

This article presents general guidelines for Ohio nonprofit organizations as of the date written and should not be construed as legal advice. Always consult an attorney to address your particular situation.

Employment Update: New Form I-9 Required Starting September 19th

What is Form I-9?

The U.S. Citizenship and Immigration Services (USCIS) requires every employer to complete and retain Form I-9 when hiring a new employee. The purpose of Form I-9 is to verify the employee's identity and authorization to work in the United States. Employers of any size must use Form I-9 for every employee, regardless of citizenship status.

How does an employer comply?

Form I-9 should be completed by each employee after accepting an offer but no later than the first day of employment. Supporting documents must be presented within three business days of the first day of employment, and employers are required to examine the documents and complete Form I-9 within the same time period. Form I-9 must be retained for three years after the date of hire or for one year after employment is terminated, whichever is later. This retention requirement applies even if employment ends shortly after being hired, the hired employee never completes work for pay, or never finishes the Form I-9.

What changed?

USCIS released a new version of Form I-9 in July 2017, replacing the previous revision issued in November 2016. The new Form I-9 includes small updates to the instructions and a reorganization of certain sections. An additional option for a supporting document under List C has been added. The storage and retention rules for the form have not changed.

Failure to use the new form beginning on September 19 could result in significant fines (which doubled on August 1, 2017) and other penalties.

Resources

The new Form I-9 can be found on the USCIS website, linked [here](#). For additional information, reference the handbook for employers on completing Form I-9 linked [here](#).

If you are a client and would like to discuss your organization's use of Form I-9, or if you have related questions, please contact us at info@pbpohio.org. As a client, you may be able to utilize our new Employment Helpline service to answer your questions. For more information on our Employment Helpline, click [here](#).

If you are not a client but would like to apply, please contact us at info@pbpohio.org.