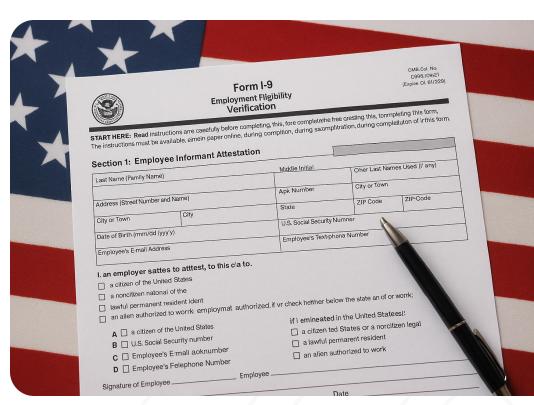


I-9 Compliance

Navigating
Immigration
Enforcement at
Work

June 4, 2025



Before We Get Started:



A recording of this webinar will be sent to you after today's presentation.

Before We Get Started:



All attendees will be placed on mute.



Please place questions in the Q&A tab.



A survey will be sent out after the webinar.

Before We Get Started:

If you're having trouble with audio or viewing the webinar, please:



Try refreshing your browser.



Try a different browser.



Ask for assistance in the Q&A tab.

Legal Disclaimer

The information presented today is provided for educational purposes and should not be considered legal advice.

The presentation and these materials do not represent the opinions of the presenter and those of PNI•HCM.

Meet Your Presenters



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VP of Training
PNI•HCM & GovConPay



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Chief HR Officer
PNI•HCM & GovConPay



I-9 Compliance Impacting You

Today's Agenda

- Review I-9 Basics
- Highlight Responsibilities & Best Practices
- Discuss Auditing Specifics
- Examine How We Can Help
- Resources Available to You





Polling Question

Do you have a formal 1-9 verification and retention process today?

Who's Who?

Governing Bodies

- USCIS U.S. Citizenship & Immigration Services
- ICE Immigration & Customs Enforcement
- HSI Homeland Security Investigations



How has the New Administration affected?

- Increased Vetting: The Trump administration implemented more stringent vetting procedures for green card applications, particularly for refugees and asylees
- Form Changes: There were abrupt changes to various immigration forms, including those for permanent residency and citizenship, which created confusion and delays
- Temporary Pauses: Processing of certain green card applications was temporarily paused to comply with new executive orders aimed at identifying potential fraud and security concerns

OFCCP (Office of Federal Contract Compliance Programs)

Is there anything else new?

- Form I-9 (08/01/23 edition) that is valid until 05/31/2027
 - o Form I-9 (08/01/23 edition) that is valid until 07/31/2026 (Employers using this form must update their electronic systems with the 05/31/2027 expiration date by July 31, 2026.)

			Departm	ent of I	Iomeland	Verification Security Strong Services	n		USCIS Form I-9 OMB No.1615-004 Expires 05/31/202
START HERE: Employers must e failing to comply with the requirer ANTI-DISCRIMINATION NOTICE: employees for documentation to ver Supplement B, Reverification and R	ments for All emplify inform	or completion or completion of completion or	ting this for choose will section 1,	orm. See hich accep or specify	below and ptable docur which accep	the Instructions mentation to presentable documental	ent for Form	I-9. Employe	rs cannot ask ent for Section 2 or
Section 1. Employee Informat day of employment, but not be	ion an	d Attesta	ation: Em	ployees i	must comp	lete and sign Se	ection 1 of	Form I-9 no	later than the first
Last Name (Family Name)		First Name (Given Name) Middle In					tial (if any) Other Last Names Used (if any)		
Address (Street Number and Name)			Apt. Numb	er (if any)	City or Tow	n		State	ZIP Code
Date of Birth (mm/dd/yyyy) U.S.	Social S	ecurity Nun	nber	Employee's	Email Addre			Employee's	Telephone Number
I am aware that federal law provides for imprisonment and/ fines for false statements, or the use of false documents, in	or	1. A citiz	en of the Un	ited States		izenship or immir	tus (S	ee page 2 and 3	of the instructions.):
use or raise occuments, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.		A noncitizen national of the United States (See Instr A lawful permanent resident (Enter USCIS or A-Num							
		4. An alien authorized to work until (exp. date, if any) If you check item Number 4., enter one of these:							
		USCIS A-Number OR Form I-94 Admission Num					oreign Passport Number and Country of Issuance		
Signature of Employee						Today's Di	ate (mm/dd/y	yyy)	
If a preparer and/or translator as	sisted v	ou in comr	leting Secti	on 1, that i	nerson MUST	complete the Prec	arer and/or	Translator Cert	ification on Page 3.
Section 2. Employer Review a business days after the employee's authorized by the Secretary of DHS documentation in the Additional Infe	ind Ver	rification of emplo	: Employer yment, and rom List A	rs or their must phy OR a com	authorized r	epresentative mu	st complete	and sign Sec	tion 2 within three

Renaming the fourth checkbox in Section 1 to "An alien authorized to work"
Revising the descriptions of two List B documents in the Lists of Acceptable Documents
Adding appropriate statutory language and a revised DHS Privacy Notice to the
instructions

What does Form 1-9 do?

- Form 1-9 requires employers to verify that each employee hired is eligible and legally authorized to work in the United States.
- The form also asks for identification for all employees. This requirement applies to both U.S. citizens and noncitizens.









Who is responsible to complete?

There are two sections on Form I-9:

- Section 1: The employee completes with their personal information on or before day 1 of being hired.
- Section 2: The employer is responsible to complete and date the I-9 information within three business days of hiring the employee.

What are the applicable documents?

- Form I-9's List A confirms both identity and eligibility (or)
- If an employee doesn't have an item from List A, he or she must provide one item from both List B and List C.



List A

- U.S. Passport
- Permanent Resident Card (Form I-551)
- Foreign Passport with a temporary I-551 stamp



List B

- Driver's License
- Military ID
- Voter Registration Card



List C

- Social Security Card
- Certification of Birth Abroad
- Native American Tribal Document

Employment
Authorization Document
issued by the Dept of
Homeland Security



Remote Best Practices

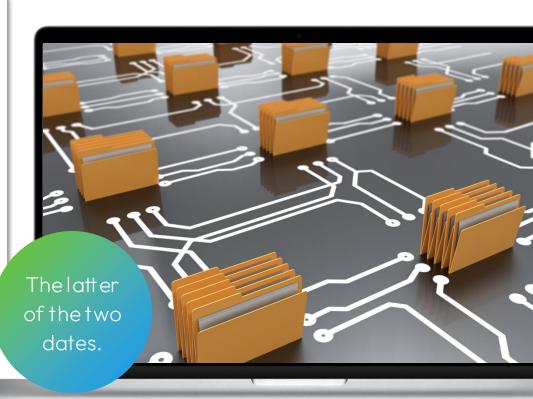
- Important: The 3-day rule still applies.
- Employee still needs to complete the Section 1 of the I-9.
- Employers must use a trusted agent or representative to validate the I-9 to aid in completing Section 2.
 - Notary, Staffing Agency, Personnel Officers, Attorney, Agents, HR Colleague
 - Certain States have restrictions on who can complete the verification (e.g. California)



Who needs an I-9 and for how long?

- Current employees should always have a Form I-9 on file.
- Once terminated, you need to calculate the retention requirements:
 - 3 years from Hire Date (or)
 - 1 year after Termination Date

I-9 Retention



Common Mistakes: Where did I go wrong?

- ➤ Do not file Form I-9 with the government.
- X Make sure you are using the most current form: Rev. 10/21/2019
- ➤ Do not ask for TOO much documentation or specific documentation
 - Form A OR Form B / C

- ➤ Form I-9 cannot be utilized in any capacity prior to making a job offer to a potential employee.
- X HR must make sure both the employee and the employer have dated the documents.
- X Failure to reverify

What if I find a mistake?

Steps to Take:

- Corrections must be made.
- Draw a line through incorrect information and then update and initial/date it.
 - HR/Employer should never update Section
 1 (Employee must)
- If you fill out a new I-9 due to corrections, keep with old one and also place a detailed memo of the correction reasons.
- If you are missing one:
 - Immediately complete the form
 - Do not backdate the form





Why is

1-9 Compliance

even more important?

Chicago staffing company executive sentenced for assisting in hiring noncitizens and 2,738 NOIs and made 32 arrests. TAO NOIs and made 61

Sergio Badani, 51, of St. Charles, Illinois, was sentenced by U.S. District Judge Sara L. Filis concount of conspiracy to commit harboring for purposes of commercial

JANUARY 18, 2022 • COVINGTON, KY • LABOR EXPLOITATION

ICE HSI investigation leads to conviction for harboring undocumented workers

The largest penalties ever handed out by ICE amounted to an eye-popping \$95 million against a company who knowingly accepted falsified documents

-- limmigrants.

Managers, supervisors, human resource personnel indicted for crimes stemming from the largest single-state worksite enforcement

This was the largest single-state worksite enforcement operation in our nation's history, resulting in the detention of 680 illegal aliens and the prosecution of 119 illegal aliens for stealing the identities of American citizens, falsifying immigration documents, fraudulently claiming to be U.S. citizens, and illegal re-entering the country after being deported.

What are the penalties?

Monetary Fines

Deportation

Criminal Arrests

Barred from Government Contracts

Penalty Considerations

Factors:

- Size of the business.
- Good faith effort to comply.
- Seriousness of the violation.
- Involvement of unauthorized workers.
- History of previous violations.





Polling Question

In the event of an audit, how quickly must you respond to the NOI (Notice of Inspection)?

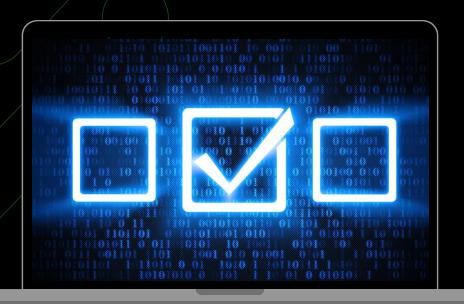
What does the audit process look like?



Process

- Employers will generally receive a written Notice of Inspection (NOI) at least 3 days before the inspection.
- You may have your inspection in one of two places:
 - The location where I-9 information is stored
 - U.S. Immigration and Custom
 Enforcement field office

What will you need to provide?



Obligations

- Retrieve and reproduce paper or electronically stored Form I-9's and any other documents the officer requests;
- Provide the officer with the necessary hardware and software to inspect electronic documents; and
- Provide the officer with any existing electronic summary of the information recorded on the employer's Form I-9.



Polling Question

True or False

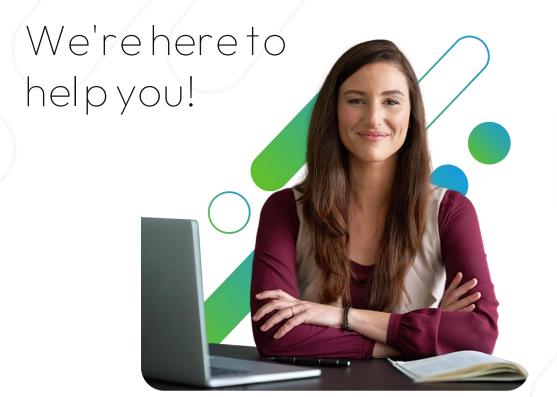
I can pick and choose which employees I retain copies of their supporting documents for the Form I-9.

What will you need to provide?



 Employers are generally not required to create or attach photocopies of documentation submitted to satisfy Form I-9 requirements during the employment eligibility verification process, but the practice is permissible.







Automate the Process



Streamline Verification



Structure Compliance

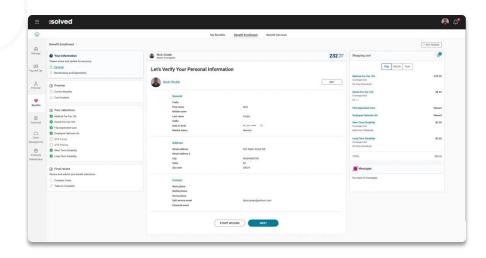
Available Features

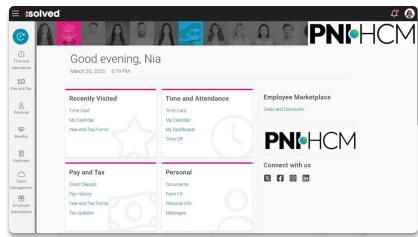


Onboarding



Employee Self-Service



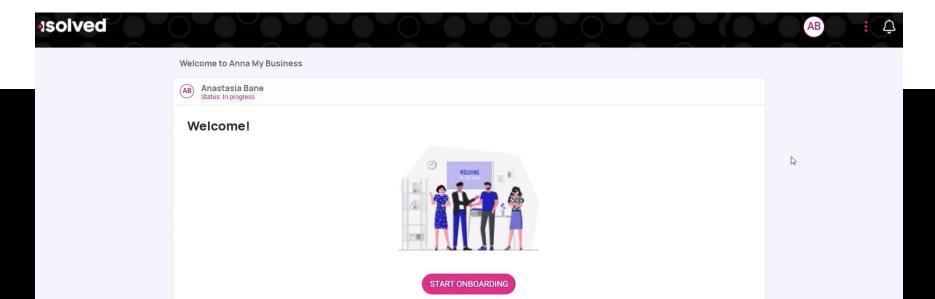


Onboarding & I-9

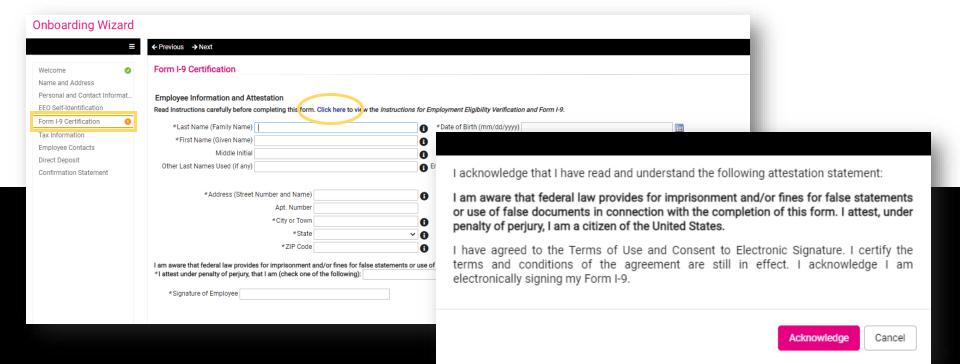
Automate Streamline Structure

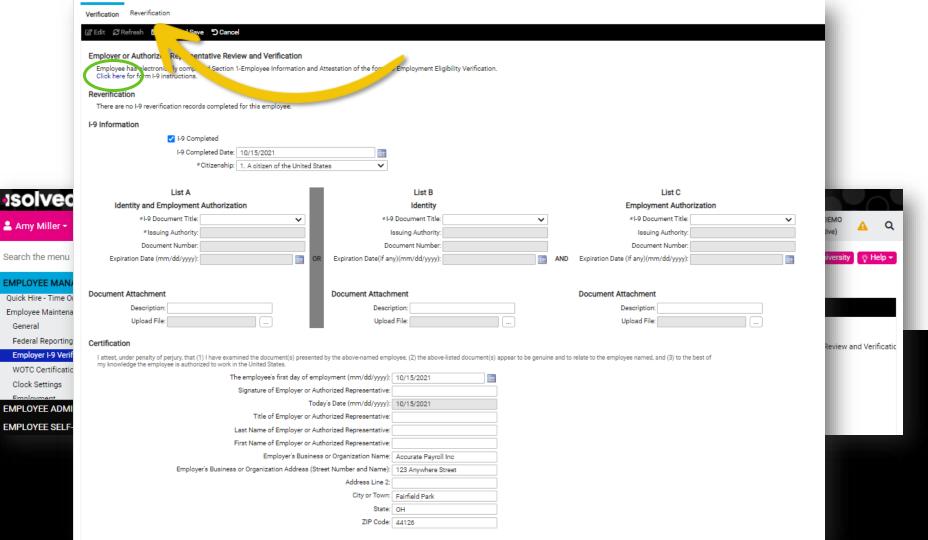
How will we help?

- Provides employees with an electronic solution for completing new hire paperwork.
- Eliminates the need for an HR or Payroll Admin to enter the data manually from paper forms.

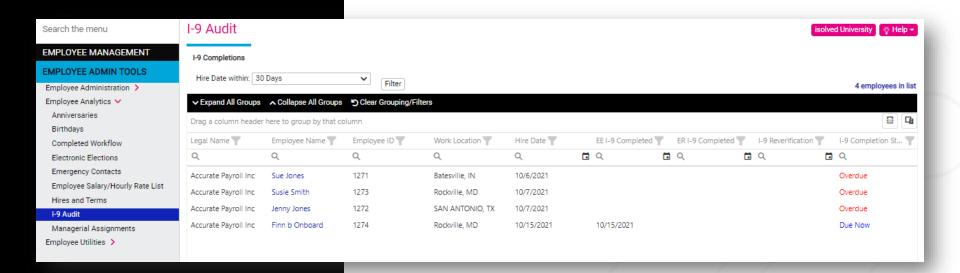


The Onboarding Wizard





1-9 Reporting



Plus: New Employee Analytics Dashboards

I-9 Reports



Employment Eligibility Verification

Department of Homeland Security

U.S. Citizenship and Immigration Services

USCIS Form I-9

OMB No 1615-0047 Expires 05/31/2027

START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the instructions.

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in Section 1, or specify which acceptable documentation employees must present for Section 2 or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer. Last Name (Family Name) Middle Initial (if any) Other Last Names Used (if any) First Name (Given Name) Address (Street Number and Name) Apt. Number (if any) City or Town State 7IP Code Date of Birth (mm/dd/yyyy) U.S. Social Security Number Employee's Email Address Employee's Telephone Number Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.): I am aware that federal law provides for imprisonment and/or 1. A citizen of the United States fines for false statements, or the 2. A noncitizen national of the United States (See Instructions.) use of false documents, in connection with the completion of 3. A lawful permanent resident (Enter USCIS or A-Number.) this form. I attest, under penalty 4. An alien authorized to work until (exp. date, if any) of perjury, that this information, including my selection of the box If you check Item Number 4,, enter one of these: attesting to my citizenship or Foreign Passport Number and Country of Issuance immigration status, is true and USCIS A-Number Form I-94 Admission Number correct. Signature of Employee Today's Date (mm/dd/yyyy)

Status: ALL

mpletion

From: 01/01/2015

To: 01/25/2019

Completed Timely

mpletion	Completion Status		
8	Completed Timely		

If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the Preparer and/or Translator Certification on Page 3. Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box: see Instructions.

Client ID: A1789 - Company Inc Pav Group: ALL

Run Date: 1/23/2019 4:26:49 PM

Name	Work Lo		
Test, Leslie M	ROCKVILL		
Test, Liz M	ROCKVILL		
Test, Lydia M	ROCKVILL		
Test, Marsha M	ROCKVILL		
Test, Rebecca M	ROCKVILL		
Test, Veronica M	ROCKVILL		

Electronic Storage



Storing Form I-9 Electronically

- Include controls to:
 - Detect and prevent the unauthorized or accidental creation of, addition to, alteration of, deletion of or deterioration of an electronically completed stored Form I-9, including the electronic signature, if used
 - Ensure the integrity, accuracy, and reliability of the electronic generation storage system
 - Ensure an audit trail so that any alteration is captured
- Include an inspection and quality assurance program
- Include a detailed index of all data for quick accessibility
- Produce a high degree of legibility and readability

I-9 Audit Tool

Guidelines of the Electronic Storage include:

 Controls to ensure an audit trail so that any alteration or change to the form since its creation is electronically stored and can be accessed by inspectors. Client Management



Client Utilities



Employee Audit

Person I9 Person I9 Document



Polling Question

How long should I retain the I-9 information?

The Results of the Audit

ICE will notify the audited party, in writing, of the results of the inspection once completed.

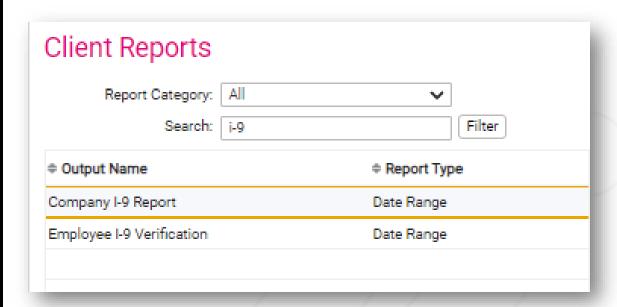
- **Notice of Inspection Results:** Also known as a "compliance letter," used to notify a business that they were found to be in compliance.
- Notice of Suspect Documents: Advises the employer that based on a review of the Forms I-9 and documentation submitted by the employee, ICE has determined that an employee is unauthorized to work and advises the employer of the possible criminal and civil penalties for continuing to employ that individual.
- Notice of Discrepancies: Advises the employer that based on a review of the Forms I-9 and documentation submitted by the employee, ICE has been unable to determine their work eligibility.

The Results of the Audit

ICE will notify the audited party, in writing, of the results of the inspection once completed.

- **Notice of Technical or Procedural Failures:** Identifies technical violations identified during the inspection and gives the employer ten business days to correct the forms.
- **Warning Notice:** Issued in circumstances where substantive verification violations were identified, but circumstances do not warrant a monetary penalty and there is the expectation of future compliance by the employer.
- **Notice of Intent to Fine (NIF):** May be issued for substantive, uncorrected technical, knowingly hire and continuing to employ violations.

Reporting on I-9



Report Details

Employee I-9 Verification

- Format: PDF or Excel
- Name
- Location
- Manager
- Supervisor
- Original Hire Date
- Rehire Date
- EE Submission Date
- ER Completion Date
- Completion Status

Employee I-9 Verification

Format: PDF or Excel

Name

Location

Manager

Supervisor

Original Hire Date

Rehire Date

EE Submission Date

ER Completion Date

Completion Status





IRS

www.uscis.gov

www.ice.gov

https://www.ice.gov/factsheets/i9-inspection

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support@pnihcm.com

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Thank you for joining us!

