

CLIENT ALERT: USCIS Clarifies Which Form I-9 Employers Should Use

On June 29, 2009, United States Citizenship and Immigration Services (“USCIS”) announced that the Form I-9 Employment Eligibility Verification (Rev. 02/02/09) will continue to be valid. This version of the Form I-9 had been set to expire on June 30, 2009.

Employers should use Form I-9 with the 02/02/09 revision date on the bottom of the form. Proper forms – in both English and Spanish – are available directly from the USCIS website by visiting <http://www.uscis.gov/i-9>. USCIS has requested that the Office of Management and Budget approve the continued use of the current version of Form I-9. While this request is pending, the Form I-9 (Rev. 02/02/09) will not expire. USCIS will update Form I-9 when the extension is approved. Form I-9 (Rev. 02/02/09) is the proper form for employers, and, for now, employers may ignore the printing on the form stating that it expired on 6/30/09.

Employers must ensure that they are complying with their obligations under immigration law, including the collection and retention of Form I-9. For more information, please contact your MBJ attorney.

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