



Employment Law Update: New Form I-9 Released

Form I-9 is used by employers to verify the identity and United States employment eligibility of newly hired employees. On November 7, 2007 the United States Citizenship and Immigration Services (“USCIS”) released a new version of the Form I-9.

Changes to the Form I-9. Form I-9 was changed primarily to bring the List A documents into compliance with a 1997 law. A new hire can submit List A documents as proof of employment eligibility without additional documents. The revised Form I-9 removes five documents from List A: (a) Certificate of U.S. Citizenship (Form N-560 or N-561), (b) Certificate of Naturalization (Form N-550 or N-570), (c) an out-of-date version of the Alien Registration Receipt Card (“green card” Form I-151), (d) Unexpired Reentry Permit (Form I-327), and (e) an Unexpired Refugee Travel Document (Form I-571). The revised Form I-9 also adds a new acceptable document: Form I-766, a new version of an Employment Authorization Document.

Timing. Beginning December 26, 2007 employers are required to use the new Form I-9.

Revised Handbook. Along with its release of the revised Form I-9, USCIS released a new version of the *Handbook for Employers: Instructions for Completing the Form I-9*. This new version includes new information such as sample I-9s, an explanation of the USCIS policy of electronic retention of I-9s, an expanded “Common Questions,” and additional information on potential penalties for immigration law violations.

Revised Form I-9: <http://www.uscis.gov/files/form/i-9.pdf>

Revised Handbook for Employer: <http://www.uscis.gov/files/nativedocuments/m-274.pdf>

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