



# LEGAL UPDATE

## Employers Must Begin Using New Form I-9 by May 1

On Jan. 31, 2020, the U.S. Citizenship and Immigration Services (USCIS) [published](#) a new version of [Form I-9: Employment Eligibility Verification](#). The previous version of this form expired Aug. 31, 2019, but USCIS advised employers to continue using the expired form until a new form was made available.

### Transition Period

With the new form, USCIS has also clarified that employers have the option of initially using either the expired or the new Form I-9. However, employers must begin using the new form exclusively by **May 1, 2020**.

### What's Different?

The paper version of the new form has not changed, but the electronic form shows a few [minor changes](#). Specifically, the new form:

- Lists additional countries (Eswatini and Macedonia) in the country of issuance field;
- Clarifies who can act as an authorized employer representative;
- Updates the USCIS website address;
- Clarifies the list of acceptable documents;
- Updates the process for requesting paper versions of the form; and
- Updates the privacy notice from the Department of Homeland Security.

### New Expiration Date

The new Form I-9 was [approved](#) by the Office of Management and Budget on Oct. 21, 2019 and has a new expiration date of **Oct. 31, 2022**.

## Compliance Review

- All U.S. employers must properly complete Form I-9 for each individual they hire for employment in the United States. This includes citizens and noncitizens.
- Both employees and employers (or authorized representatives of the employer) must complete the form.
- The list of acceptable documents can be found on the last page of the form.
- Employers must retain Form I-9 for a designated period and make it available for inspection by authorized government officers.
- Only employers and employees in Puerto Rico can complete the Spanish version of Form I-9.

***Employers may continue using the prior version of the form (Rev. 07/17/2017 N) until April 30, 2020.***

---

Provided to you by **Alper Services, LLC**

This Legal Update is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice. ©2020 Zywave, Inc. All rights reserved.

