

## **I-9 101**

By: Ted Ciricillo (July 15 2008)

Article Link: [http://www.legalemployer.com/html/i-9\\_101.php](http://www.legalemployer.com/html/i-9_101.php)

With changing legislation and increased I-9 enforcement more and more businesses are seeking information on the mysterious I-9 form. Form I-9 is an employment eligibility document that was created by the Immigration and Naturalization Service (INS) in response to the Immigration Reform and Control Act of 1986 (IRCA). The purpose of the form is to document that each new employee (both citizens and non-citizens) is authorized to work in the United States.

All full and part-time employees hired by any U.S. employer after November 6, 1986 is required to have one. This includes everyone from the local dry cleaner and pizzeria to the branch office of the local bank to the corporate employees at that bank. Many make the mistake and think that employees of small businesses are exempt from form I-9. This is not the case. The federal law is for businesses of all sizes.

There are some who are exempt from having to fill out an I-9 form. Employees hired on or before November 6, 1986 and continuously employed by the same employer are exempt. Also individuals performing casual employment who provide domestic service in a private home that is sporadic, irregular or intermittent are exempt from having to complete the form. I-9 adherence for independent contractors or workers provided through temporary agencies is not the responsibility of the business where these employees are placed. It is always good to ask the company providing the employees if they are I-9 compliant.

It is important that employers are aware of the current I-9 rules as action needs to be taken within the first three days of employment. Each new employee must complete Section I of the I-9 form by the end of the first day of employment and fill Section II within 3 days.

Employers must review the original documents submitted for the I-9 check and sign and date the form. The employer must also make and attach copies of the original documents examined. The I-9 Form with the attached copies should then be stored in a safe and secure place. Many businesses are opting to store documents online with I-9 service providers.

Having proper I-9 procedures and documentation is the best solution for adhering to I-9 laws and to help businesses of all sizes avoid costly fines.

---

Ted Ciricillo is an I-9 compliance and awareness expert. Ted is available for interviews, seminars and consultations about I-9 compliance.

Ted Ciricillo is the co-Founder of Legal Employer, Inc. – a federally approved E-Verify designated agent and I-9 compliance awareness and verification service provider. Legal Employer offers a comprehensive seal program that visually demonstrates to consumers a company's commitment to exclusively employing documented workers.

[www.LegalEmployer.com](http://www.LegalEmployer.com)