

DON'T LET THE FORM I-9 PROCESS TRIP YOU UP

Avoid these costly Form I-9 stumbles.



PAY THE PENALTY



IN OCTOBER 2013,
THE DOJ FINED
INFOSYS LIMITED

\$34MM

— for —

ONE

Failure to maintain I-9 records of foreign nationals in 2010 - 2011.

TWO

Failure to update and re-verify the employment eligibility of many foreign-national employees.

ALERT!

Total fines for an I-9 audit have grown 1,980% since 2009, from \$1.5M to \$31.2M.

BEST PRACTICES

Ensure a uniform approach to all processes to avoid being seen as discriminatory.

Processes can be changed, but should be communicated in a memorandum for audit purposes.

A Form I-9 can be completed as soon as a job offer is accepted.

START

STEP 1 ✓

Candidate Selected & Conditional Offer Made

✓ STEP 2

Background Screening Clear – New Hire Invited to Start Work

STEP 3 ✗

Request Identity & Employment Verification Documentation

STUMBLE: Dictating which documents new hires should produce

✗ STEP 4

Completion of Form I-9 by the Employer

STUMBLE:

- + Submitting an incomplete form or inputting duplicate data
- + Not using the latest version of Form I-9
- + Not following the instructions that come with the Form I-9

STEP 5 ✗

Presentation of Employment Verification Documentation

STUMBLE:

- + Allowing new hires to use expired identification documents
- + Not verifying employment verification documentation in person or using a notary

✗ STEP 6

Submit to E-Verify

STUMBLE:

- + Assuming compliancy through submitting to E-Verify
- + Not knowing differing state laws
- + Not knowing if the industry you're in mandates submission to e-Verify
- + Not completing section 2 of the form if submitting to e-Verify

STEP 7 ✗

Store Form I-9

STUMBLE:

- + Not storing forms for the required length of time
- + Failure to record changes made to the form
- + Not purging documents in the given timeframe

✗ STEP 8

Review or Audit

STUMBLE: Not identifying employees with expiring work authorizations

STEP 9 ✗

Employee Leaves

STUMBLE: Discarding the Form I-9 after the employee leaves if the required storage time has not yet lapsed

FINISH



SterlingBackcheck now offers companies of all sizes an affordable i-9 management solution that eliminates risk and manages the i-9 process from start to finish, including form intake, validation, audit, remediation, storage and retrieval.

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