

GMS Flash Alert



Immigration Edition

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United States - Employers May Use New Form I-9 Now; Mandatory from May 1

U.S. Citizenship and Immigration Services (USCIS) has published a new edition of the Form I-9, *Employment Eligibility Verification* ("Form I-9"), which contains several minor updates. Starting May 1, 2020, U.S. employers must use the new edition of the Form I-9.¹

WHY THIS MATTERS

U.S. employers must complete Form I-9 requirements to verify the identity and employment authorization of their U.S. workforce including both U.S. citizen and non-citizen workers. Failure to properly comply with the Form I-9 requirements can result in monetary fines imposed on the employer and, in certain situations, criminal penalties.

Employers should take steps to help ensure their human resources departments incorporate the updated form in their employee on-boarding and employment verification procedures. The version date on the Form I-9 can be viewed at the bottom corner of the form.

Highlights of Newly Updated Form I-9

The USCIS made minor updates to the form and its instructions as follows:

- The addition of Eswatini and North Macedonia to the Country of Issuance field in Section 1 of the form's drop-down list. This change is only visible when completing the fillable Form I-9 on an electronic device.
- Clarified who can act as an authorized representative on behalf of an employer.

- Updated USCIS website addresses.
- Provided clarifications on acceptable documents employees may present to demonstrate identity and employment authorization.
- Updated the process for requesting the paper Form I-9.
- Updated the DHS Privacy Notice.

Next Steps

From January 31, 2020 to April 30, 2020, employers may use either the prior edition (Rev. 07/17/17 N) or the new edition (Rev. 10/21/2019) of Form I-9 when verifying the identity and employment authorization of its employees. The USCIS is providing a 90-day grace period allowing employers time to make the necessary updates to their employment verification processes.

Starting May 1, 2020, the prior version of Form I-9 will no longer be valid for use and will be obsolete. The new edition of the Form I-9 is available for public download at: www.uscis.gov/i-9.

Employers should not complete the new Form I-9 (Rev. 10/21/2019) for current employees who already properly completed their I-9 Employment Eligibility Verification process, unless I-9 re-verification is required. Unnecessary I-9 employment verification may violate certain anti-discrimination regulations.

FOOTNOTE:

1 See the [new Form](#) on the USCIS website. Also, see the USCIS "What's New" news item on the matter dated 1/31/20, click [here](#).

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Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or the following professional with the KPMG International member firm in Canada:



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