# Form I-9 Compliance Checklist

Use for every new hire, rehire and reverification. Employee: [Name]  First day of employment: [Date] Section 2 deadline (3 business days later): [Date]  Completed by: [Name, title]. This checklist is general guidance; follow the current USCIS Form I-9 instructions and the M-274 Handbook for Employers.

## BEFORE THE FIRST DAY

- [ ] Offer accepted before any part of Form I-9 is started (never as a screening step)
- [ ] Current edition of Form I-9 downloaded from uscis.gov or confirmed in the electronic I-9 system
- [ ] Employee given the form instructions and the Lists of Acceptable Documents, without being told which documents to bring
- [ ] Authorized representative arranged if the employee will start at a site without an HR person, and trained on document examination
- [ ] For E-Verify employers using the remote alternative procedure: live video session scheduled and the employee told to send copies of documents first

## SECTION 1 (EMPLOYEE, BY THE FIRST DAY OF EMPLOYMENT)

- [ ] Every required field completed: name, address, date of birth, citizenship or immigration status attestation
- [ ] Social Security number entered if the employer uses E-Verify (otherwise optional)
- [ ] Alien registration, USCIS number, I-94 or foreign passport details entered where the status selected requires them
- [ ] Work authorization expiration date entered where applicable
- [ ] Employee signed and dated Section 1
- [ ] Supplement A completed if a preparer or translator helped the employee
- [ ] Employer reviewed Section 1 for completeness without asking for proof of what the employee attested

## SECTION 2 (EMPLOYER, WITHIN 3 BUSINESS DAYS OF THE FIRST DAY)

- [ ] Employee presented either one List A document, or one List B plus one List C document, of their own choosing
- [ ] Original, unexpired documents examined in person (or by live video under the alternative procedure)
- [ ] Documents reasonably appear genuine and relate to the person presenting them
- [ ] Receipts accepted only where allowed (for example a receipt for a replacement of a lost, stolen or damaged document, valid for 90 days)
- [ ] Document title, issuing authority, number and expiration date entered for each document
- [ ] First day of employment entered
- [ ] Employer or authorized representative name, title, signature and date entered, with business name and address
- [ ] Alternative procedure box checked and document copies retained, if documents were examined remotely

- [ ] For a job lasting fewer than 3 business days: Section 2 completed by the end of the first day

## E-VERIFY (IF ENROLLED)

- [ ] Case created no later than the third business day after the employee starts work
- [ ] Case created only after Form I-9 is complete, never before the offer is accepted
- [ ] Photo matching completed where the document requires it, with copies retained
- [ ] Tentative nonconfirmation notice given to the employee privately, with time to contest; no adverse action while the case is pending
- [ ] Case number recorded on the Form I-9 or kept with it
- [ ] Case closed in E-Verify

## COPIES AND STORAGE

- [ ] Document copies, if your policy is to keep them, made for every employee consistently, not selectively
- [ ] Forms I-9 stored separately from personnel files, in a binder, folder or electronic system with restricted access
- [ ] Electronic system meets federal requirements for audit trails, signatures and retrieval
- [ ] Expiring work authorization dates entered in a tickler or system reminder at least 90 days ahead

## REVERIFICATION AND REHIRE (SUPPLEMENT B)

- [ ] Reverify only when temporary employment authorization in Section 1 or a List A or C document expires
- [ ] Do not reverify U.S. citizens, noncitizen nationals, lawful permanent residents who presented a Permanent Resident Card, or List B identity documents
- [ ] Employee chooses which List A or List C document to present for reverification
- [ ] Reverification completed by the date authorization expires
- [ ] Rehire within 3 years of the original form date: Supplement B used or a new Form I-9 completed

## RETENTION AND INTERNAL AUDIT

- [ ] Retention date calculated at separation: the later of 3 years after the first day of employment or 1 year after employment ends
- [ ] Forms past their retention date destroyed securely, unless a legal hold applies
- [ ] Internal audit completed at least annually, or on a sample of recent hires each quarter
- [ ] Errors corrected by striking through, entering the right information, and initialing and dating the change, with a note explaining it
- [ ] No backdating; missing forms completed now with the current date and a note in the file
- [ ] Audit findings, corrections and any process changes documented