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USCIS Releases Revised Form I-9 – Use Is Mandatory from May 2013

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On March 8, 2013, the United States Citizenship & Immigration Service (USCIS), released a new version of Form I-9, the form employers are required to use to verify the employment authorization of each individual they hire (or recruit or refer for a fee).

In addition to reformatting, the new form contains a significantly more elaborate set of instructions to be given to employees, and adds several new data fields to be completed.

Employers are expected to begin using the new form immediately, and older versions will not be accepted after May 7, 2013. The new form can be accessed on the USCIS website at <http://www.uscis.gov/files/form/i-9.pdf>.

Employers are not required to complete the new Form I-9 for employees for whom there is already a properly completed Form I-9 on file, except where reverification otherwise applies – for example, at the scheduled expiration of a work authorization document that the employer accepted when the previous I-9 was completed. Employers should also be cautious of employment discrimination liability for unnecessary reverification.

For questions about the new form, or other employment or immigration law matters, please contact a member of Pullman & Comley's Labor & Employment Section.

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