



Federal Government Announces Delay in Implementing New I-9 Forms

Insights

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The Department of Homeland Security announced a delay in the implementation of the newest version of Form I-9, which was due to become effective today. In a last minute announcement issued on January 30, 2009, the Department postponed implementation of the new form until April 3, 2009. The administration will be considering public comments on changes to the form and may further delay its effective date. Until further notice, employers should continue using the June 5, 2007 version of Form I-9.

The now-delayed version of Form I-9 was originally announced on December 17, 2008, and among other things narrows the list of acceptable documents to show identity and work authorization and eliminates the use of expired documents.

All employers are required to complete and retain a Form I-9 for each employee hired after November 6, 1986 to show that the employee is authorized to work in the United States. Additionally, the employer must re-verify documents for any employees whose work authorization documents are expiring.

We will continue to monitor implementation of the new version of Form I-9 and alert you to its final effective date. For more information contact any of the attorneys in the Fisher Phillips Global Immigration Practice Group at 404.240.4224.

This Global Immigration Alert is provided as an informational overview of this topic. It is not intended as, nor should it be construed as, legal advice for any particular fact situation.