How to I-9

An adaptation of the tortoise and the hare

Presented by:



Doug Currier dcurrier@verrilldana.com





Tawny Alvarez talvarez@verrilldana.com



This is the moment in the Seminar when I take a nap.....

- That will be a very costly nap
 - · Paperwork violations:
 - Min. \$ 220
 - Max. \$2,191
 - Per Violation
- We treat the I-9 as an unimportant document and only complete it to "check the box"
 - Slow and Steady Wins the Race!
- Increased activity by ICE



CIVIL VIOLATIONS

- Knowingly hired, or to have knowingly recruited or referred for a fee, an unauthorized alien for employment in the United States or to have knowingly continued to employ an unauthorized alien in the United States
- Failing to comply with Form I-9 employment verification requirements
- Committing or participating in document fraud for satisfying a requirement or benefit of the employment verification process or the INA
- · Committing document abuse
- Unlawful discrimination against an employment-authorized individual in hiring, firing, or recruitment or referral for a fee
- . Failing to notify DHS of a Final Nonconfirmation (FNC) of an employee's employment eligibility
- Requiring an individual to post a bond or security or to pay an amount or otherwise to provide financial guarantee or indemnity against any potential liability arising under the employment verification requirements

CRIMINAL VIOLATIONS

Engaging in a pattern or practice of hiring, recruiting or referring for a fee unauthorized aliens



Section One



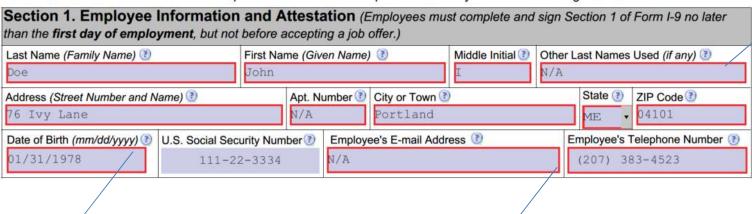
Employment Eligibility Verification

Department of Homeland Security U.S. Citizenship and Immigration Services

USCIS Form I-9 OMB No. 1615-0047 Expires 08/31/2019

► START HERE: Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.



Use N/A

✓ if no

answer

There should always be 8 numbers here

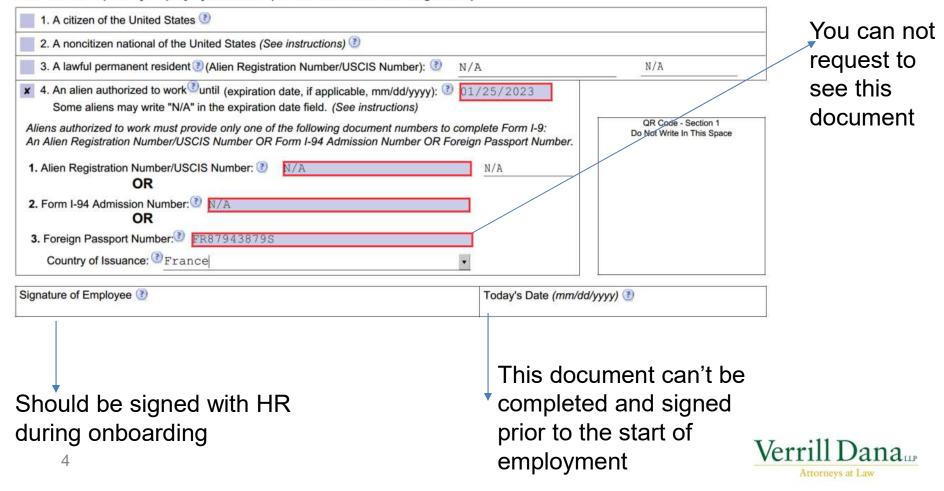
They can provide it or not, but something needs to be here



Section One Continued

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following boxes):



Section One Continued

Preparer and/or Translator Certification I did not use a preparer or translator. A preparer (Fields below must be completed and signed when	rer(s) and/or translator	(s) assisted the employee in				
I attest, under penalty of perjury, that I have ass knowledge the information is true and correct.	sisted in the compl	etion of Section 1 of th	is form a	nd that to	the best of my	
Signature of Preparer or Translator ③			Today's Date (mm/dd/yyyy) ③			
Last Name (Family Name) 3		First Name (Given Name)	ame (Given Name) ③			
Address (Street Number and Name) 3	City or	Town 💿		State 3	ZIP Code ①	

THIS IS IMPORTANT AND IS MISSED SO VERY OFTEN
THIS IS IMPORTANT AND IS MISSED SO VERY OFTEN
THIS IS IMPORTANT AND IS MISSED SO VERY OFTEN
THIS IS IMPORTANT AND IS MISSED SO VERY OFTEN
REALLY REALLY IMPORTANT!!!!

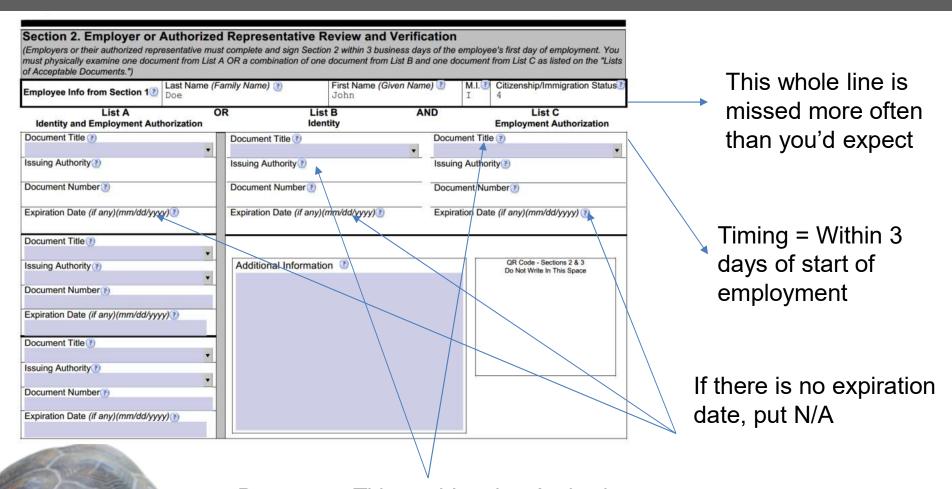








Section Two

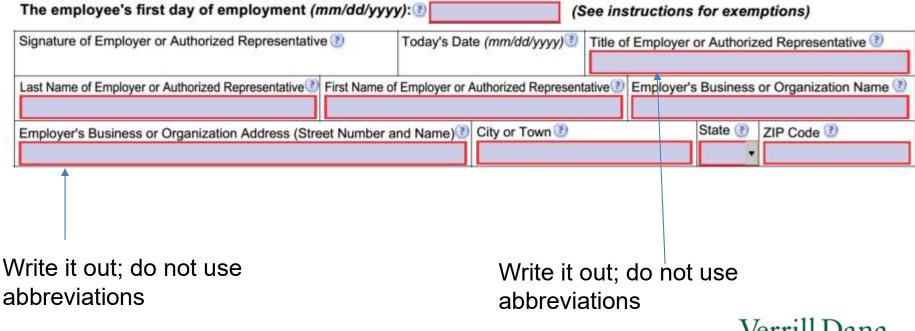


Document Title and Issuing Authority Should be Written Out

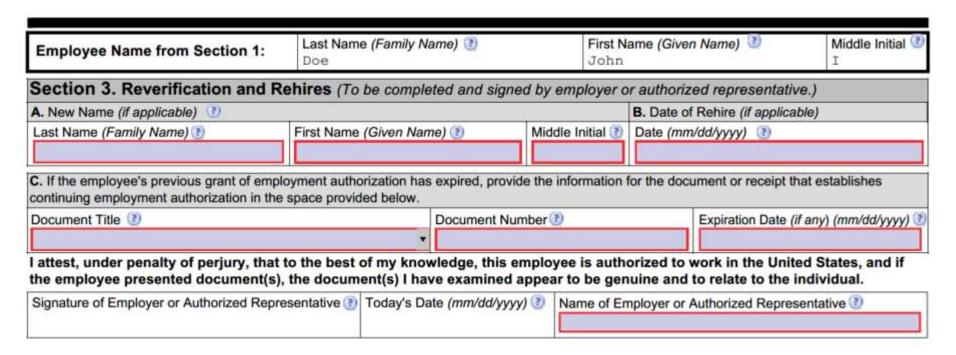


Section Two Continued

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.



Section Three



- When to use it?
 - Reverifications
 - Rehires
- How to use it?
 - What if it happens more than once?



Section Three Continued

Rehires

If you rehire an employee within three years from the date that the Form I-9 was previously executed, you may either rely on the employee's previously executed Form I-9 or complete a new Form I-9.

If you choose to rely on a previously completed Form I-9, follow these guidelines.

- If the employee remains employment authorized as indicated on the previously executed Form I-9, the employee does
 not need to provide any additional documentation. Provide in Section 3 the employee's rehire date, any name changes if
 applicable, and sign and date the form.
- If the previously executed Form I-9 indicates that the employee's employment authorization from Section 1 or
 employment authorization documentation from Section 2 that is subject to reverification has expired, then
 reverification of employment authorization is required in Section 3 in addition to providing the rehire date. If the
 previously executed Form I-9 is not the current version of the form, you must complete Section 3 on the current
 version of the form.
- If you already used Section 3 of the employee's previously executed Form I-9, but are rehiring the employee within
 three years of the original execution of Form I-9, you may complete Section 3 on a new Form I-9 and attach it to the
 previously executed form.

Employees rehired after three years of original execution of the Form I-9 must complete a new Form I-9.



The Lesson

The Hare & the Tortoise

A Hare was making fun of the Tortoise one day for being so slow.

"Do you ever get anywhere?" he asked with a mocking laugh.

"Yes," replied the Tortoise, "and I get there sooner than you think. I'll run you a race and prove it."

The Hare was much amused at the idea of running a race with the Tortoise, but for the fun of the thing he agreed. So the Fox, who had consented to act as judge, marked the distance and started the runners off.

The Hare was soon far out of sight, and to make the Tortoise feel very deeply how ridiculous it was for him to try a race with a Hare, he lay down beside the course to take a nap until the Tortoise should catch up.



The Tortoise meanwhile kept going slowly but steadily, and, after a time, passed the place where the Hare was sleeping. But the Hare slept on very peacefully; and when at last he did wake up, the Tortoise was near the goal. The Hare now ran his swiftest, but he could not overtake the Tortoise in time.

The race is not always to the swift.

But the IRCA penalties may be

