 business days** after the employee's first day of work for pay



- ✓ Employer MUST examine original documents in presence of employee*
- ✓ First date of employment
- ✓ Signature and Date

* COVID-19 Temporary Policy for [Physical Inspection of Document Requirements](#)

| Section 2. Employer or Authorized Representative Review and Verification | | | | |
|---|-------------------------|---|--|--|
| <small>(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.")</small> | | | | |
| 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 | Issuing Authority | Document Number | Expiration Date (if any) (mm/dd/yyyy) | Document Title |
| Document Title | Issuing Authority | Document Number | Expiration Date (if any) (mm/dd/yyyy) | Document Title |
| Document Title | Issuing Authority | Document Number | Expiration Date (if any) (mm/dd/yyyy) | Document Title |
| Document Title | Issuing Authority | Document Number | Expiration Date (if any) (mm/dd/yyyy) | Document Title |
| Additional Information | | | | QR Code - Sections 2 & 3 Do Not Write in This Space |
| 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 |

COVID-19 TEMPORARY POLICY: FORM I-9 PHYSICAL DOCUMENT REVIEW FLEXIBILITY

The Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) announced flexibility in complying with requirements related to Form I-9, due to COVID-19. These provisions have been extended through **October 31, 2022**.

- ✔ Applies only to employers and workplaces that are **operating remotely** and employers must provide written documentation of their remote onboarding and telework policy for each employee. This burden rests solely with the employers
- ✔ Employers must inspect the Section 2 documents remotely and obtain, inspect, and retain copies of the documents, within three business days of the employee's start date
- ✔ Enter "Remote Inspection completed on MM/DD/YYYY" in the Section 2 Additional Information field
- ✔ **Within 3 business days of resuming normal operations, physically inspect documents with the employee present**
- ✔ Write "COVID-19 - Documents physically examined on MM/DD/YYYY" as well as the initials of the person who performed the physical inspection to the Section 2 Additional Information field on the Form I-9, or to section 3 as appropriate

**** RELEVANT LINKS ****

[Temporary Policy for Document Review Flexibility](#)

[Form I-9 Completion Examples](#)

COVID-19 TEMPORARY POLICY: LIST B IDENTITY DOCUMENTS

DHS terminated the COVID-19 Temporary Policy for Expired List B Identity Documents. Beginning May 1, 2022, employers are no longer be able to accept expired List B documents. If the employee's Form I-9 was completed between May 1, 2020, and April 30, 2022, with a List B document that expired on or after March 1, 2020:

- ✦ Employers must notify the employee of the requirement to provide an **unexpired** document that establishes identity (List A or List B document)
- ✦ By July 31, 2022, employers must update the Form I-9 Section 2 “Additional Information” field with the following **unexpired** document information:
 - Title
 - Issuing authority
 - Number
 - Expiration date
 - Initial and date the change

**** RELEVANT LINKS ****

[DHS to End List B Temporary Policy](#)
[Temporary Policy for List B Identity Documents](#)
[Updated Section 2 Example](#)

Temporary Rule to Increase Automatic Extension Period for Employment for Eligible Renewal Applicants

To avoid gaps in employment for noncitizens with pending EAD renewal applications and stabilize the continuity of operations for U.S. employers, on May 4, 2022, the Department of Homeland Security published a [Temporary Final Rule](#) that increases the automatic extension period for employment authorization and Employment Authorization Documents (EAD, Form I-766) available to certain [EAD renewal applicants](#), to up to 540 days.

- ✔ An additional up to 360-day extension if their EAD is still covered under the 180-day automatic extension, for a total of up to 540 days past the “Card Expires” date of the current EAD; or
- ✔ An additional period and resumption of employment authorization and/or EAD validity if their 180-day extension has lapsed, for up to 540 days past the “Card Expires” date of the current EAD.

** RELEVANT LINKS **

[USCIS News Release Regarding EAD Extension Periods](#)

[Section 4.4 \(EAD extensions\) of the M-274](#)

[EAD Automatic Extension Calculator](#)

SECTION 3: REVERIFICATION AND REHIRE

| Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.) | | | |
|--|---------------------------|---|-----------------------------------|
| 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) | |
| 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. | | | |
| Signature of Employer or Authorized Representative | Today's Date (mm/dd/yyyy) | Name of Employer or Authorized Representative | |

Section 3 is completed by the **EMPLOYER**:

- ✓ **Required** when employee's employment authorization or documentation of employment authorization has expired
- ✓ May be completed when rehiring employees within three years of hire date
- ✓ May be completed to document a legal name change
- ✓ Enter the employee's full name, document title, number and expiration date; sign and date

SECTION 3: REVERIFICATION AND REQUIRES CONTINUED



REVERIFY

- An Employment Authorization Document (Form I-766)
- Form I-94 with temporary I-551 stamp
- Unexpired foreign passport with temporary I-551 stamp
- *Expired* Permanent Resident Card presented with Form I-797

DO NOT REVERIFY

- U.S. citizens and noncitizen nationals
- U.S. passports or passport cards
- Permanent Residents who present an unexpired Permanent Resident or Alien Registration Receipt card (Form I-551)
- List B documents

RETENTION

You must have a Form I-9 on file for ALL current employees.

Calculate how much longer you must keep an employee's Form I-9 once they stop working for you:

- ✓ If they worked for less than two years, retain their form for three years after the date of hire
- OR**
- ✓ If they worked for more than two years, retain their form for one more year after the date they stop working for you

| | |
|-------------------|----------------------------------|
| EMPLOYEE: | John Smith |
| DATE OF HIRE: | November 1, 2020 |
| EMPLOYMENT ENDED: | May 5, 2022 |
| TENURE: | Less than 2 years |
| RETENTION: | 3 years from DATE OF HIRE |

RETAIN UNTIL: NOVEMBER 1, 2023

| | |
|-------------------|-----------------------------|
| EMPLOYEE: | BETSY ROSS |
| DATE OF HIRE: | November 1, 2002 |
| EMPLOYMENT ENDED: | May 5, 2021 |
| TENURE: | More than 2 years |
| RETENTION: | 1 year from END DATE |

RETAIN UNTIL: MAY 5, 2022

STORAGE

How to store Form I-9:

- ✓ Store Form I-9s securely in a way that meets your business needs
 - On-site or at an off-site facility
 - Microfilm or Microfiche
 - Electronically
- ✓ Ensure that only authorized personnel have access to stored Forms I-9
- ✓ Store copies of documents with the Form I-9 or with the employee's records
- ✓ Forms I-9 must be available within 3 days of an official request for inspection

**** RELEVANT LINK ****

[Form I-9 Retention and Storage](#)

INTERNAL AUDITS

It is a best practice to conduct an internal audit on Forms I-9 annually:

- ✓ Develop a transparent process
- ✓ Arrange for annual Form I-9 audit by an external auditing firm or a trained employee not otherwise involved in the Form I-9 process
- ✓ Review all Forms I-9 or a sample of Forms I-9 based on neutral and non-discriminatory criteria
- ✓ Audits should be carefully conducted to prevent even the perception of discrimination or retaliation
- ✓ **ICE Mutual Agreement between Government and Employers**
 - ICE will waive any applicable fines if there is no evidence of a criminal violation
 - ICE will not conduct another Form I-9 inspection for a four-year period
 - ICE will provide information and training before, during and after inspection



**** RELEVANT LINK ****

[Guidance for Conducting Internal Audits](#)

CORRECTING FORM I-9

If you discover a mistake on Form I-9:

- ✓ Only employees may correct errors or omissions in Section 1
- ✓ Only employers or authorized representatives may correct errors or omissions in Sections 2 and 3
- ✓ Draw a line through incorrect information
 - Do not conceal errors by erasing text or using correction fluid
- ✓ Enter the correct or missing information
- ✓ Initial and date the correction or missing information
- ✓ To correct multiple errors, redo the section on a new Form I-9 and attach it to the old form. Attach a written explanation describing why you created a new Form I-9

CORRECTING FORM I-9 CONTINUED

If you discover you are missing the Form I-9 for an employee:

- ✔ Complete the form as soon as possible
- ✔ Do not backdate the form
- ✔ Attach a signed and dated explanation

If you discover the wrong version of the Form I-9 was completed:

- ✔ Confirm documentation presented was acceptable under Form I-9 rules that were current at the time of hire
- ✔ Staple outdated form to a blank current version
- ✔ Sign the current blank version and provide an explanation

**** RELEVANT LINKS ****

[Correcting Mistakes](#)

FORM I-9 BEST PRACTICES

- ✓ Form I-9 is only completed when an offer of employment has been extended and accepted
- ✓ Use the most current and only acceptable version of [Form I-9 \(revision date 10/21/2019\)](#)
- ✓ Provide all employees with the full instructions including the Lists of Acceptable documents
- ✓ Employee may present any acceptable List A or combination of List B and List C documents
 - Do not specify documents to present
- ✓ Accept documents that relate to the individual and reasonably appear genuine
- ✓ Reverify expiring employment authorization and employment authorization documents
- ✓ Physically inspect documents previously remotely inspected when appropriate
- ✓ Retain Forms I-9 pursuant to retention rules
- ✓ Conduct timely audits to ensure compliance
- ✓ Do not discriminate based on national origin or citizenship

UNLAWFUL CONDUCT

The INA prohibits four types of unlawful conduct:

- ✓ Citizenship or immigration status discrimination
 - Hiring, firing, or recruiting
- ✓ National origin discrimination
 - Hiring, firing, or recruiting
- ✓ Unfair documentary practices
 - Request more or different documents than required
 - Reject documents that reasonably appear to be genuine and relate to the employee
 - Specify certain documents that the worker should present
- ✓ Retaliation or intimidation (actual or perceived)
 - Files charges with IER
 - Asserts rights under the law



PREVENTING DISCRIMINATION

Do Not Discriminate When:

- **Announcing a job**
- **Accepting applications**
- **Performing interviews**
- **Verifying work authorization**
- **Making job offers**
- **Hiring**
- **Terminating employment**

Do Not Retaliate Against an Employee Who:

- **Files a charge of discrimination with the Immigrant and Employee Rights Section (IER)**
- **Participates in an investigation or prosecution of a discrimination complaint**
- **Asserts their rights under anti-discrimination laws**

IMMIGRANT AND EMPLOYEE RIGHTS (IER)



— U.S. DEPARTMENT OF JUSTICE —
IMMIGRANT & EMPLOYEE RIGHTS SECTION
— CIVIL RIGHTS DIVISION —

The anti-discrimination provisions of the INA are enforced by the Department of Justice, Civil Rights Division [**Immigrant and Employee Rights**](#). Contact the IER regarding employment discrimination and employee rights and responsibilities.

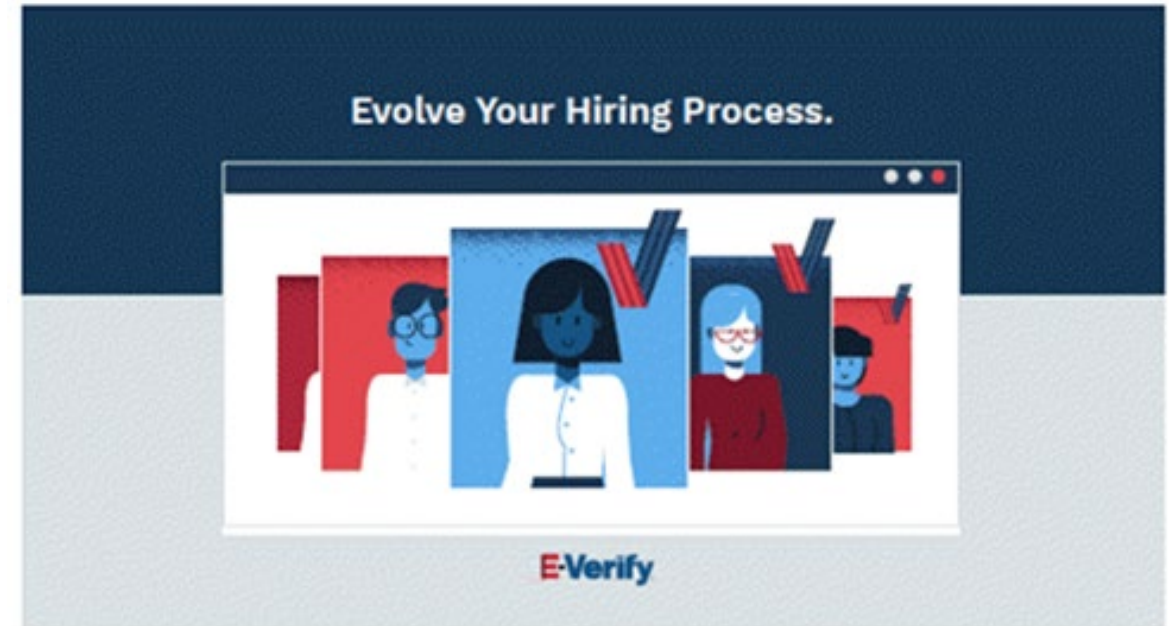
| | | |
|-------------------------|-----------------------|------------------------------|
| Worker Hotline | 1-800-255-7688 | (TDD: 1-800-616-5525) |
| Employer Hotline | 1-800-255-8155 | (TDD: 1-800-362-2735) |

(Both workers and employers may call anonymously)

FORM I-9 AND E-VERIFY

Employers are required by law to complete Form I-9 for each newly hired employee, and E-Verify complements Form I-9 by taking employment verification to the next level.

E-Verify electronically compares information the employer enters from Form I-9 to records available to the Social Security Administration and the U.S. Department of Homeland Security confirming an employee's eligibility to work.



WHAT IS E-VERIFY?



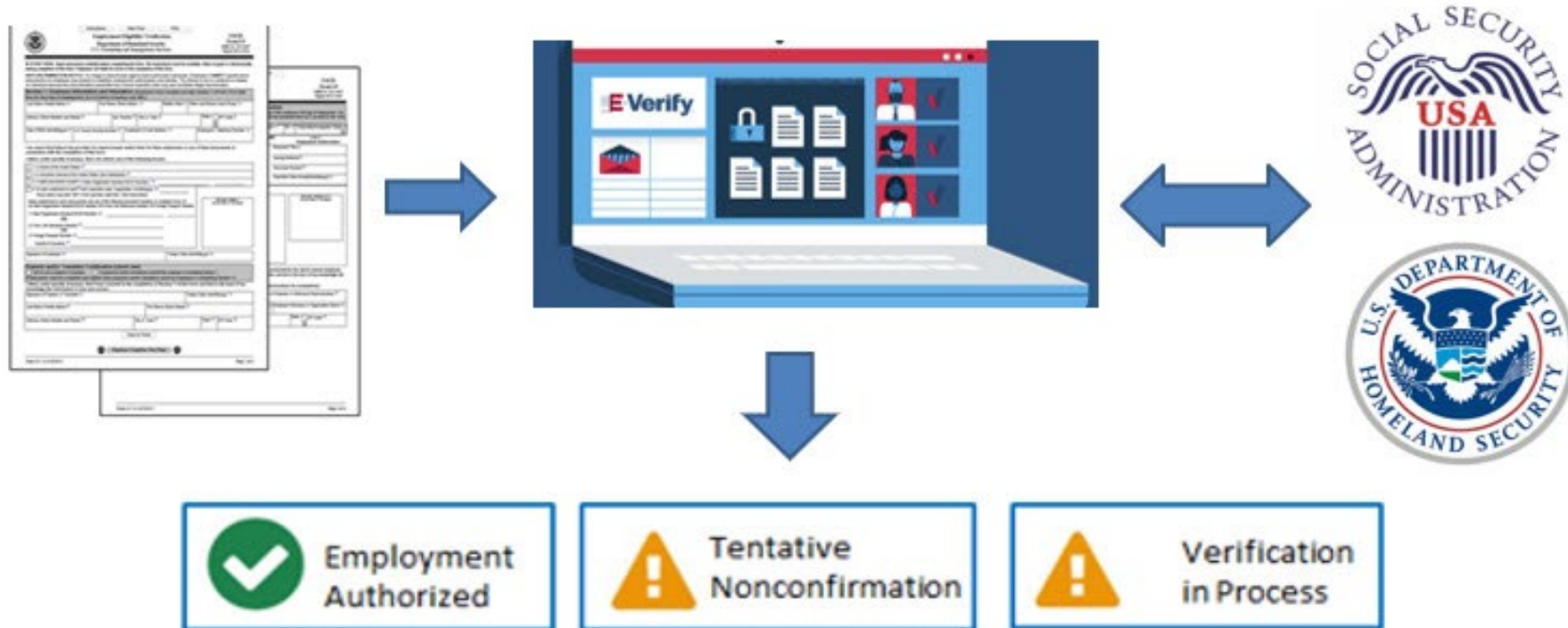
E-Verify gives you, the employer, peace of mind that your employees are legally authorized to work in the United States.

- ✔ Free web-based service that's fast and easy to use
- ✔ Electronically verifies the employment eligibility of:
 - Newly hired employees
 - Existing employees assigned to work on a qualifying federal contract*
- ✔ Partnership between the U.S. Department of Homeland Security (DHS) and the Social Security Administration (SSA)

* Contract that includes the [E-Verify Federal Acquisition Regulation \(FAR\) clause](#)

HOW DOES E-VERIFY WORK?

Form I-9 information is entered into E-Verify and then compared against records available to the Social Security Administration and the Department of Homeland Security providing an immediate resolution.



FORM I-9 AND E-VERIFY RESOURCES

FORM I-9 & E-VERIFY LINKS

[I-9 Central](#)

[Form I-9 Documents](#)

[Handbook for Employers](#)

[Acceptable Document Examples](#)

[Acceptable Receipts](#)

[Guidance for Conducting Audits](#)

[E-Verify](#)

[E-Verify User Manual](#)

[Webinars Calendar](#)

[Employee Rights Toolkit](#)

COVID-19 TEMPORARY POLICIES

[Temporary Policies Related to Covid-19](#)

[Temporary Policy for Document Review Flexibility](#)

[DHS to End COVID-19 Temporary Policy for Expired List B Documents](#)

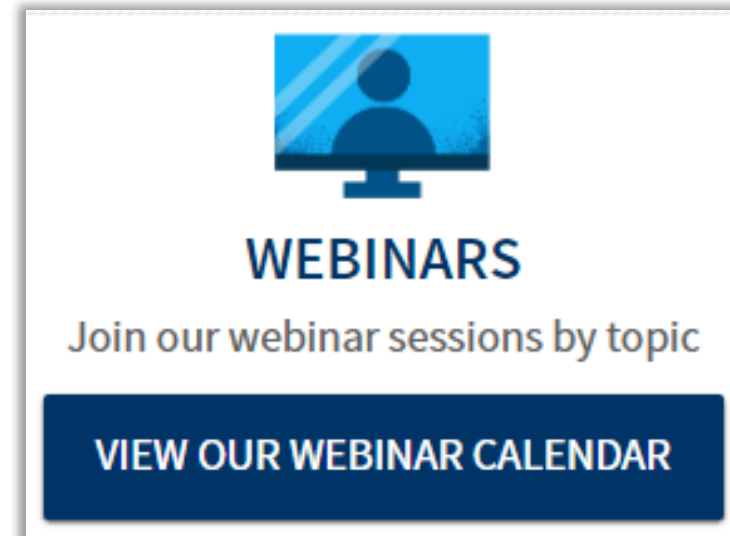
[Form I-9 Completion Examples](#)

[USCIS News Release Regarding EAD Extension Periods](#)

ENGAGEMENT SERVICES WEBINARS

E-Verify and Form I-9 webinars are free and easy to join! Find the ones you like and bring a friend. View upcoming events on the following topics:

- ✔ Form I-9
- ✔ E-Verify Overview
- ✔ E-Verify in 30*
- ✔ E-Verify for Existing Users
- ✔ E-Verify for Federal Contractors
- ✔ E-Verify for Web Services
- ✔ myE-Verify*
- ✔ Employee Rights
- ✔ Employer Responsibilities



Topics **NOT eligible for professional development credit through the Society for Human Resource Management (SHRM) and the Human Resource Certification Institute (HRCI).*

ENGAGEMENT SERVICES

CUSTOMIZED EVENTS

E-Verify Engagement will work with you to provide content suited to fit your needs:

- ✓ Customized trainings tailored to your business:
 - Form I-9
 - E-Verify overview
 - Employment eligibility verification specialized topics
- ✓ Keynote speakers available for your:
 - Conference, forum, event
 - Lunch and learns



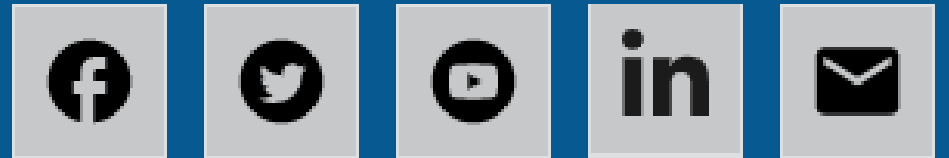
BONUS: E-Verify Engagement staff can work with you to discuss SHRM and HRCI possible professional development credits.

CUSTOMER SUPPORT

E-Verify received one of the highest customer service ratings among federal agencies according to the American Customer Satisfaction Survey

- ✓ E-Verify Outreach: E-VerifyOutreach@uscis.dhs.gov
- ✓ Form I-9 E-Mail: I-9Central@uscis.dhs.gov
- ✓ E-Verify E-Mail: E-Verify@uscis.dhs.gov
- ✓ Employer Hotline: (888) 464-4218
- ✓ Employee Hotline: (888) 897-7781

Follow us on social media for Form I-9,
E-Verify, myE-Verify, Self Check,
employee rights and more



QUESTIONS?

THANK YOU!