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New I-9 Employment Eligibility Verification Procedures

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On April 14, 2011, the U.S. Citizenship and Immigration Services (USCIS) announced that it has updated some of the procedures pertaining to Employment Eligibility Verification (Form I-9) process. The new changes become effective on May 16, 2011.

Employers must complete Form I-9 for all newly hired employees to verify their identity and authorization to work in the United States.

The updated procedures include, but are not limited to matters such as: revising the list of acceptable documents by removing outdated documents and making technical amendments; prohibiting employers from accepting expired documents; and adding documentation applicable to certain citizens of the Federated States of Micronesia and the Republic of the Marshall Islands. The list of acceptable documents that employees may present to verify their identity and employment authorization is divided into three sections: List A documents, which show identity and employment authorization; List B documents, which show identity only; and List C documents, which show employment authorization only.

The USCIS indicates that employers may continue to use the current version of the Form I-9 (Rev. 08/07/2009) or the previous version (Rev. 02/02/2009). Employers may also access The Handbook for Employers, Instructions for Completing the Form I-9 (M-274) which was updated on Jan. 5, 2011, at www.uscis.gov/files/form/m-274.pdf

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We represent employers, and individuals and their families in greencard and work visa matters in U.S. immigration law. We also have a focus on self-petition green card cases such as extraordinary ability and exceptional ability.

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