

Employer Beware: The Time to Use the New Form I-9 Is Now

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On January 22, 2017 employers became obligated to use a new Form I-9, dated November 14, 2016. Prior versions of the I-9 form are no longer valid. You can find the new Form I-9 [here](#).

Employers should continue to follow existing storage and retention rules for all of their previously completed I-9 forms. Reverification of expiring employment authorization for existing employees must be completed using the new form too. Employers are subject to all applicable penalties under section 274 of the Immigration & Nationality Act if the proper form is not used. One area where this may lead to issues is in regards to random I-9 audits.

A few changes between the previous and current Form I-9 include:

- Section 1 asks for “other last names used” rather than “other names used,” and streamlines certification for certain foreign nationals.
- The addition of prompts to ensure information is entered correctly when completed electronically.
- The ability to enter multiple preparers and translators.
- A dedicated area for including additional information rather than having to add it in the margins.
- A supplemental page for the preparer/translator.

Enhancements include drop-down lists and calendars for filling in dates, on-screen instructions for each field, easy access to the full instructions, and an option to clear the form and start all over. When the employer prints the completed form, a quick response (QR) code is automatically generated, which can be read by most QR readers.

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