

Publications

Immigration Alert: New Form I-9

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This week, the U.S. Citizenship and Immigration Services (USCIS) published a revised Employment Eligibility Verification Form I-9 for use by employers. The newly revised Form I-9 is available online [here](#).

All employers are required to complete a Form I-9 for each employee hired in the United States. Employers should begin using the newly revised Form I-9 for all new hires and for reverifications where the use of a new form is necessary. Although USCIS strongly encourages employers to begin using the new form immediately, employers may continue to use the previously accepted version (Rev. 03/08/2013) until January 21, 2017. **Starting January 22, 2017, employers must *only* use the new Form I-9 (Rev. 11/14/2016).**

Changes in the new form include the following:

- Section 1 of the new Form I-9 has been revised to ask for “other last names used” rather than “other names used.”
- There is a new field in the Preparer and/or Translator Certification that must be checked to indicate whether or not a preparer or translator was used to complete Section 1.
- Section 2 now contains a dedicated area for including additional information rather than having to add it in the margins.

When the form is completed using a computer, there are additional features to the form, including a “Click to Finish” button that will identify any fields that have been inadvertently left blank. There are also prompts to ensure that information is entered correctly and the added ability to enter multiple preparers and translators. Several enhancements have been added, including 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 over. When the employer prints the completed form, a quick response (QR) code is automatically generated, which can be read by most QR readers.

When Section 1 is completed **by the employee** on a computer, it is not necessary to complete the Preparer and/or Translator Certification. If Section 1 is completed by someone other than the employee on a computer or otherwise, the person who assisted in completing the form should complete, sign, and date the Preparer and/or Translator Certification as required previously.

Employers who use electronic software to complete their I-9 forms should check with their vendors to ensure that their system has been updated with the new form.

If you have any questions regarding how to properly complete the Form I-9 or regarding the use of the newly revised form, we encourage you to contact your Vorys attorney.