

## New I-9 Form for Employers



**Nathan Read**  
nread@mwlaw.com  
(479) 464.5663



**Devin Bates**  
dbates@mwlaw.com  
(501) 688.8864

02/12/2020

For employers seeking to fulfill their obligation to complete and retain Form I-9s for each person on their payroll, the United States Citizen and Immigration Services (USCIS) has issued a new version of the Form I-9 which employers should begin using now. Although the prior version of the Form I-9 may still be used up until April 30, 2020, we recommend employers get in the practice of using the new form now.

**How to tell which version of the form you're using:** The new version of the Form I-9 contains "Expires 10/31/2022" in the top right corner.

**Where to get a new form:** Directly from the USCIS website: <https://www.uscis.gov/i-9>.

**When employers must complete an I-9 form:** By the employee's first day, they are required to have filled out Section 1 of the Form I-9 and have attested to the information's veracity. Within three days of the employee's start date, the employer is required to have examined and confirmed the authenticity of required I-9 documents.

**Why it is important to comply:** Failure to comply with the requirement to complete and retain Form I-9s can expose an employer to civil and even criminal penalties. While noncompliance commonly results in a civil violation being issued, certain documented patterns of disregarding I-9 laws can culminate in criminal prosecution.

**Bottom Line:** Employers, start using the new I-9 form now.

*Reference:* <https://www.uscis.gov/i-9>