



Fisher Phillips


De-Mystifying the I-9 Process: What if I am Audited?

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February 28, 2017

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OVERVIEW


- I-9 Form Revisions (11/14/2016 Version)
- I-9 Basics and Common Questions/Issues
- I-9 Self Audits
- ICE Audits and Penalties
- E-Verify – Top Ten



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Changes to the I-9 Form

- New version (11/14/2016) effective 1/22/2017.
- All prior versions no longer valid after 1/21/2017.
- Instructions for new form 15 pages.
- Instructions must be available for employee to review.
- I-9 Handbook for Employers was recently updated.



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Where to find the I-9 Form Fisher Phillips

- www.uscis.gov
- Paper version
- Smart form

Either form must printed and signed.

I-9, Employment Eligibility Verification

- Form I-9 (PDF, 535 KB)
- Form I-9 Paper Version (This version is unfillable and must be printed for completion on paper only.) (PDF, 73 KB)
- Form I-9 Supplement, Section 1 Preparer and/or Translator Certification (PDF, 816 KB) (PDF, 816 KB)
- Instructions for Form I-9 (PDF, 565 KB) (PDF, 565 KB)
- Form I-9 in Spanish (May be filled out by employers and employees in Puerto Rico-ONEI) (PDF, 421 KB)
- Instructions for Form I-9 in Spanish (PDF, 322 KB)
- N-374, Handbook for Employers, Guidance for Completing Form I-9 (This handbook will be updated as needed; refer to the Form instructions for the most up-to-date information.) (PDF, 2.14 MB)

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Section 1 Fisher Phillips

- Other LAST Names Used
- Employee's signature date: Today's Date
- Alien authorized to work: Option to list 1, 2 or 3

Section 1 Employee Information and Attestation (Employers 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 _____ Employer's E-mail Address _____ Employer'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 non-citizen national of the United States (See instructions)

3. A lawful permanent resident (alien registration number/USCIS number)

4. An alien authorized to work under expiration date, if applicable. (mm/dd/yyyy)

Some aliens may write "NA" in the expiration date field. (See instructions)

Alien authorized to work must provide only one of the following document numbers to complete Form I-9: alien registration number/USCIS number or Alien and Airman's Number OR Foreign Passport Number

1. Alien Registration Number/USCIS Number _____ OR _____

2. Foreign Passport Number _____ OR _____

Country of Issuance _____

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

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Preparer/Translator Fisher Phillips

Preparer and/or Translator Certification (check one):

I did not use a preparer or translator. I used a preparer or translator (highlighted in yellow)

(Fields below must be completed and signed when preparer and/or translator 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 _____

- Must check box if a Preparer and/or Translator was used.

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Preparer/Translator Supplement

Form I-9 Supplement
Section 1 Preparer and/or Translator Certification

EEOC/ICE
Form I-9
Supplement
Rev. 05.10.16

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

Employee Name: Last Name (Family Name) First Name (Given Name) Middle Name

Instructions: This supplement can be used either by an employer or by a preparer or translator. However, only the preparer or translator is authorized to sign and date this supplement. The preparer or translator must note the employer's name in the space provided. Each preparer or translator must complete, sign and date a separate certification form. Employees must submit completed certification forms with the employer's completed Form I-9.

I attest, under penalty of perjury, that I have completed 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: Preparer (Given Name) Preparer (Family Name) Preparer (Middle Name) Preparer (Last Name)

Address (Please include zip code): City or Town State ZIP Code

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

Signature of Employer or Employer Representative: Employer (Given Name) Employer (Family Name) Employer (Middle Name) Employer (Last Name)

Address (Please include zip code): City or Town State ZIP Code

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

Signature of Employer or Employer Representative: Employer (Given Name) Employer (Family Name) Employer (Middle Name) Employer (Last Name)

Address (Please include zip code): City or Town State ZIP Code

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

Signature of Employer or Employer Representative: Employer (Given Name) Employer (Family Name) Employer (Middle Name) Employer (Last Name)

Address (Please include zip code): City or Town State ZIP Code

- Use supplement form if more than one preparer or translator is used.
- Put employee's name at top.

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Section 2 – Employee Name/Status

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 "List of Acceptable Documents.")

Employee info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status

I attest, under penalty of perjury, that I have completed the completion of Section 2 of this form and that to the best of my knowledge the information is true and correct.

1. A citizen of the United States

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

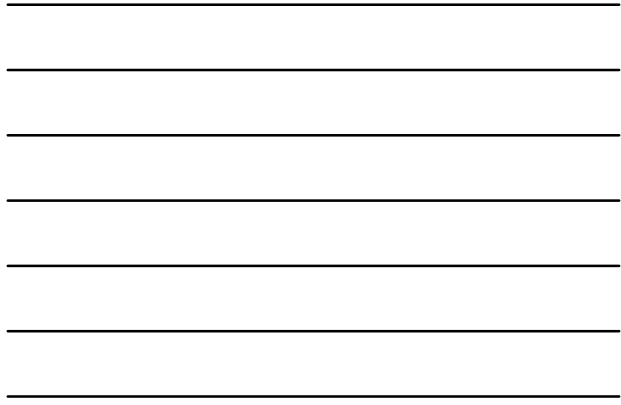
3. A lawful permanent resident. (Alien Registration Number/USCIS Number): _____

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)

- Insert the number corresponding to employee's status from Section 1.

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Smart Form

Employment Eligibility Verification

EEOC/ICE
Form I-9
Rev. 08.14.16

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

Instructions: Read instructions carefully before completing this form. Employees are to fill in the information for completion of this form. Employers are to complete the form for the employee and must sign and date the form. Employees must submit completed forms with the employer's completed Form I-9.

Employee Name: Last Name (Family Name) First Name (Given Name) Middle Name

Date of Birth (mm/dd/yyyy): Social Security Number: Employer's Last Name: _____

I attest, under penalty of perjury, that I am an authorized user of the following document:

1. A document from the following list:

- a. A U.S. passport
- b. A U.S. passport card
- c. A Permanent Resident Card (Green Card)
- d. A Temporary Permanent Resident Card (Temporary Green Card)

Some aliens may write "Not" in the expiration date field. (See instructions)

2. A document from the following list:

- a. Alien Registration Number (USCIS Number)
- b. Employment Authorization Document (EAD)
- c. Temporary Permanent Resident Card (Temporary Green Card)

3. A document from the following list:

- a. Federal or state driver's license or identification card issued by a state that has a reciprocity agreement with the state of Illinois
- b. A document from the following list:

Employer Name: Last Name (Family Name) First Name (Given Name) Middle Name

Address (Please include zip code): City or Town State ZIP Code

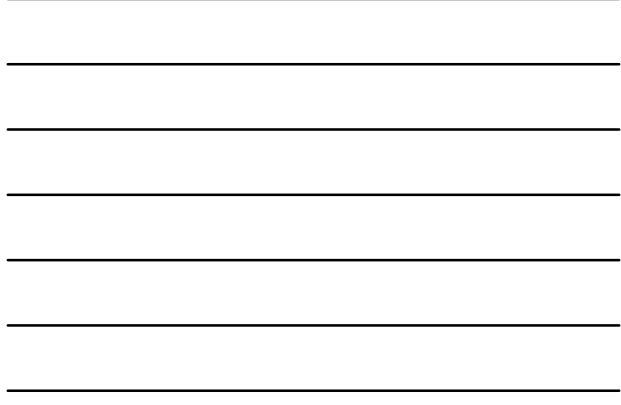
I attest, under penalty of perjury, that I have completed the completion of Section 2 of this form and that to the best of my knowledge the information is true and correct.

Signature of Employer or Employer Representative: Employer (Given Name) Employer (Family Name) Employer (Middle Name) Employer (Last Name)

Address (Please include zip code): City or Town State ZIP Code

Click to Finish

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Smart Form

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

ENCL
 Form I-9
 (Rev. 08-14-12)
 Exempt 03-15-12

Section 2. Employee and Attestation Information (Employees must complete and sign Section 2 of Form I-9 no later than the first day of employment. Employers must complete and sign Section 2 of Form I-9 no later than the third business day after the date of employment.)

Employee Identification Number (EIN): [Blank] Last Name (Family Name): [Blank] First Name (Given Name): [Blank] Middle Initial: [Blank] Other Last Names Used (if any): [Blank]

Employee Identification Number (EIN): [Blank] Social Security Number (SSN): [Blank] Citizenship/Immigration Status: [Blank]

Identity and Employment Information (I-9):

Employee's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

Check for Fraud

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I-9 Basic Requirements

- All employees hired after November 6, 1986 must have a I-9 form on file.
- Section 1 - completed by employee no later than start date of employment.
- Section 2 - completed by employer by end of third business day after employee starts work.
- May complete form prior to start date if offer of employment is made and accepted.
- Insert N/A in all fields where no information is available.

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Properly Completed Section 1

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) JONES	First Name (Given Name) Patricia	Middle Initial T.	Other Last Names Used (if any) Smith
Address (Street Number and Street) [Blank] Apt. Number [Blank] City or Town [Blank] State [Blank] ZIP Code [Blank]			
1000 Main Street	N/A	Anyville	GA 30309
Date of Birth (mm/dd/yyyy) 11/22/1979	U.S. Social Security Number 1123456789	Employee's E-mail Address pjones@yahoo.com	Employee's Telephone Number 404 255-5555

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):

I am a citizen of the United States.

I am a national of the United States (See instructions)

I am a lawful permanent resident (Alien Registration Number/I-551 Number)

An alien authorized to work until expiration date, if applicable, mm/dd/yyyy: **6/1/2017**
Some aliens may write "N/A" in the expiration date box. (See instructions)

Attest: authorized to work most people only one of the following document numbers to complete Form I-9.
Alien Registration Number/I-551 Number OR Pure I-9 Admission Number OR Foreign Passport Number.

1. Alien Registration Number/I-551 Number: [Blank]
OR
2. Form I-9 Admission Number: [Blank]
OR
3. Foreign Passport Number: **UK1234567**
Country of Issuance: **United Kingdom**

Signature of Employee: Patricia Jones Today's Date (mm/dd/yyyy): **11/24/2016**

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Properly Completed P/T Section

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Preparer and/or Translator Certification (check one):
 I am the preparer or translator. A preparer or translator assisted the employer in completing Section 1.
 (This section must be completed and signed when preparers and/or translators assist an employer 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 <i>Aileen Brown</i>		Today's Date (mm/dd/yyyy) 11/26/2016	
Last Name (Print Name) Brown		First Name (Print Name) Susan	
Address (Street Number and Name) 1234 Maple Drive		City or Town Jonestown	State ZIP Code GA 32222

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Properly Completed Section 2

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Section 2 Employer or Authorized Representative Review and Verification
 Employer or Authorized Representative (New Hire and Re-Verification)
 (This section must be completed by the employer or authorized representative of the employer. This section must be completed and signed by the employer or authorized representative of the employer. This section must be completed and signed by the employer or authorized representative of the employer.)

List A Employer or Authorized Representative Susan Brown 1234 Maple Drive Jonestown GA 32222		List B Employer or Authorized Representative Susan Brown 1234 Maple Drive Jonestown GA 32222	
List C Employer or Authorized Representative Susan Brown 1234 Maple Drive Jonestown GA 32222		List D Employer or Authorized Representative Susan Brown 1234 Maple Drive Jonestown GA 32222	

Contributions: I attest, under penalty of perjury, that (1) I have reviewed the documents presented by the above-named employee, (2) the above-named employee(s) appear to be genuine and to belong 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 is 11/26/2016. (See Instructions for e-verify/online)


Signature of Employer or Authorized Representative: *Susan Brown* Title: *HR Manager*
 Last Name of Employer or Authorized Representative: *Brown* First Name of Employer or Authorized Representative: *Susan*
 Employer's Business or Organization Name: *ABC Company*
 Employer's Business or Organization Address (Street Number and Name): *666 North Street* City or Town: *Perotus* State: *GA* ZIP Code: *35535*

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Section 3 - Reverification

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- If employee's work authorization will expire – you need to re-verify no later than the date of expiration.
- If rehire employee within 3 years of original hire date – may use Section 3 on current version of Form I-9 – or complete new I-9 form.
- New name – use Section 3.



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Properly Completed Section 3 Fisher Phillips

Section 3: Reverification and Renewal (To be completed and signed by employer or authorized representative.)

A. New Name (if applicable)			B. Date of Birth (if applicable)
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)
N/A			

6. If the employee's previous grant of employment authorization has expired, provide the information for the document or document that establishes continuing employment authorization in the space provided below.

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
Employment Authorization Document	ABC-12-345-6789	12/1/2017

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
Peter Nelson	12/5/2016	Peter Nelson

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H-2A Workers and the I-9 Form Fisher Phillips

- **Newly Hired Employee**
 - I-94 Document and Foreign Passport – List A Document
- **H-2A Continuing Employment with the Same Employer**
 - “240-Day Ext.” and the date the Form I-129 was submitted to USCIS in the Additional Information Box
- **H-2A Extension with a New Employer**
 - E-Verify enrollment allows you to employ an H-2A worker as soon as you have submitted the Form I-129 to USCIS
 - H-2A worker may work for up to 120 days while petition in process
 - Requires unexpired I-94 with H-2A status and foreign passport.
 - Write “120-day Ext.” and the date I-129 was submitted in the Additional Information Box.

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Options for “seasonal” employees returning year to year Fisher Phillips

- Terminate and rehire with a new I-9 form or a Section 3 reverification on the current version of the I-9 Form.
- “Continue” the employment relationship – seasonal layoff and recall and retain original I-9 Form.
 - Employer and employee must have a “reasonable expectation” of continuing employment for the next season.
 - Employer & employee treat employment status as layoff for all purposes, not as termination
 - Maintain employee on employee roster--status “seasonal” layoff
 - Maintain I-9 for employee with current employee I-9 file –maybe maintain lay off list
 - Remember to re-verify if any document expires

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List of Acceptable Documents
 List A – Documents that Establish both Identity and Employment Authorization

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- U.S. Passport or Passport Card**
- Permanent Resident Card or Alien Registration Receipt Card (Form I-551)**
- Foreign passport that contains a temporary **I-551 stamp** or temporary I-551 printed notation on a machine-readable immigrant visa (MRIV)
- Employment Authorization Document (Card)** that contains a photograph (Form I-766)
- In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a **foreign passport with Form I-94** or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's **nonimmigrant status**, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form
- 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

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List of Acceptable Documents
 List B Identification & List C Work Authorization

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LIST B: Documents That Establish Identity For individuals 18 years of age or older:

- 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
- 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
- School ID card** with a photograph
- Voter's registration card**
- U.S. military card** or draft record
- Military dependent's ID card**
- U.S. Coast Guard Merchant Mariner Card**
- Native American tribal document**
- Driver's license issued by a **Canadian** government authority

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

- School record or report card
- Clinic, doctor or hospital record
- Day-care or nursery school record

LIST C: Documents That Establish Employment Authorization

- U.S. Social Security account number card, unless the card included one of the following restrictions:**
 (1) Not valid for Employment
 (2) Valid for work only with INS Authorization
 (3) Valid for Work only with DHS Authorization.
- Certification of Birth Abroad** issued by the U.S. Department of State (Form FS-545)
- Certification of Report of Birth** issued by the U.S. Department of State (Form DS-1350)
- Original or certified copy of a birth certificate** issued by a state, county, municipal authority, or outlying possession of the United States bearing an official seal
- Native American tribal document**
- U.S. Citizen Identification Card (Form I-197)**
- Identification Card for Use of **Resident Citizen** in the United States (Form I-179)
- Employment authorization document** issued by DHS

Document Acceptance Standards


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The I-9 states that you must review the original documents presented to determine if they are **“genuine”** and **“relate”** to the person presenting them to you.



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Document Acceptance Standards



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Outdated LPR/Green Card

- No longer resembles person, not acceptable




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Document Acceptance Standards



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Example: Unacceptable List B Document Fisher
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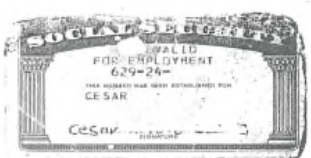
Social Security Number Card Fisher
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- There are at least 50 valid versions of the Social Security Number Card:
 - Example 1: UNRESTRICTED SS cards: “Valid for Work Authorization”.
 - Example 2: RESTRICTED SS cards: “Not valid for Employment”; “Valid for work only with INS Authorization” and “Valid for Work only with DHS Authorization”.



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Unacceptable List C Document Fisher
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List A Identification and Work Authorization – Must Re-verify Prior to Expiration Date Fisher Phillips

- Unexpired Foreign Passport with I-551 Stamp
- Employment Authorization Document (Form I 766)



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Common Questions Fisher Phillips

- What do I do if an employee comes forward with new documents for a new name or SSN?
- How do I complete I-9 forms for remote employees?
- Do I re-verify expiring permanent resident cards?
- Is it okay to pre-populate Section 1 using our HR/Onboarding system?
- When a new version of the I-9 form is issued by the government, am I required to prepare new forms for existing employees?

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Retention Requirements Fisher Phillips


- Once employee terminated, you must retain I-9 form for:
 - At least three years from date of hire; and
 - At least one year from date of termination;
 - Whichever is later.
- Once retention requirements met, purge/shred form.



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Self-Audit – Getting Started

- Generate a list of all current employees.
- Include name, date of hire, and distinguishing fact (SSN or DOB).
- Pull I-9 forms for all current employees.
- Make sure that you have an I-9 form for each employee on the list.
- Make a note on the list if an I-9 form is missing for a particular employee.



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Section 1 – Common Errors

- Employee completed Section 1 after commencing work – Not Correctable.
- Employee did not check box regarding authorization to work in the U.S. – Correctable.
- Missing Social Security number - Not required (unless using E-Verify at time of hire).
- Employee failed to check or fully complete Citizenship Status Box - Correctable.
- Employee did not sign/date – Correctable w/ current date.

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Section 2 – Common Errors


- No Start Date Listed in Certification Box - Correctable.
- Issuing Authority, Document Number, and/or Expiration Date missing for identity and work authorization document(s) - Correctable.
- Too many or too few documents listed - Correctable.
- Employer signature box incomplete – Correctable.



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Making Corrections


- Correct errors, as allowed, on each form.
- Section 1 – Employee makes corrections.
- Section 2 – Employer makes corrections.
- Strike through errors – do not use White Out or Liquid Paper.
- All corrections should be initialed, dated, and include the words “Per Self Audit”.



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Missing Form I-9


- If you determine that an I-9 form is missing for a current employee – complete a form immediately.
- Ask employee to complete Section 1, sign and date (with current date).
- Complete Section 2 (insert original start date) and sign and date (with current date).



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Missing I-9 – Terminated Employee


- If you discover that you are missing an I-9 form for a terminated employee, you may contact terminated employee and complete I-9 form now.
- Good practice to review I-9 form at termination/exit interview.



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Immigration Enforcement 2015 Fisher Phillips

- ICE made 452 criminal arrests tied to worksite enforcement investigations -179 were owners, managers, supervisors or human resources employees.
- Charges include harboring or knowingly hiring illegal aliens.
- Employees arrested for aggravated identity theft and Social Security fraud.



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Record-Breaking Immigration - 2015 Fisher Phillips

- 3,127 Notices of Inspection and 637 Final Orders, totaling \$15,808,365.00 in administrative fines.
- ICE debarred 277 business and individuals for administrative and criminal violations.
- ICE believes utilizing enforcement, compliance and outreach is an effective approach to deter illegal employment and create a culture of compliance.
- HSI prioritizes investigations involving critical infrastructure and key resources. No industry, regardless of size, type or location is exempt from complying with the law or being the subject of an ICE investigation.

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Notable I-9 Fines Fisher Phillips

- Washington Apple Orchard was fined \$2.25 million
 - 950 Employees suspected of not being authorized to work in the U.S.
 - Continued to employ workers after receiving notification they were not authorized.
- \$34 Million Dollar Fine – Texas software company :
 - Failing to maintain I-9 records for many of its foreign nationals; and
 - Widespread failure to update and re-verify the employment authorization status of a large percentage of its foreign national employees.



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Protect Your Business

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- I-9 audit may be foundation for raid, civil money penalties and criminal sanctions.
- Ensure I-9 compliance programs are in place, up-to-date, and followed.
- Conduct regular internal I-9 audits and remedy identified errors.
- Have outside counsel conduct periodic I-9 audits.




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ICE Arrives - Notice of Inspection

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- Three days notice prior to ICE review of I-9 Forms allowed (may waive but not recommended).
- Original, microfilm, microfiche or electronic I-9 forms acceptable for inspection.
- Personal appearance to give testimony and turn over documents may be required.
- Subpoena/warrant not required for I-9 inspection.



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What May Be Inspected?

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- I-9 Forms for current employees hired after Nov. 6, 1986.
- I-9 Forms for terminated employees within the required retention period.
- Electronic employee listing.
- Quarterly wage and hour reports.
- Payroll data.
- SSA Mismatch correspondence.
- E-Verify and/or SSNVs documents.
- Business information (Employer ID number, owner's SSN/address, business licenses, etc.)

After ICE Inspection

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- ICE issues Notice of Inspection Results if found in compliance.
- If not in compliance, may receive:
 - Notice of Technical or Procedural Failures
 - Notice of Suspect Documents
 - Notice of Discrepancies
 - Warning Notice
 - Notice of Intent to Fine
- Notice of Intent to Fine – employer has opportunity to negotiate settlement or request hearing.

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IRCA Prohibited Acts

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- CANNOT:
 - Knowingly hire an alien who is not authorized to work.
 - Hire any individual without verifying identity and work authorization.
 - Continue employing person if you know **or should know** person is not authorized to work.




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Unfair Documentary Practices

Fisher Phillips

- Do not require specific documents or combination of documents.
- Do not require more or different documents than minimally required.
- Do not refuse to accept documents that reasonably appear to be genuine.
- Employee's choice which of the acceptable Form I-9 documents to present.




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Monetary Penalties

Fisher Phillips

- I-9 substantive/uncorrected technical violations (e.g., missing I-9) range from \$216 to \$2,156 per violation.
- Knowing hire/continuing to employ violations range from:
 - \$539-\$4,313 (1st violation)
 - \$4,313-\$10,781 (2nd violation)
 - \$6,469-\$21,563 (Subsequent violation)




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Determining Penalty Amounts

Fisher Phillips

- Factors considered for enhancement of fine or mitigation:
 - Good faith effort to comply;
 - Seriousness of violation;
 - Whether the violation involved unauthorized workers;
 - Size of business; and
 - History of previous violations.
- Violation percentage calculated to determine amount of fine for first, second, subsequent violations.




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Criminal Penalties

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- 10 years and/or \$250,000 fine for harboring, smuggling, concealing, or transporting illegal aliens for financial gain.
- Criminal sanctions for conspiracy to harbor, smuggle, conceal, or transport.




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E-Verify – Top Ten List 

- E-Verify only new hires or re-hires (unless you are a federal contractor required to run existing employees).
- Submit E-Verify query no later than the third business day after the employee starts working.
- Prepare E-Verify query using the information listed on the Form I-9.
- Take no adverse action against the employee if you receive a Tentative Non-Confirmation & employee contests.


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E-Verify Top Ten Continued 

- Close your E-Verify cases once you receive a final result.
- Maintain copies of E-Verify case results with employee's I-9 form.
- Display the required posters in English & Spanish.
- Photo Match – must keep copies of List A documents.
- USCIS Monitoring and Compliance Unit – if they contact you for a compliance audit, contact us!



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Final Questions 

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USNews
2016

February 28, 2017

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