

ALERTS

Immigration Alert - Revised Form I-9 Released For Use By Employers

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The U.S. Citizenship and Immigration Services (USCIS) has issued a notice announcing that employers should begin using a revised version of the Form I-9. The revised I-9 became effective on March 8, but the government has provided a 60-day grace period during which employers may continue to use the old form. The 60-day grace period also provides employers who use electronic I-9 forms to ensure that the system they use is in compliance with the new I-9 form.

After May 7, 2013, employers must only use Form I-9 "(Rev. 03/08/13)N." The new form need only be used for new hires and re-verifications only. Employers must not complete a new form for all existing employees.

The main changes to the newly revised I-9 include additional data fields for the employee's foreign passport information (if applicable), telephone number, and email address; improved instructions; and a revised layout that expands the form to two pages instead of one, not counting the instructions and list of acceptable documents. The USCIS also issued a revised "Handbook for Employers: Guidance for Completing Form I-9," which provides detailed practical guidance about completing the I-9, and USCIS is offering free educational webinars that highlight the new features of the form, including the new fields and format. The new I-9 and Handbook and further information about the webinars may be found at USCIS.gov.

Properly completing the I-9 provides employers with a "good faith" defense to a charge that they are knowingly hiring or employing unauthorized workers. Therefore, prudent employers will immediately begin using the new form I-9, and ensure that their human resource teams review the USCIS Handbook and receive sufficient training about the I-9 process.

For more information, contact the Barnes & Thornburg attorney with whom you work, or Mariana Richmond, chair of the firm's Immigration Practice Group, at (317) 231-7476 or mariana.richmond@btlaw.com. Visit us online at www.btlaw.com.

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