



HR for Business - ConsultStu LLC

December 15, 2014

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Information Paper

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Topic: Avoid these 25 common errors when completing I9s

Every employer is required to complete an I9 form for newly hired employees. In March 2013, the I9 form was updated and it became a 2 page form. The deadline for fully completing the I9 form is three days from start of work. After an employee accepts employment, the employee completes Section 1 of the form, no later than on the first day of compensated work. The new employee also provides the requested documents to the employer, and the employer completes Section 2 of the I9 form no later than 3 business days after the employee starts performing compensable work. If the employee's work authorization expires, Section 3 is completed with the updated information.

Here are 25 common mistakes and errors to avoid when completing the I9 form:

1. Not using only black or blue ink, or using pencil.
2. Completing an I9 form before an employee is actually hired.
3. Employee fails to check one of the boxes or fails to complete the Section 1 information. Employee needs to give full name, address and date of birth. Make sure it is all readable.
4. After checking lawful permanent resident or alien authorized to work until ____, employee forgets to enter "A" then number/USCIS number or Form I-94 admission number.
5. Employee forgets to sign and date the form.
6. Section 1 is not completed on first day of employment.
7. Making mistakes, sloppy writing and using "white out" to make correction. Corrections and changes to documents must be done by crossing out the incorrect information, writing the correction and then initialing and dating it (by the appropriate person). Employees correct their own errors using this process; however, in many cases, it will be better to have the employee start over and complete an error free I9 form.
8. Failing to terminate the employment of an employee that provides a document that does not reasonably appear to be genuine and/or related to the individual or cannot present other documents that satisfy the requirement of the Form I9.
9. A hiring manager helps the employee complete the form but does not complete the "preparer" information. When handwriting on I9 forms looks the same, the authenticity of the I9 forms is suspect.
10. The employer's signature and date in Section 2 is more than 3 days after hire date.
11. Employee writes more than one last name in Section 1, but presents a document that lists only one of the last names and the employer fails to ask the reason for the difference. If genuine, accept the document. If the name is spelled slightly different, also follow the above guidance.
12. Unapproved documents are accepted and/or correct documents are recorded in the wrong columns of Section 2. For instance, a birth certificate cannot be recorded in Column 1, and a Library card is not authorized for any column.
13. Employer enters a starting date of employment which is more than 3 days prior to the I9 completion. Start date should be substantiated by payroll records (if audited).



14. Using outdated or vague terminology such as “Immigration” or “INS” when the current issuing authority is most likely the “USCIS.”
15. Failing to write out “Social Security Administration” or “SSA” for issuing authority for social security cards and using abbreviations of uncommon words and things.
16. Using an outdated version of the I9 form. Employers do not redo the I9s for current workforce due to the release of new I9 form.
17. Using the Spanish version of the I9 form for any employee hires outside the island of Puerto Rico.
18. Accepting and making copies of documentation to attach to the I9 form that is unreadable and illegible.
19. Staples, marks and hold punches can be made to the original I9 form, as long as all of the information on the form is readable.
20. Not accepting a receipt for the application of the replacement of any List A, B or C document for up to 90 days and not updating the I9 form with the original replacement document after 90 days. Record the receipt in Section 2, then write the word “receipt”, document number and the last day the receipt is valid. After receipt expires, cross out the word “receipt”, record the number from actual document, then initial and date the change.
21. Accepting a receipt for the application for an initial or renewal employment authorization card (such as an application for extension of a work authorization).
22. Accepting a restricted social security card as a valid List C document. Keep in mind that unrestricted social security cards is an acceptable List C document, and are issued to not only citizens and lawful permanent residents, but also refugees, asylees, non-citizen nationals and citizens of some Pacific islands. SSNs that start with 9 are generally not acceptable.
23. Failing to maintain quick access to stored I9 forms so that they are accessible and available for a government official within 3 business days of request.
24. No following the USCIS recommendation to maintain paper I9 forms separate from personnel records to facilitate an inspection request.
25. Failing to ensure that all the mandated technology requirements are met if an employer decides to maintain electronic I9 records, not paper records.

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HR for Business – Consultstu LLC provides fractional HR services to small/mid businesses, and helps those companies comply with HR mandates, minimize HR costs and improve HR efficiency. We assist our clients with customized HR solutions that provide protection from expensive HR mistakes and strategies for improving employee engagement. Contact Stuart Charlson at [727-350-0370](tel:727-350-0370), or email info@consultstu.com