

LEGAL ALERT: Employers must use revised I-9 form starting May 7th

Effective May 7, 2013, all U.S. employers must only use the new Employment Eligibility Verification Form I-9 (revision date 3/8/13N) to comply with employment eligibility verification requirements under the Immigration Reform and Control Act of 1986.

A link to the new I-9 form is included below for your convenience.

As a reminder, employers must use Form I-9 for ALL new hires, not just for non-U.S. citizens.

Employers failing to use the new I-9 form beginning May 7th may be subject to substantial monetary penalties.

Key changes to the new form include:

- **Section 1:** New data fields for email address and telephone fields are optional. Remember: Companies enrolled in E-Verify must provide the employee's Social Security number in Section 1.
- **Section 2:** A revised layout for List A, B or C documents is on the second page and space is provided at the top for the employer to write the employee's name.

U.S. Citizenship and Immigration Services (USCIS) released an updated M-274 Handbook for Employers: Guidance for Completing Form I-9 (see link below).

Helpful tips:

- **DON'T** prepopulate Section 1, not even with electronic payroll software.
- **DO** use the new Form I-9 to reverify an existing employee's work eligibility after their documents expire.
- **DO** provide every employee completing an I-9 with a full set of the new 6-page Form I-9 instructions.
- If you rehire an employee within 3 years of the original hire date, you can reverify employment eligibility by updating the employee's OLD Form I-9.

Quick links:

- [New Form I-9](#) (available as an Adobe fillable form)
- [Guidelines for completing new I-9](#)

If you have questions regarding the new I-9 form, its completion or retention or have questions about inquiries from Federal agencies, please contact one of the attorneys in our Immigration section at (801) 328-3600 or via email:

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