

# *How to I-9*

*An adaptation of the tortoise and the hare*

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# *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.

**Section 1. Employee Information and Attestation** (Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.)

Last Name (Family Name) ? Doe		First Name (Given Name) ? John		Middle Initial ? I	Other Last Names Used (if any) ? N/A	
Address (Street Number and Name) ? 76 Ivy Lane		Apt. Number ? N/A	City or Town ? Portland		State ? ME	ZIP Code ? 04101
Date of Birth (mm/dd/yyyy) ? 01/31/1978	U.S. Social Security Number ? 111-22-3334		Employee's E-mail Address ? N/A		Employee's Telephone Number ? (207) 383-4523	

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):

<input type="checkbox"/>	1. A citizen of the United States ?
<input type="checkbox"/>	2. A noncitizen national of the United States (See instructions) ?
<input type="checkbox"/>	3. A lawful permanent resident ? (Alien Registration Number/USCIS Number): ? N/A N/A
<input checked="" type="checkbox"/>	4. An alien authorized to work ? until (expiration date, if applicable, mm/dd/yyyy): ? 01/25/2023 Some aliens may write "N/A" in the expiration date field. (See instructions) <i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9: An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i> 1. Alien Registration Number/USCIS Number: ? N/A N/A <b>OR</b> 2. Form I-94 Admission Number: ? N/A <b>OR</b> 3. Foreign Passport Number: ? FR87943879S Country of Issuance: ? France ?
Signature of Employee ?	
Today's Date (mm/dd/yyyy) ?	

You can not request to see this document

Should be signed with HR during onboarding

This document can't be completed and signed prior to the start of employment

# Section One Continued

## Preparer and/or Translator Certification (check one): ?

☐ I did not use a preparer or translator. ☐ A preparer(s) and/or translator(s) assisted the employee in completing Section 1.  
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator ?		Today's Date (mm/dd/yyyy) ?	
Last Name (Family Name) ?		First Name (Given Name) ?	
Address (Street Number and Name) ?	City or Town ?	State ?	ZIP Code ?

**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

**Section 2. Employer or Authorized Representative Review and Verification**  
*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")*

<b>Employee Info from Section 1</b> ?	Last Name (Family Name) ? Doe	First Name (Given Name) ? John	M.I. ? I	Citizenship/Immigration Status ? 4
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List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title ?		Document Title ?		Document Title ?
Issuing Authority ?		Issuing Authority ?		Issuing Authority ?
Document Number ?		Document Number ?		Document Number ?
Expiration Date (if any)(mm/dd/yyyy) ?		Expiration Date (if any)(mm/dd/yyyy) ?		Expiration Date (if any)(mm/dd/yyyy) ?
Document Title ?		Additional Information ?		QR Code - Sections 2 & 3 Do Not Write In This Space
Issuing Authority ?				
Document Number ?				
Expiration Date (if any)(mm/dd/yyyy) ?				
Document Title ?				
Issuing Authority ?				
Document Number ?				
Expiration Date (if any)(mm/dd/yyyy) ?				

This whole line is missed more often than you'd expect

Timing = Within 3 days of start of employment

If there is no expiration date, put N/A

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.

The employee's first day of employment (mm/dd/yyyy):  (See instructions for exemptions)

Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)		Title of Employer or Authorized Representative	
<input type="text"/>		<input type="text"/>		<input type="text"/>	
Last Name of Employer or Authorized Representative		First Name of Employer or Authorized Representative		Employer's Business or Organization Name	
<input type="text"/>		<input type="text"/>		<input type="text"/>	
Employer's Business or Organization Address (Street Number and Name)			City or Town		State
<input type="text"/>			<input type="text"/>		<input type="text"/>

Write it out; do not use abbreviations

Write it out; do not use abbreviations

# Section Three

<b>Employee Name from Section 1:</b>	Last Name (Family Name) ? Doe	First Name (Given Name) ? John	Middle Initial ? I
<b>Section 3. Reverification and Rehires</b> (To be completed and signed by employer or authorized representative.)			
<b>A. New Name (if applicable)</b> ?			<b>B. Date of Rehire (if applicable)</b>
Last Name (Family Name) ? <input type="text"/>	First Name (Given Name) ? <input type="text"/>	Middle Initial ? <input type="text"/>	Date (mm/dd/yyyy) ? <input type="text"/>
<b>C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.</b>			
Document Title ? <input type="text"/>	Document Number ? <input type="text"/>	Expiration Date (if any) (mm/dd/yyyy) ? <input type="text"/>	
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.			
Signature of Employer or Authorized Representative ? <input type="text"/>	Today's Date (mm/dd/yyyy) ? <input type="text"/>	Name of Employer or Authorized Representative ? <input type="text"/>	

- 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***