Index

AB 450

Impact on ICE worksite enforcement actions, § 5:44

ACCEPTABLE I-9 DOCUMENTS

Document Guide, this index

ACQUISITIONS

Mergers and Acquisitions, this index

ACTUAL KNOWLEDGE

Complaint procedures, selected legal issues, § 7:2

ADDRESSES

I-9 process, addresses incomplete or omitted, § **4:71**, **4:72**, **4:74**, **4:75**

ADMINISTRATIVE PROCEDURES OR PROCEEDINGS

Complaint Procedures, this index Discrimination, this index

ADMISSION NUMBER

I-9 process, admission number misplaced, § 4:71

AFGHAN PAROLEES

I-9 process, § 4:99

AGE OF EMPLOYEE

I-9 process, special I-9 rules applicable to employee under 18 years old, **§ 4:101, 4:102**

ALIEN REGISTRATION RECEIPT CARD

Document guide, § 9:22 to 9:25

ANNOTATIONS

Document Guide, this index

ANSWER

Complaint Procedures, this index

ANTI-DISCRIMINATION

I-9 process, § 4:36

APPEAL OR REVIEW

Complaint procedures, hearings, § 6:13

Discrimination orders, judicial review of 274B discrimination orders, § 8:53

Document guide, review by employer of acceptable I-9 documents, § 9:1

Employer obligations to review documents for fraud during verification process, § 2:12

I-9 process, review by employer, § 4:53 et seq.

ASYLEES

USCIS memo on employment authorization of refugees and asylees, § 10:8

ASYLEES—Cont'd

Verification, acceptance of receipts for individuals authorized to work incident to, § 4:93

ATTACHMENTS

Complaint procedures, notice of intent to fine, § 5:21 Document guide, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

ATTESTATION

I-9 process, § 4:70 et seq.

ATTORNEYS

Compliance program, consultation with counsel before making hiring and firing decisions, § 4:7

Discrimination, attorney's fees for prevailing parties, § 8:54

ATTORNEYS' FEES

Discrimination, attorney's fees for prevailing parties, § 8:54

AUDITS AND AUDITING

Compliance Program, this index

Human resources managers, § 1:27, 1:28

ICE/DOL Investigations, this index

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

In-house audits

Compliance Program, this index

human resources managers, § 1:27, 1:28

ICE/DOL Investigations, this index

Mergers and acquisitions, auditing inherited I-9 files, § 3:28

AUTHORITY OR AUTHORIZATION

Employer obligations relating to employment of undocumented workers and verification of work eligibility, § 2:2 to 2:6

BASIC REQUIREMENTS UNDER IRCA

Generally, § 2:1 et seq.

Citizenship-based discrimination, employer obligations under anti-discrimination provision, § 2:9

"Constructive knowledge" standard, § 2:3

Document abuse, employer obligations under antidiscrimination provision, § 2:10

Employers subject to IRCA's discrimination provision, § 2:8

Fraud during verification process, employer's obligation to review documents for, § 2:12

Government enforcement of employer sanctions, § 2:5

IRCA's paramount purpose as avoiding employment of unauthorized workers, § 2:6

BASIC REQUIREMENTS UNDER IRCA—Cont'd

Protected individuals under IRCA, § 2:8

Reviewing documents for fraud during verification process, employer's obligation, § 2:12

Unauthorized workers, employers obligations relating to employment of, § 2:2 to 2:6

Undocumented workers, employer obligations relating to employment of, § 2:2 to 2:6

Unlawful document abuse, § 2:10

Verification process, employer's obligation to review documents for fraud during, § 2:12

Work verification procedures, § 2:4

BIRTH CERTIFICATES

Document Guide, this index

BIRTH DATE

I-9 process, § 4:73, 4:79

CALIFORNIA

AB 450 impact on ICE worksite enforcement actions, § 5:44

CANADA

Document guide, driver's license issued by Canadian government authority, § 9:48

CASUAL HIRES

Complaint procedures, defenses in employer sanction proceedings, § 7:26

CERTIFICATES OR CERTIFICATION

Document Guide, this index

I-9 Process, this index

CHALLENGES

Discrimination charge, challenges to timing, filing and processing of, § 8:43

Fine assessments challenged. Complaint Procedures, this index

CHECKLIST

In-house audits, § 4:135

On-line managers, § 1:30

CHILDREN OR MINORS

I-9 process, special I-9 rules applicable to employee under 18 years old, § 4:101, 4:102

CITIZENS AND CITIZENSHIP

Citizenship status discrimination. Discrimination, this index

Document Guide, this index

"CITIZENSHIP" BASED DISCRIMINATION

Defined, § 2:9

CITIZENSHIP STATUS DISCRIMINATION

Discrimination, this index

COAST GUARD

Document guide, U.S. Coast Guard merchant mariner card, § 9:46, 9:47

COMMENCEMENT

Discrimination, commencement of investigation, § 8:39

COMMON MISTAKES OR ERRORS

Discrimination, common employer mistakes leading to potential liability, § 8:25 to 8:40

I-9 process, sample forms, § 4:70 to 4:81

Retaliation, employer retaliates against job applicant or employee because individual raises possible violations, § 8:40

COMPLAINT PROCEDURES

Generally, § 6:1

Abuse of documents, constructive knowledge, § 7:3

constructive knowledge, or, § 7:2, 7:4, 7:5 knowledge, selected legal issues, § 7:2

Answer to complaint

filing of complaint and timing of response, § 6:2 preparation of answer, § 6:4, 6:5, 6:9 service of complaint, § 6:2

Appeal, hearings, § 6:13

Attachments, notice of intent to fine, § 5:21

Authority or authorization, defenses in employer sanction proceedings, authorized employees to work incident to status, § 7:20

Casual hires, defenses in employer sanction proceedings, § 7:26

Challenging fine assessments. Fines, below

Collateral estoppel, § 7:22

Constructive knowledge

generally, § 7:2 to 7:14

document abuse, § 7:3

failure to conduct verification, new employees or reverification of employees with time-limited work authorization, § 7:13

labor certification filing, constructive knowledge based on, \S 7:10

new social security numbers, presentation of, § 7:14 reliance on attorney statements regarding employee's work eligibility, § 7:8

response of employer

sufficiency, § 7:7

timeliness, § 7:6

reverification, constructive knowledge based on failure to conduct, § 7:12

rules addressing DHS notices, § 7:9

SSA no-match letters, § 7:14

suspect documentation, presentation of during verification, § 7:11

timeliness of employer's response, § 7:6

Contractors

debarment penalty for government contractor violations, § 5:42

independent contractors, below

Debarment penalty for government contractor violations, § 5:42

COMPLAINT PROCEDURES—Cont'd	COMPLAINT PROCEDURES—Cont'd
Defenses in employer sanction proceedings	Fines—Cont'd
generally, § 7:17 to 7:29	challenging fine assessments—Cont'd
authorized employees to work incident to status,	seriousness of violation, § 7:33
§ 7:20	size factor, § 7:31
casual hires, § 7:26	fines and asset forfeiture, § 5:41
collateral estoppel, § 7:22	good faith factor, § 7:32
company owners, § 7:26	guidelines for determination, § 5:25
double jeopardy, § 7:22	history of 274A violations, § 7:35
good faith defense for unlawful hiring violations, § 7:18	involvement of undocumented workers, § 7:34 NIFs, challenging ICE fine assessments included in
grandfathered status, § 7:19	§ 5:27
hearsay statements, suppression of, § 7:29	notice of intent to fine, below
illegally obtained evidence, suppression of, § 7:28	penalty structure under IRCA, § 5:24
independent contractors, § 7:24	seriousness of violation, § 7:33
OCAHO, suppression of	size factor, § 7:31
hearsay statements, § 7:29	Good faith
illegally obtained evidence, § 7:28 rebuttal presumption of no violations in E-Verify	defenses in employer sanction proceedings, § 7:18
cases, § 7:27	fines, § 7:32 Government contractor violations, debarment penalty
"rehired" employees or employees "continuing in	for, § 5:42
employment," § 7:25	Grandfathered status, defenses in employer sanction
res judicata, § 7:22	proceedings, § 7:19
statute of limitations, § 7:21	Hearings
substantial compliance defense for paperwork viola-	appeal, § 6:13
tions, § 7:23	conduct, § 6:12
Discovery. Motions and prehearing discovery, below	discovery. Motions and prehearing discovery, below
Distinct, physically separate subdivisions as entity	motions and prehearing discovery, below
subject to liability, § 7:38	OCAHO decision, § 6:13
Documents	prehearing discovery. Motions and prehearing
abuse of documents, constructive knowledge, § 7:3	discovery, below
defenses in employer sanction proceedings, paperwork violations, § 7:23	Hearsay statements, suppression of, § 7:29
Double jeopardy defenses in employer sanction	History of violations, fines, § 7:35
proceedings, § 7:22	Illegally obtained evidence, suppression of, § 7:28
Enhancement matrix, § 5:26	Independent contractors
Entity subject to liability	generally, § 7:24
generally, § 7:37	defenses in employer sanction proceedings
distinct, physically separate subdivisions, § 7:38	generally, § 7:23
mergers, § 7:39	OCAHO, suppression of hearsay statements,
subdivisions as distinct and physically separate,	§ 7:29
§ 7:38	OCAHO, suppression of illegally obtained evi-
Failure to conduct verification, new employees or	dence, § 7:28
reverification of employees with time-limited	Intent. Notice of intent to fine, below
work authorization, § 7:13	Labor certification filing, constructive knowledge,
Filing complaints	§ 7:10 Letters
generally, § 6:1	
answer, preparation of, § 6:4, 6:5	constructive knowledge
Fines	response to letter of notification by ICE, sufficiency of employer's, § 7:7
amount calculation of civil fine, ICE, § 5:26	SSA no-match letters, § 7:14
asset forfeiture, § 5:41	· -
challenging fine assessments	response to letter of notification by ICE, sufficiency of employer's, § 7:7
generally, § 7:30 to 7:36	SSA no-match letters, § 7:14
good faith lacking, § 7:32 history of employer's 274A violations, § 7:35	Mergers, entity subject to liability, § 7:39
involvement of undocumented workers, § 7:34	Motions and prehearing discovery
other factors, § 7:36	generally, § 6:6
onici iaciois, § 1.30	generany, 8 0.0

COMPLAINT PROCEDURES—Cont'd Motions and prehearing discovery—Cont'd discovery, § 6:8 employer response to discovery requests and use of discovery, § 6:9 motions, **§ 6:7** post-complaint settlements, procedures, § 6:10 New social security numbers, presentation of, § 7:14 NIFs, challenging ICE fine assessments included in, § 5:27 No-match letters. SSA no-match letters, below Notice of intent to fine generally, § 5:19 to 5:23 final orders, § 5:23 Form I-763 attachment, § 5:21 response of employer, § 5:22 Notice or knowledge actual or constructive knowledge, § 7:2, 7:4, 7:5 intent to fine. Notice of intent to fine, above rules addressing DHS notices, § 7:9 OCAHO proceedings generally, § 6:1 filing of complaint and timing of response, § 6:2 hearsay statements, suppression of, § 7:29 preparation of answer to complaint, § 6:4, 6:5 review by employer of complaint, § 6:3 service of complaint. § 6:2 suppression of illegally obtained evidence, § 7:28 Penalties criminal sanctions, § 5:40 debarment penalty for government contractor violations, § 5:42 debarment penalty under state law, § 5:42 fines, above Post-complaint settlements, procedures, § 6:10 Prehearing discovery. Motions and prehearing discovery, above Preparation of answer to complaint, § 6:4, 6:5 Rebuttal presumption of no violations in E-Verify cases, defenses in employer sanction proceedings, § 7:27 "Rehired" employees or employees "continuing in employment," § 7:25 Reliance on attorney statements regarding employee's work eligibility, § 7:8 other workplace information, § 7:16 Res judicata, § 7:22 Responses employer answer to complaint, § 6:3 intent to fine, notice of, § 5:22 sufficiency of employer's response to letter of notification by ICE, § 7:7 Reverification, constructive knowledge based on failure to conduct, § 7:12 Selected legal issues, generally, § 7:1 et seq.

COMPLAINT PROCEDURES—Cont'd

Service of complaint, § 6:2

Size factor, fines, § 7:31

SSA no-match letters, generally, § 7:14

Statute of limitations, defenses in employer sanction proceedings, § 7:21

Subdivisions as distinct and physically separate entity subject to liability, § 7:38

Substantial compliance defense for paperwork violations, § 7:23

Suspect documentation presentation of during verification, constructive knowledge, § 7:11

Timeliness of employer's response, § 7:6

Verification, failure to conduct verification or reverification, constructive knowledge based on failure to conduct, § 7:12

COMPLAINTS

Discrimination, complaint of retaliation, § 8:14 Procedures. Complaint Procedures, this index

COMPLETE OR COMPLETION

Human resources managers, completion of I-9 process generally, § 1:14 et seq. first day of employment, on the, § 1:16 prior to first day of employment, § 1:17 I-9 Process, this index

COMPLIANCE PROGRAM

Attorneys, consultation with counsel before making hiring and firing decisions, § 4:7

Designation of overall compliance officer, § 4:4

Firing decisions, consultation with counsel before making, § 4:7

Form I-9 audits, § 4:133

Hiring decisions, consultation with counsel before making, § 4:7

Immediate steps to be taken to bring employer into compliance, § 4:8

In-house audits

generally, § 4:132 et seq.

basic requirements, § 4:134

checklist, § 4:135

completion of audit, employer actions at, § 4:136

conduct of, § 4:8

Form I-9, § 4:133

ICE / Special counsel joint guidance, § 4:133

I-9 process, generally, § 4:2 et seq.

Managers, provide clear guidance to hiring managers on I-9 procedures, § **4:6**

Notice to employees in case of late I-9 compliance, § 4:9

Personnel policy, materials and applications, integration of IRCA policy with, § 4:5

Special counsel joint guidance, § 4:133

Standard written compliance policy, establishment of, § 4:3

Seriousness of violation, § 7:33

CONDITIONAL PERMANENT RESIDENTS

Removal of conditional status, § 4:91

CONDITIONAL STATUS

Removal of conditional status, § 4:91

CONDUCT OF INVESTIGATION

Discrimination investigations, § 8:48 ICE/DOL Investigations, this index

CONSISTENT INFORMATION I-9 PROCESS

Review by employer to assure consistent information, § 4:58

CONSTRUCTIVE KNOWLEDGE

Basic requirements under IRCA, § 2:3

Discrimination, requesting further documents in constructive knowledge situations, § 8:23 Further Inquiries Warranted, this index

"CONTINUING COURSE OF CONDUCT" DOCTRINE

Employer challenges to, enforcement and administrative procedures, § 8:44

CONTRACTORS

Complaint Procedures, this index Independent Contractors, this index

COPIES OR COPYING

Document guide, birth certificate issued by state, county, or municipal authority bearing seal, § 9:56 to 9:59

I-9 process, employer may keep copies of Section 2 documents, § **4:60**

COUNTIES

Document guide, birth certificate issued by county authority bearing seal, § 9:56 to 9:59

CURRENT EMPLOYEES

Sanctions, verification of current employees, § 1:3

CURRENT WORK AUTHORIZATION

Recruitment and limited hiring, § 3:19

DATE

Time or Date, this index

DEBARMENT

Government contractor violations, § 5:42 State law penalties, § 5:43

DEFENSES

Discrimination, defending facially-neutral policies, § 8:16

DEPARTMENT OF JUSTICE (DOJ)

Sample Justice Department settlement agreements, § 8:55

DEPARTMENT OF STATE

Document guide, State Department certification of birth abroad, § 9:52 to 9:55

DEPARTMENT OF STATE—Cont'd

Sample Forms

Social security card with restriction (not valid for I-9 purposes), § 9:51

DEPENDENTS

Document guide, ID card of dependent of U.S. military personnel, § 9:44, 9:45

DISCHARGE FROM EMPLOYMENT

Discrimination, this index

DISCOVERY

Complaint Procedures, this index

DISCRIMINATION

Generally, § 8:1 et seq.

Administrative procedures. Enforcement and administrative procedures, below

Anti-discrimination laws, enforcement, § 2:11

Appeal or review, judicial review of 274B discrimination orders, § 8:53

Attorney's fees for prevailing parties, § 8:54

Basic Requirements under IRCA, this index

Challenges to timing, filing and processing of discrimination charge, § 8:32

Citizenship status discrimination

generally, § 8:7 to 8:19

defined, § 2:9

employer obligations under IRCA's anti-discrimination provision, § 2:9

exemptions, § 8:11

foreign worker preference, § 8:17

intentional discrimination, § 8:8

limited hiring policies, pre-hire inquiries to determine employment eligibility or, § 8:10

nonimmigrants, preference for, § 8:19

pattern or practice violations, § 8:9

persons protected by, § 8:4

preferences, § 8:18, 8:19

recruitment and limited hiring, restricting employment to foreign workers, § 3:23

recruitment and limited hiring, restricting employment to U.S. citizens, § 3:22

undocumented aliens, preference for, § 8:18

unrelated to employer sanctions, § 8:17 to 8:19

Commencement of investigation, § 8:39

Common employer mistakes leading to potential liability, § 8:25

Complaint of retaliation, § 8:14

Conduct of Immigrant and Employee Rights (IER) investigations, § 8:49

Constructive knowledge situations, requesting further documents in, § 8:23

"Continuing course of conduct" doctrine, employer challenges to, § 8:44

Defending facially-neutral policies, § 8:16

Discharge from employment. Unlawful discharge and retaliation charges, below

DISCRIMINATION—Cont'd

Document abuse

employer obligations under IRCA's anti-discrimination provision, § 2:10

persons protected under document abuse provision, § 8:5

violations. Document abuse violations, below

Document abuse violations

generally, § 8:20

constructive knowledge situations, requesting further documents in, § 8:23

intent requirement under IIRIRA, § 8:22, 8:23 pre-IIRIRA document abuse violations, § 8:21

EEOC. Enforcement and administrative procedures, below

Employers

"continuing course of conduct" doctrine, challenges to, § 8:44

subject to discrimination charges under INA 274B, § 8:2

Employment eligibility document of job applicant, mistake of viewing prior to making offer of employment, § 8:26

Enforcement and administrative procedures adding unnamed party, § 8:45

appeal or review, judicial review of 274B discrimination orders, § 8:53

attorney's fees for prevailing parties, § 8:54 challenges to timing, filing and processing of

discrimination charge, § 8:43

commencement of investigation, § 8:39 conduct of investigations, § 8:48

"continuing course of conduct" doctrine, employer challenges to, § 8:44

final agreement, jurisdiction of each agency, § 8:57

Title VII discrimination, EEOC policy statements, § 8:56

filing and processing of discrimination charge generally, § 8:41 to 8:45, 8:42 et seq. challenges to timing of charge, § 8:43 contents of charge, § 8:46 sample form, complaint, § 8:46

special counsel charge form, § 8:47

standards for tolling 180-day period, § 8:42

filing charge

procedure once charge is filed, § 8:48

processing of discrimination charge. Filing and processing of discrimination charge, above

final agreement, jurisdiction of each agency, § 8:57

hearings, administrative hearings, § 8:51 investigation, commencement of, § 8:39

judicial review of 274B discrimination orders, § 8:53 jurisdiction, final agreement, § 8:57

orders, judicial review of 274B discrimination orders, § 8:53

DISCRIMINATION—Cont'd

Enforcement and administrative procedures—Cont'd penalties, § 8:52

processing of discrimination charge. Filing and processing of discrimination charge, above response of employer to discrimination charge, § 8:50

sample form, filing and processing of discrimination charge, § 8:41

standards for tolling 180-day period, filing and processing of discrimination charge, § 8:42

Title VII discrimination, 274B, § 8:56

E-Verify, discrimination related to, § 8:24

Exemptions, citizenship status discrimination, § 8:11 Expiration date, employer's mistake in refusing to hire protected alien due to expiration date of work authorization, § 8:36

Extra documentary burdens, employer's mistake in refusing to hire workers who sound or appear foreign or imposing extra documentary burdens, § 8:31

Filing and processing of discrimination charge, § 8:42 Filing charge. Enforcement and administrative procedures, above

Final agreement, jurisdiction of each agency, § 8:57 Foreign worker preference, § 8:17

Form 8-1: Special counsel charge form, § 8:47 Government contract employer, establishment of citizen-only policy although contract does not require such a policy a mistake, § 8:35

Hearings, enforcement and administrative procedures, § 8:51

Immigrant and Employee Rights investigations, conduct of, § 8:49

citizenship status discrimination, intentional, § 8:8 document abuse violations, intent requirement under IIRIRA, § 8:22, 8:23

Intentional citizenship status discrimination, § 8:8 Investigations

generally, § 8:48

commencement of, § 8:39

Judicial review of discrimination orders, § 8:53 Jurisdiction, enforcement and administrative procedures, § 8:57

Justice Department Settlement Agreements, § 8:55 Mistake by employer

refusing to hire someone not a U.S. citizen or possess "green card" or posts job notices with discriminatory language, § 8:30

Mistakes, common employer mistakes leading to potential liability, § 8:25 to 8:40

Noncitizens

employer's mistake in requiring specific documentation to meet I-9 verification requirement, § 8:33

refusal to accept I-9 documents sufficient under the law or requirements of more documents than those mandated by law a mistake, § 8:34

DISCRIMINATION—Cont'd

Nonimmigrants, preference for, § 8:19

Offer of employment, employer's mistake in asking questions relating to employment eligibility prior to making, § 8:27

Orders, judicial review of 274B discrimination orders, § 8:53

Pattern or practice violations, citizenship status discrimination, § 8:9

Penalties, enforcement and administrative procedures, § 8:52

Preferences, citizenship status discrimination, § 8:18, 8:19

Pre-hire inquiries to determine employment eligibility or to implement limited hiring policies, § 8:10

Pre-IIRIRA document abuse violations, § 8:21

Processing of discrimination charge. Filing and processing of discrimination charge, above

Prohibitions under IRCA's discrimination provisions, generally, § 8:6 to 8:24

Protected alien, employer's mistake in refusing to hire due to expiration date of work authorization, § 8:36

Recruiters subject to discrimination charges, § 8:3
Reduction in force, unlawful discharge and retaliation charges, § 8:15

Referral agencies subject to discrimination charges, § 8:3

Response of employer to discrimination charge, § 8:50 Retaliation charges. Unlawful discharge and retaliation charges, below

Reverification conducted by employer not required by law, § 8:37

Special counsel

charge form, Sample Form 8-1, § 8:47 final agreement, jurisdiction of each agency, § 8:57

Special fees charged by employer to complete the verification process a mistake, § 8:38

Standards for tolling 180-day period, filing and processing of discrimination charge, § 8:42

Stated preference for foreign worker, employer's mistake, § 8:32

Status. Citizenship status discrimination, above Time or date

employment verification and commencement of employment, employer inconsistency with regard time of as a mistake, § 8:28

job offer, time while open while employee seeks documentation, mistake of inconsistency with regard to, § 8:29

Title VII discrimination, enforcement and administrative procedures, § 8:56

Undocumented

aliens, preference for, § 8:18 worker preference, § 8:18

Unfair documentary practices, document abuse violations, § 8:20

DISCRIMINATION—Cont'd

Unlawful discharge and retaliation charges generally, § 8:12 to 8:15 complaint of retaliation, § 8:14 reduction in force, § 8:15 Violations. Document abuse violations, above

DISHONESTY POLICY

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

DISTINCTION

Complaint procedures, physically separate subdivisions as entity subject to liability, § 7:38

DIVESTITURE

Mergers and Acquisitions, this index

DOCUMENT ABUSE

Discrimination, this index

Further inquiries warranted, relationship between constructive knowledge and document abuse, § 3:4

DOCUMENT GUIDE

Acceptable I-9 documents

generally, § 9:1 to 9:3

full list of acceptance documents, § 9:2

legislative changes, § 9:3

review by employer, § 9:1

revisions, § 9:3

Alien registration receipt card, § 9:22 to 9:25

Alien registration receipt card, Sample Form I-551, § 9:22 to 9:25

Annotation. Illustration and annotation of each I-9 document, below

Attachments, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

Birth certificates

Department of State certification of birth abroad, § 9:52 to 9:54

state, county, or municipal authority bearing seal, § 9:56 to 9:59

Birth certificates (local issuing authority), Sample Form 9-34, § 9:58

Birth certificates (state-issued forms), Sample Form 9-33, § 9:57

Canadian government authority, driver's license issued by, § 9:48

Certification of birth abroad (State Department Form FS-545), Sample Form 9-30, § 9:53

Certificate of Naturalization (Form N-550), Sample Form 9-37, § 9:62

Certificate of U.S. Citizenship (Form N-560), Sample Form 9-36, § 9:61

Certificates. Birth certificates, above

Certification of birth abroad (State Department Form DS-1350), Sample Form 9-31, **§ 9:54**

Certified copy of birth certificate, Sample Form 9-35, § 9:59

DOCUMENT GUIDE—Cont'd

Citizens and citizenship, U.S. citizen ID cards, § 9:30 to 9:32

Coast Guard, U.S. Coast Guard merchant mariner card, § 9:46, 9:47

Consular report of birth abroad (State Department Form FS-240), Sample Form 9-32, § 9:55

Copies, birth certificate issued by state, county, or municipal authority bearing seal, § 9:56 to 9:59

County authority bearing seal, birth certificate issued by, § 9:56 to 9:59

Current version of green card, § 9:22 et seq.

Department of State certification of birth abroad, § 9:52 to 9:55

Dependent of U.S. military personnel, ID card of, § 9:44, 9:45

DHS Worksite Memo, § 10:11

Draft record, U.S. military card or, § 9:41 to 9:43

Draft records, Sample Form 9-25, § 9:43

Driver's licenses

Canadian government authority, driver's license issued by, § 9:48

driver's license issued by Canadian government authority, § 9:48

state-issued, § 9:33 to 9:36

Electronic passport for U.S., § 9:6

Employment authorization

generally, § 9:26, 9:27

passport, attached to, § 9:13 to 9:20

Employment authorization card (EAD) (USCIS Form I-766), Sample Form 9-17, § 9:27

Expiration

employment authorization document (EAD) unexpired, § 9:26, 9:27

foreign passport with employment authorization attached, unexpired, § 9:10 to 9:20

I-9 process, § 4:51

Extensions, unexpired foreign passport with employment authorization attached, § 9:12

Federal, state or local government agencies or entities, ID card issued by, § 9:37

Foreign passport, Sample Form 9-4, § 9:11

Foreign passport with employment authorization attached, unexpired, § 9:10 to 9:20

Form I-94 with I-551 stamp and photo (acceptable without foreign passport), Sample Form 9-13, § 9:21

Full list of acceptable documents, § 9:2

Green card, current and prior versions, § 9:22 to 9:25

ID card for resident citizen in the United States (Form I-179), Sample Form 9-19, § 9:32

ID cards

federal, state or local government agencies or entities, ID card issued by, § 9:37

photo or identification information on ID card, § 9:33 to 9:36

school ID card with photo, § 9:38

DOCUMENT GUIDE—Cont'd

ID cards—Cont'd

U.S. citizen ID cards, § 9:30 to 9:32

Illustration and annotation of each I-9 document, generally, **§ 9:4 et seq.**

Legislative changes, acceptable I-9 documents, § 9:3

Licenses or permits. Driver's licenses, above

Military dependent's ID card, Sample Form 9-26, § 9:45

Municipal authority bearing seal, birth certificate issued by, § 9:56 to 9:59

Native American tribal document, § 9:29

Nonimmigrant status, employment authorization incident to alien's, § 9:16, 9:17

Other employment authorization document issued by USCIS, § 9:60 to 9:62

Passports

attachments, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

Federated States of Micronesia, from, § 9:28 passport card, § 9:8

passport card, Sample Form 9-3, § 9:9

Republic of Marshall Islands, from, § 9:28

unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

U.S. passports, § 9:5 to 9:7

Permanent resident card, § 9:22 to 9:25

Permanent resident green card, Sample Form I-551, § 9:22 to 9:25

Photograph on ID card, § 9:33 to 9:36, 9:38 Registration

alien registration receipt card, § 9:22 to 9:25 voter's registration card, § 9:39, 9:40

Replacement form, unexpired foreign passport with employment authorization attached, § 9:18

Review by employer of acceptable I-9 documents, § 9:1

Revisions, acceptable I-9 documents, § 9:3

Samples of different licenses from one state (Colorado), Sample Form 9-22, § 9:36

School ID card with photo, § 9:38

SEVIS Form DS-2019 for J-1 exchange visitors, Sample Form 9-12, **§ 9:20**

SEVIS Form I-20 for F-1 students, Sample Form 9-11, § 9:19

Social security card, § 9:49, 9:50

Social security card, Sample Form 9-28, § 9:50 State

authority bearing seal, birth certificate issued by, § 9:56 to 9:59

driver's licenses, state-issued, § 9:33 to 9:36 issued driver's licenses, § 9:33

State Department certification of birth abroad, § 9:52 to 9:55

State-issued driver's license, Sample Form 9-20, § 9:34 State-issued ID cards, Sample Form 9-21, § 9:35

DOCUMENT GUIDE—Cont'd

Students, school ID card with photo, § 9:38

Tear-off portion constituting replacement form, unexpired foreign passport with employment authorization attached, § 9:18

Temporary Form I-551

printed notation on machine readable immigrant visa, Sample Form 9-7, § 9:15

stamp in foreign passport, Sample Form 9-6, § 9:14 unexpired foreign passport with employment authorization attached, § 9:15

Travel Document (Form I-571 (refugee travel document) and unexpired Form I-327 (reentry permit), Sample Form 9-38, § 9:63

Unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

U.S. citizen ID card (Form I-197), Sample Form 9-18, § 9:31

U.S. citizen ID cards, § 9:30 to 9:32

U.S. Coast Guard merchant mariner card, § 9:46, 9:47

U.S. electronic passport, § 9:6

U.S. electronic passport, Sample Form 9-1, § 9:6

U.S. merchant mariner's card, Sample Form 9-27, § 9:47

U.S. military

card, U.S. military card or draft record, § 9:41 to 9:43

Coast Guard merchant mariner card, § 9:46, 9:47 dependent's ID card, § 9:45

draft record, U.S. military card or, § 9:41 to 9:43

U.S. military ID card, Sample Form 9-24, § 9:42

U.S. passport (version between 1994 and 2007), Sample Form 9-2, § 9:7

U.S. passport card generally, § 9:8

Sample Form 9-3, § 9:9

U.S. passports, § 9:5 to 9:7

Voter's registration card, § 9:39, 9:40

Voter's registration card, Sample Form 9-23, § 9:40

DOCUMENTS

Abuse. Document Abuse, this index Complaint Procedures, this index Guide. Document Guide, this index I-9 Process, this index

DOL INVESTIGATIONS

ICE/DOL Investigations, this index

DOMESTIC SERVICE WORKERS

Verification, § 1:6

DOUBLE JEOPARDY

Complaint procedures, double jeopardy defenses in employer sanction proceedings, § 7:22

DRAFT RECORD

Document guide, U.S. military card or draft record, § 9:41, 9:43

DRIVER'S LICENSES

Document Guide, this index

EEOC

Discrimination, this index

ELECTION OR CHOICE

ICE/DOL investigations, selection of employers, § 5:28

ELECTRONIC PASSPORTS

Document guide, § 9:6

ELECTRONIC STORAGE

I-9 records, § 4:122

ELEMENTS AND EVALUATION OF SETTLEMENT AGREEMENT

ICE/DOL investigations, § 5:31

EMPLOYER ASSOCIATIONS

I-9 process, special I-9 rules applicable to, § **4:108** Sanctions, verification, § **1:11**

EMPLOYER SANCTIONS LAW

Generally, § 3:1 et seq.

EMPLOYMENT AUTHORIZATION

Document Guide, this index

EMPLOYMENT AUTHORIZATION DOCUMENTS (EAD)

Automatic extensions, § 4:95

Document guide, § 9:26, 9:27

Employees, extended work authorization under DACA, § 4:96

Federal register notices, § 4:94

Notices, federal register, § 4:94

Unexpired, § 9:15, 9:26, 9:27

Verification, § 4:94

ENFORCEMENT

Discrimination, this index

ICE/DOL Investigations, this index

ENTITY SUBJECT TO LIABILITY

Complaint Procedures, this index

ERRORS

Common Mistakes or Errors, this index

ESTABLISHMENT

Human resources managers, establishment of policy of regular in-house audits of I-9 forms, § 1:27

EVALUATION

ICE/DOL investigations, elements and evaluation of settlement agreement, § 5:31

E-VERIFY

Discrimination related to, § 8:24

I-9 Process, this index

EXECUTIVE ORDERS

DOJ Fact Sheet: Avoiding Discrimination When Complying with Export Control Laws (April 2023), § 10:12

DOJ fact sheet on avoiding discrimination when using E-Verify (August 2023), § 10:13

DOJ/ICE joint fact sheet on avoiding discrimination and I-9 violations when using commercial or proprietary I-9 software (December 2023), § 10:14

Executive Order 12989 of February 13, 1996, § 10:3 Executive Order 13465 of June 6, 2008, § 10:5 Statutory authority and CFR, § 10:1

EXEMPTIONS

Citizenship status discrimination, § 8:11

EXPIRATION

Document Guide, this index I-9 process, expiration date, § **4:73**

EXTENSIONS

Automatic EAD extensions, § 4:95

Document guide, unexpired foreign passport with employment authorization attached, § 9:12

Extended work authorization under DACA, § 4:96

Verification under 240-day rule, nonimmigrants with pending extension applications, § **4:86**

FEDERAL AGENCIES OR GOVERNMENT

Document guide, ID card issued by federal, state or local government agencies or entities, § 9:37

Enforcement authority, § 5:2

Verification, federal contractors, § 4:118

FEDERAL REGISTER NOTICES

Employment Authorization Documents (EAD), § 4:94

FEES

Attorneys' fees for prevailing party, discrimination, § 8:54

Discrimination, employer's mistake in charging special fees to complete the verification process, § 8:38

F-1 STUDENTS

Verification, F-1 students eligible for automatic OPT extension or covered under 180-day rule, § 4:89

FINAL OR FINALITY

Discrimination, final agreement regarding jurisdiction of each agency, § 8:57

FINES

Complaint Procedures, this index ICE/DOL Investigations, this index

FIRING DECISIONS

Compliance program, consultation with counsel before making firing decisions, § 4:7

FIRST DAY OF EMPLOYMENT

I-9 process, § **4:45**

FOREIGN PASSPORT

Document guide, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20 Federated States of Micronesia, from, § 9:28 Republic of Marshall Islands, from, § 9:28

FRAUD

Basic requirements under IRCA, this index Employer's obligation to review documents for fraud during verification process, § 2:12

FULL LISTS

Document guide, full list of acceptable documents, § 9:2

FURTHER INQUIRIES WARRANTED

Constructive knowledge

generally, § 3:3

document abuse, relationship between constructive knowledge and, § 3:4

Document abuse, relationship between constructive knowledge and, § 3:4

Identification of problem situations, § 3:5

Initial verification, strategies in problems situations arising during, § 3:7

I-9 problems, generally, § 3:2 to 3:13

No-match letter, strategies when employer receives Social Security Administration, § 3:10 to 3:12

Notice or knowledge

constructive knowledge situations, § 3:3

government enforcement personnel, strategies when employer put on notice by, § 3:9

Social Security Administration no-match letter, strategies when employer receives, § 3:10 to 3:12

workplace sources, strategies when employer put on notice by, § 3:13

Reverification situations, strategies in, § 3:8

Social Security Administration no-match letter, strategies when employer receives, § 3:10 to 3:12

Strategies, generally, § 3:6

Strategies when an employer is put on notice by DHS, § 3:9

Verification

initial verification, strategies in problems situations arising during, § 3:7

reverification situations, strategies in, § 3:8

Workplace sources, strategies when employer put on notice by, § 3:13

GENUINENESS

I-9 process, review by employer to assure genuineness, § **4:56**

GOVERNMENT CONTRACTORS

Complaint procedures, debarment penalty for government contractor violations, § 5:42

GOVERNMENT ENFORCEMENT OF EMPLOYER SANCTIONS

Basic requirements under IRCA, § 2:5

GRANDFATHERED STATUS

Complaint procedures, defenses in employer sanction proceedings, § 7:19

GREEN CARDS

Current and prior versions, § 9:22 to 9:25

Form I-551: Prior versions of green card, § 9:23

Mistake by employer

refusing to hire someone not a U.S. citizen or possess "green card" or posts job notices with discriminatory language, § 8:30

Permanent residents, applying replacement of expired card, § 4:92

Reverification conducted by employer not required by law, § 8:37

HANDICAPPED PERSONS

I-9 process, special I-9 rules applicable to handicapped persons, **§ 4:101, 4:102**

H2-A PORTABILITY PROVISION

E and L-2 spouses possessing I-94, spousal "S" annotation, § **4:97**

Verification, covered employees, § 4:87

H1-B PORTABILITY PROVISION

Verification, covered employees, § 4:87, 4:88

HEARINGS

Complaint Procedures, this index

Discrimination, enforcement and administrative procedures, § 8:51

HIRING

Compliance program, consultation with counsel before making hiring decisions, § 4:7

I-9 Process, this index

Recruitment and Limited Hiring, this index

HISTORY OF VIOLATIONS

Complaint procedures, fines, § 7:35

HUMAN RESOURCES MANAGERS

Audits, in-house audits, § 1:26, 1:27

Completion of I-9 process

generally, § 1:14 et seq., 1:17

first day of employment, on the, § 1:16

prior to first day of employment, § 1:17

Establishment of policy of regular in-house audits of I-9 forms, § 1:27

E-Verify participants, additional steps, I-9 process, § 1:23

In-house audits, § 1:26, 1:27

I-9 process

audits, in-house audits, § 1:27, 1:28

completion

generally, § 1:14 et seq.

HUMAN RESOURCES MANAGERS—Cont'd

I-9 process—Cont'd

completion—Cont'd

first day of employment, on the, § 1:16

prior to the first day of employment, § 1:17

E-Verify participants, additional steps, § 1:23 Form I-9 completion, timing, § 1:14 to 1:23

in-house audits, § 1:27, 1:28

keeping job open for employees who have not completed the I-9 process, § 1:20

procedure, § 1:15

receipts for documents, timing when employee presents, § 1:18

reverification procedures. Verification, this index step-by-step guidance, § 1:21, 1:22

three days or less, timing when employee is being hired for, § 1:19

Verification, this index

Procedure, I-9 process, § 1:15

Receipts for documents, timing when employee presents, § 1:18

Reverification procedures. Verification, this index

Step-by-step guidance, I-9 process, § 1:21, 1:22

Three days or less, timing Form I-9 completion when employee is being hired for three days or less, § 1:19

Timing Form I-9 completion, § 1:14 to 1:23 Verification, this index

ICE/DOL INVESTIGATIONS

Generally, § 5:1 et seq.

Audits

In-house audits, below

Business premises search based on warrants, § 5:32

California's AB 450, § 5:44

Conduct of inspection or search and follow-up, § 5:12

Debarment penalty, guidance on, § 5:42

Elements and evaluation of settlement agreement, § 5:31

Employee interrogations during immigration raid, selected legal issues, § 7:41

Enforcement

actions, § 5:4, 5:44

debarment penalty, § 5:42

employee interrogations during immigration raid, selected legal issues, § 7:41

policies of ICE

selection of employers, § 5:28

strategy, § 5:3

selection of employers, enforcement policies of ICE, § 5:28

statistics, § 5:4

strategy, enforcement policies of ICE, § 5:3

warrants obtained based on informant's tip, selected legal issues, § 7:42

Evaluation of settlement agreement, § 5:35

ICE/DOL INVESTIGATIONS—Cont'd	ICE/DOL INVESTIGATIONS—Cont'd
Federal agencies or government, enforcement authority, § 5:2	Timing and location of ICE inspection and enforcement investigation
General warrants based on informant's tip, § 7:42	I-9 and other records, warrant or subpoena for,
ICE I-9 inspection notice, responding to an, § 5:11	§ 5:36
Informant's tip, warrants obtained based on, selected legal issues, § 7:42	search of business premises based on warrants, § 5:36
In-house audits	subpoena for I-9 and other records, § 5:36
generally, § 4:132 et seq.	warrant for I-9 and other records, § 5:36
basic requirements, § 4:134	Warrants
checklist, § 4:135	I-9 and other records, § 5:36
completion of audit, employer actions at, § 4:136	informant's tip as basis for warrant, selected legal
Inspections	issues, § 7:42
generally, § 5:8	search of business premises based on warrants,
interagency coordination, § 5:7	§ 5:36
notice of inspection	Worksite visit California's AB 450 and impact on, § 5:44
discrepancies, § 5:15	conduct of search and execution of warrant, § 5:36
inspection, § 5:9, 5:10	employer
suspect documents, § 5:16	actions during search, § 5:37
technical or procedural failures, § 5:17, 5:18	follow-up, § 5:39
selection of employers, § 5:5, 5:8	***
Interrogation of employees during immigration raid,	ID CARDS
selected legal issues, § 7:41 Investigation patterns, § 5:3	Document Guide, this index
Negotiation and settlement after issuance of notice of	IDENTIFICATION
intent to fine	Further inquiries warranted, identification of problem
generally, § 5:28 to 5:31	situations, § 3:5
basic guidelines, § 5:29	ID cards. Document Guide, this index
elements and evaluation of settlement agreement,	Name changes and false identity, § 4:106
§ 5:31	IER
settlement procedure, § 5:30	Immigrant and Employee Rights Section (IER)
Notice	(formerly OSC), this index
discrepancies, § 5:15	
inspection, § 5:9, 5:10	ILLUSTRATIONS
suspect documents, § 5:16	Document Guide, this index
technical or procedural failures, § 5:17, 5:18	IMAGE PROGRAM
timing and location of ICE inspection and enforce-	Generally, § 4:119
ment investigation, below	•
Oregon's SB 370, § 5:44	IMMEDIATE STEPS
Policies of INS and ICE. Enforcement, above	Compliance program, immediate steps to be taken to bring employer into compliance, § 4:8
Recent enforcement actions, § 5:4	ornig employer into compitance, § 4:8
Selection of	IMMIGRANT AND EMPLOYEE RIGHTS
employers, § 5:32	SECTION (IER) (FORMERLY OSC)
targets	Administrative procedures, § 8:41 to 8:53
employers selected for investigation, § 5:32	Discrimination provisions of IRCA, § 8:41 to 8:53
initial investigation, § 5:33	Enforcement, § 8:41 to 8:53
response when employer suspects investigation,	Length of work authorization and need for sponsorship
§ 5:35	to renew work authorization, pre-employment
warning signs, employer as target of criminal worksite investigation, § 5:34	inquiries, § 11:8
	Letter reaffirming OSC position, § 11:2
Settlement procedure, § 5:30	Opinion letters
Stages, final	generally, § 11:22 to 11:29
employer follow-up after worksite visit, § 5:39	dishonesty policy, rehires, § 11:24
referral for prosecution, § 5:38 Strategy enforcement policies of ICE & 5:3	EAR, citizenship status requirement, § 11:18
Strategy, enforcement policies of ICE, § 5:3	F-1 student, time limited OPT, refusal to hire,
Subpoena for I-9 and other records, § 5:36	§ 11:21

IMMIGRANT AND EMPLOYEE RIGHTS I-9 PROCESS—Cont'd SECTION (IER) (FORMERLY OSC)—Cont'd Common abbreviations for acceptable I-9 documents, Opinion letters—Cont'd § 4:43 honesty policy, § 11:22 Common errors, § 4:70 et seq. Completion of I-9 procedure generally, § 4:44 et seq. alternate documentation request, § 11:29 audit, documentation request, § 11:26 acceptable documents, list of, § 4:53 consistent information, review by employer to documentation, requirement by general contractor, § 11:19 assure, § 4:58 copies of Section 2 documents, employer may keep, information shared, payroll vendor, § 11:25 § 4:60 original documents not genuine, § 11:27 ITAR, citizenship status requirement, § 11:18 documents, see lines throughout this group employee information sheet, § 4:46 Social security number, no-match, § 11:23 expiration date in hiring decision, § 4:51 Subcontractor employees, U.S. citizens, § 11:17 first day of employment, § 4:45 U.S. degrees. company policy, § 11:19 Form I-9 employee information sheet, § 4:46 U.S. employees replaced, workers on temporary genuineness, review by employer to assure, § 4:56 visas, § 11:28 OPT work authorization, § 11:7 hiring decision, expiration date in, § 4:51 incomplete information, § 4:75, 4:77 Pre-employment inquiries original documents, employer review of Section 2 I-140 portability, § 11:1 documents to assure they are, § 4:54 length of work authorization and need for sponsorship to renew work authorization, § 11:8 pertinent information, employer to complete, § 4:59 presentation of documents, § 4:48 nonimmigrant visas, § 11:1 records, maintaining I-9 form for required period of OPT work authorization, § 11:7 time, § 4:61 requesting OPT information to be included in student relatedness, review by employer to assure, § 4:58 registry, § 11:5 reverification by work authorization expiration date, time remaining on H-1B visa, § 11:4 § 4:62 Pre-screening for export control purposes, § 11:6 review by employer, § 4:53 et seq. Requesting OPT information to be included in student Section 1 information, employer must not request registry, § 11:5 documentation to verify, § 4:52 SSNVS, pre-screen job applicants, § 11:3 signature required for form with pertinent informa-Time remaining on H-1B visa, § 11:4 tion about employee's documents, § 4:59 Use of E-Verify, § 11:3 timing of completion of Form I-9, below unexpired documents, review of Section 2 docu-INDEPENDENT CONTRACTORS ments by employer to assure that they are, Complaint Procedures, this index § 4:55 Sanctions, this index USCIS, employer prohibited from requesting work document issued by, § 4:50 IN-HOUSE AUDITS verification, this index Audits and Auditing, this index Compliance Program, this index I-9 PROCESS Consistent information, review by employer to assure, Acceptable documents list, completion of I-9 proce-§ 4:58 dure, § 4:53 Copies of Section 2 documents, employer may keep, Addresses incomplete or omitted, § 4:71, 4:72, 4:74, 4:75 Divestiture. Mergers and Acquisitions, this index Admission number misplaced, § 4:71 Document Guide, this index Afghan parolees, § 4:99 Documents, see lines throughout this group Age of employee, special I-9 rules applicable to Driver's license, § 4:64 employee under 18 years old, § 4:101, 4:102 Electronic I-94 record, employees experiencing Attestation, § 4:70 et seq. problems obtaining, § 4:100 Birth date, § 4:73, 4:79 **Employees** Certification experiencing problems obtaining electronic I-94 record, § 4:101, 4:102 Section-by-section analysis of Form I-9, below untimely certification by employer, § 4:72 under 18 years old, § 4:101, 4:102 Children or minors, special I-9 rules applicable to Employer associations, special I-9 rules applicable to, § 4:108 employee under 18 years old, § 4:101, 4:102

I-9 PROCESS—Cont'd	I-9 PROCESS—Cont'd
Errors, § 4:70 et seq.	Notice—Cont'd
E-Verify	Top portion of the I-9: instructions and anti-
employer requirements for participation, § 4:110	discrimination law, § 4:36
enrollment decision, § 4:111	Omitted attestation, § 4:73, 4:76, 4:78
participants, additional steps, § 1:23	Original documents, employer review of Section 2
pre-enrollment steps and procedures, § 4:112	documents to assure they are, § 4:54
pre-screening job applicants, § 3:25	Overdocumentation, § 4:79 Pending adjustment ambiguities. T and II penim
procedures, § 4:112	Pending adjustment applications, T and U nonimmigrants, § 4:98
sample form	Permanent resident card, lawful permanent resident
DHS Further Action Notice, § 4:114	with, § 4:66
DHS Referral Date Confirmation, § 4:117	Pertinent information, employer to complete, § 4:59
Dual DHS/SSA Further Action Notice, § 4:116	Practical training authorization, foreign student with,
SSA Further Action Notice, § 4:115	§ 4:67
Expiration date, § 4:51, 4:73	Pre-screening job applicants, § 3:25
First day of employment, § 4:45	Presentation of documents, § 4:48
Further Inquiries Warranted, this index	Receipts presented for
Genuineness, review by employer to assure, § 4:56	documents, timing, § 4:30
Handicapped persons, special I-9 rules applicable to, § 4:101, 4:102	Sample form, Form I-9 for employee presenting receipts, § 4:84
Hiring	verification purposes, special I-9 rules applicable to
expiration date in hiring decision, § 4:51	particular groups, § 4:83
omission of hire date, § 4:79	Records. Maintenance of I-9 Records, this index
Human resources managers, completion of, § 1:14 et	Recruitment and Limited Hiring, this index
seq. Human Resources Managers, this index	Referrals, special I-9 rules applicable, § 4:107
ICE I-9 inspection notice, responding to an, § 5:11	Referrals from state employment agencies, § 4:103
I-9 Form	Refugee status, person accorded, § 4:68 Relatedness, review by employer to assure, § 4:58
revised, update on, § 1:32	Reverification. Verification, this index
Incomplete information, § 4:75, 4:77	Review by employer, § 4:53 et seq.
Independent contractors, § 3:14 to 3:17	Sample form, Form I-9 employee information sheet,
Inspections	§ 4:46
conduct of inspection, § 5:12	Sample form, "Smart" version of Form I-9 (employ-
ICE I-9 inspection notice, responding to an, § 5:11	ment eligibility verification), § 4:35
interagency coordination, § 5:7	Sample I-9 forms
notice of inspection requirements, § 5:6	generally, § 4:63 et seq.
selection of employers, § 5:5, 5:8	addresses incomplete or omitted, § 4:71, 4:72, 4:74
IRCA compliance program. Compliance Program, this	4:75
index	admission number misplaced, § 4:71
Limited hiring. Recruitment and Limited Hiring, this	attestation, § 4:73 et seq.
index	birth date, § 4:73, 4:79
Maintenance of I-9 Records, this index	certification by employer as untimely, § 4:72
Mergers and Acquisitions, this index	common errors, § 4:70 et seq. document information
Name	generally, § 4:70 et seq.
changes and false identity, § 4:106	omitted, § 4:81
employer omitted, § 4:71	driver's license, § 4:64
New hires, special I-9 rules applicable to hires not	employee information sheet, § 4:46
considered, § 4:104	errors, § 4:70 et seq.
Non-English speaking foreign-born U.S. citizen, § 4:65	expiration date omitted, § 4:73
Notice	hire date omitted, § 4:79
compliance letters and warning notices, § 5:13	incomplete information, § 4:75, 4:77
ICE I-9 inspection notice, responding to an, § 5:11	name of employer omitted, § 4:71
inspection	non-English speaking foreign-born U.S. citizen,
generally, § 5:6	§ 4:65
sample form, sample warning notice, § 5:14	omitted attestation, § 4:73, 4:76, 4:78

I-9 PROCESS—Cont'd	I-9 PROCESS—Cont'd
Sample I-9 forms—Cont'd	Top portion of the I-9: instructions and anti-discrimina-
overdocumentation, § 4:80	tion law, notice, § 4:36
permanent resident card, lawful permanent resident with, § 4:66	Ukrainian parolees, § 4:99 Untimely attestation, § 4:72
practical training authorization, foreign student with, § 4:65	USCIS, employer prohibited from requesting work document issued by, § 4:50
refugee status, person accorded, § 4:68	Verification, this index
section-by-section analysis of form I-9, below	Zip code omitted, § 4:72
social security, § 4:64, 4:72, 4:76	INITIAL VERIFICATION
special I-9 rules applicable to employee under 18 years old, § 4:102	Further inquiries warranted, strategies in problems situations arising during initial verification, § 3:7
sponsored employee, temporary U.S. employment, § 4:69	
temporary U.S. employment, employer sponsored	INSPECTIONS ICE/DOL Investigations, this index
employee, § 4:69	ICE/DOL Investigations, this index I-9 process, this index
untimely attestation, § 4:73	•
zip code omitted, § 4:72	INSTRUCTIONS
Section 1	I-9 process, § 4:36
documents, employer nonreview, § 4:51	INTENT
information, employer must not request documenta-	Complaint Procedures, this index
tion to verify, § 4:52	Discrimination, this index
Section 1: Employee attestation and signature, § 4:38	,
Section 1: Employee information, § 4:37 Section 2: Employer attestation and signature, § 4:40	INTERNAL TRANSFERS
Section 2: Employer attestation and signature, § 4:40 Section 2: Employer review of I-9 documents, § 4:39	Sanctions, verification of internal transfers, § 1:7
Section-by-section analysis of form I-9	INTERNS
notice, § 4:36	Verification, § 1:12, 4:27
Section-by-section analysis of Form I-9	
generally, § 4:34 et seq.	INTRODUCTION Consult \$111.12
sample forms, § 4:34 et seq.	Generally, § 1:1, 1:2
Section 2 documents, employer review, § 4:53 et seq.	INVESTIGATIONS
Signature required for form with pertinent information	Conduct of Investigation, this index
about employee's documents, § 4:59	Discrimination, commencement of investigation,
"Smart" version of Form I-9 (employment eligibility	§ 8:39
verification), § 4:35	ICE/DOL Investigations, this index
Social security, sample I-9 forms, § 4:64, 4:72, 4:76	IRCA COMPLIANCE PROGRAM
Special I-9 rules applicable to particular groups, generally \$ 4.92 of sec.	Compliance Program, this index
ally, § 4:82 et seq. Sponsored employee, temporary U.S. employment,	•
\$ 4:69	JUDICIAL REVIEW
Step-by-step guidance, § 1:21, 1:22	Discrimination orders, judicial review of 274B discrimination orders, § 8:53
Supplement A	
translator/preparer certification, § 4:41	JURISDICTION
Supplement B	Discrimination, enforcement and administrative
rehire, § 4:42	procedures, § 8:57
reverification, § 4:42	KNOWLEDGE
T and U nonimmigrants, pending adjustment applica-	Notice or Knowledge, this index
tions, § 4:98	•
Temporary U.S. employment, employer sponsored	LABOR CERTIFICATION
employee, § 4:69	Complaint procedures, labor certification filing, § 7:10
Timing of completion of Form I-9	LEGISLATURE AND LEGISLATIVE MATTERS
generally, § 4:29 et seq.	Document guide, acceptable I-9 documents, § 9:3
first day of employment, prior to, § 4:31	LETTERS
hiring for three days or less, § 4:32 job opening prior to completion, § 4:33	
job opening prior to completion, § 4:33	No-match letters, this index

LICENSES OR PERMITS

Document Guide, this index Driver's Licenses, this index

LIMITATION OF ACTIONS

Statute of Limitations, this index

LIMITATIONS OR RESTRICTIONS

Actions. Statute of Limitations, this index Hiring limitations. Recruitment and Limited Hiring, this index

Recruitment and Limited Hiring, this index

LISTS

Document guide, full list of acceptable documents, § 9:2

MAINTENANCE OF I-9 RECORDS

Completion of I-9 procedure, maintaining I-9 form for required period of time, § **4:61**

Electronic generation and storage of I-9 records, § 4:122

Electronic I-9 program, selection of, § 4:123

Length of time, § **4:120**

Location of, privacy considerations, § 4:121

Selecting electronic storage I-9 program, § 4:123

MANAGERS AND MANAGEMENT

Compliance program, provide clear guidance to hiring managers on I-9 procedures, § 4:6

Human Resources Managers, this index

On-Line Managers, this index

MERGERS AND ACQUISITIONS

Auditing inherited I-9 files, § 3:28

Complaint procedures, entity subject to liability, § 7:39

I-9 process, generally, § 3:26 et seq.

Reverification needed when company reorganizes, § 3:27

Successor employer, liability of, § 3:28

MILITARY MATTERS

Coast Guard merchant mariner card, § 9:46, 9:47

Dependent's ID card, § 9:44, 9:45

Draft record, U.S. military card or, § 9:42, 9:43

U.S. military card or draft record, § 9:43, 9:45

MISTAKE OR ERROR

Common Mistakes or Errors, this index

MOTIONS

Complaint Procedures, this index

MUNICIPALITIES

Document guide, birth certificate issued by municipal authority bearing seal, § 9:56 to 9:59

NAME OR NAMING

Compliance program, designation of overall compliance officer, § 4:4

False identity, § 4:106

NAME OR NAMING—Cont'd

I-9 process

name changes and use of false identity, § **4:106** name of employer omitted, § **4:71**

NATIVE AMERICANS

Document guide, Native American tribal document, § 9:29

NATURALIZATION

Permanent resident, applying for replacement, expired green card, § 4:92

NEW HIRES

Sanctions, verification of new hires, § 1:4

NEW SOCIAL SECURITY NUMBERS

Complaint procedures, presentation of new social security numbers, § 7:14

NO-MATCH LETTERS

Further inquiries warranted, strategies when employer receives Social Security Administration no-match letter, § 3:10 to 3:12

NONCITIZENS

Discrimination, this index

NON-ENGLISH

I-9 process, non-English speaking foreign-born U.S. citizen, § 4:65

NONIMMIGRANTS

Discrimination, preference for nonimmigrants, § 8:19

Document Guide, this index

Verification, this index

NOTICE OR KNOWLEDGE

Compliance program, notice to employees in case of late I-9 compliance, § 4:9

Discrimination, intentional citizenship status discrimination, § 8:8

Employment authorization document (EAD), federal register, § 4:94

Federal register, employment authorization document (EAD), § 4:94

Further Inquiries Warranted, this index

ICE/DOL Investigations, this index

I-9 form, section-by-section analysis of, § 4:36

OCAHO

Complaint procedures

hearings and decision, § 6:13

suppression of

hearsay statements, § 7:29

illegally obtained evidence, § 7:28

Independent contractors, factors established by OCAHO, § 3:16

Proceedings

generally, § 6:1

filing of complaint and timing of response, § 6:2 preparation of answer to complaint, § 6:4, 6:5

OCAHO-Cont'd

Proceedings—Cont'd review by employer of complaint, § 6:3 service of complaint, § 6:2

OFFER OF EMPLOYMENT

Discrimination, employer's mistake in asking questions relating to employment eligibility prior to making offer of employment, § 8:27

OMISSION

I-9 process, omitted attestation, § 4:73, 4:76, 4:78 I-9 process, omitted document information, § 4:81

ON-CAMPUS RECRUITMENT

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

ON-LINE MANAGERS

Generally, § 1:29 Checklist, § 1:30

OPINION LETTERS

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

ORDERS

Discrimination orders, judicial review of 274B discrimination orders, § 8:53

OREGON

SB 370 impact on ICE worksite enforcement actions, § 5:44

OSC

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

OVERDOCUMENTATION

I-9 process, § 4:80

PAROLEES

Afghan parolees, I-9 process, **\$ 4:99** Ukrainian parolees, I-9 process, **\$ 4:99**

PASSPORT CARD

Document guide, § 9:8 Sample, § 9:9

PASSPORTS

Electronic passport for U.S., § 9:6
Federated States of Micronesia, from, § 9:28
Foreign passport, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20
Republic of Marshall Islands, from, § 9:28
U.S. passports, generally, § 9:5 to 9:9

PATTERN OR PRACTICE VIOLATIONS

Discrimination, citizenship status discrimination, § 8:9

PENALTIES

Complaint Procedures, this index
Discrimination, enforcement and administrative procedures, § 8:52

PENALTIES—Cont'd

Fines, this index Sanctions, this index

PERMANENT RESIDENT CARD

Form I-551, § 9:22 to 9:25

Form I-551: Later version of green card released May 2010, § 9:24

Form I-551: Latest versions of green card released May 2017 and January 2023, § 9:25

Form I-551: Prior versions of green card, § 9:23

Green Cards, this index

I-9 process, lawful permanent resident with permanent resident card, § **4:65**

Permanent resident, applying for replacement, expired green card, § 4:92

PERMANENT RESIDENT DOCUMENTS

Green Cards, this index

Permanent Resident Card, this index

PERMITS

Licenses or Permits, this index

PERSONNEL POLICY

Compliance program, integration of IRCA policy with personnel policy, § 4:5

PERTINENT INFORMATION

I-9 process, employer to complete pertinent information, § 4:59

PHOTOGRAPHS

Document guide, photograph on ID card, § 9:33 to 9:36, 9:38

PLACE OR LOCATION

ICE/DOL Investigations, this index I-9 records maintenance, location of, privacy considerations, § 4:121

PORTABILITY

H-2A portability provision, verification of covered employees, **§ 4:87**

H1-B portability provision, verification of covered employees, § 4:87

PRACTICAL TRAINING

I-9 process, foreign student with practical training authorization, **§ 4:65**

PREFERENCES

Discrimination, citizenship status discrimination, § 8:18, 8:19

PREHEARING DISCOVERY

Complaint Procedures, this index

PRE-HIRE INQUIRIES

Recruitment and limited hiring, § 3:24

PRE-IIRIRA

Discrimination, pre-IIRIRA document abuse violations, § 8:21

PREPARATION

Complaint, preparation of answer to, § 6:4, 6:5

PRESENTATION

I-9 process, presentation of documents, § 4:48

PRIVACY

I-9 records maintenance, location of, privacy considerations, § 4:121

PROCEDURES

Administrative proceedings. Complaint Procedures, this index

Complaint Procedures, this index

PROCESSING OF CHARGE

Discrimination, this index

PROTECTED INDIVIDUALS

Employer obligations under IRCA's anti-discrimination provision, § 2:8

Recruitment and limited hiring, restricting employment to protected individuals, § 3:21

RECEIPTS

Human resources managers, timing when employee presents receipts for documents of I-9 process, § 1:18

I-9 form for employee presenting receipts, § 4:84

I-9 process, receipts presented for verification purposes, § **4:83**

RECENT DEVELOPMENTS

Generally, § 1:31 to 1:40

Agency guidance on use of I-9 software, discrimination hazards in E-Verify process, § 1:34

Automatic extensions, TPS EADs, § 4:95

ICE, USCIS, IER address key issues in recent stakeholder engagements, § 1:38

IER reaffirms position on PERM recruitment in Apple settlement, § 1:36

OCAHO

challenges to constitutionality, § 1:35 proceedings and revision of rules, § 1:35 rulings, § 1:39

Other developments, § 1:40

Other recent IER settlements, § 1:37

Remote verification, update on, § 1:31

USCIS revives 540-day auto-extension period revived for certain EAD renewals, § 1:33

Use of E-Verify by staffing agencies, § 1:34

RECORDS

Complaint Procedures, this index Maintenance of I-9 Records, this index

RECRUITMENT AND LIMITED HIRING

Citizens of the U.S., restricting employment to, § 3:22 Current employment authorization, recruiting individuals who lack, § 3:20

Current work authorization, § 3:19

RECRUITMENT AND LIMITED HIRING—Cont'd

Discrimination charge, recruiters subject to, § 8:3

E-Verify for pre-screening job applicants, § 3:25

Foreign workers, restricting employment to, § 3:23

I-9 procedure for pre-screening job applicants, § 3:25

I-9 process, generally, § 3:18 et seq.

Pre-hire inquiries, § 3:24

Pre-screening job applicants, § 3:25

Protected individuals, restricting employment to, § 3:21

Sanctions, verification of recruiter referrals, § 1:8

Special I-9 rules applicable, § 4:107

U.S. citizens, restricting employment to, § 3:22

REDUCTION IN FORCE

Discrimination, unlawful discharge and retaliation charges, § 8:15

REFERRALS

Discrimination charges, referral agencies subject to, § 8:3

I-9 process, special I-9 rules applicable, § **4:107** Sanctions, verification of referrals, § **1:8**

REFUGEE STATUS

I-9 process, persons accorded refugee status, § 4:68 Verification, acceptance of receipts for individuals authorized to work incident to, § 4:93

REGISTRATION

Document Guide, this index

REHIRES

Complaint procedures, "rehired" employees or employees "continuing in employment," § 7:25

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

Same employer, persons previously employed by the same employer and "rehired," § 4:105

Sanctions, verification of rehires, § 1:9

RELEVANT STATUTES AND REGULATIONS

DHS Worksite Memo, document guide, § 10:11

Executive Order 13465, June 6, 2008, § 10:5

Executive Order 12989 of February 13, 1996, § 10:5

Federal Acquisition Regulation of November 14, 2008, **§ 10:6**

Guide to Administrative for I-9 Inspections and Civil Monetary Penalties, § 10:4

ICE audit trail memorandum, § 10:9

OSC, ICE Joint Guidance to Employers on Internal I-9 Audits, § 10:10

Regulatory authority, § 10:2

Statutory authority and CFR, § 10:1

USCIS

FAQ Document on FAR Rule of April, 2010, § 10:7 memo on employment authorization of refugees and asylees, § 10:8

RELIANCE

Complaint procedures, reliance on attorney statements regarding employee's work eligibility, § 7:8

REPLACEMENTS

Document guide, unexpired foreign passport with employment authorization attached, § 9:18

RESPONSES

Complaint Procedures, this index

Discrimination charge, response of employer to, § 8:50

RESTRICTIONS

Limitations or Restrictions, this index

RETALIATION

Discrimination, this index

REVERIFICATION

Verification, this index

REVIEW

Appeal or Review, this index

REVISION

Document guide, revision of acceptable I-9 documents, § 9:3

SAMPLES

Discrimination charge, filing and processing of, § 8:41 I-9 Process, this index Verification, this index

SANCTIONS

Criminal, § 5:40

Current employees verified, § 1:3

Domestic service workers providing sporadic services, § 1:6

Employer

mproyer

generally, § 3:1

associations verified, § 1:11

Government enforcement of employer sanctions, basic requirements under IRCA, § 2:5

Independent contractors

I-9 process

generally, § 3:14 to 3:17

practical guidelines, § 3:17

regulations, § 3:15

OCAHO, factors established by, § 3:16

verification of independent contractors, § 1:5

Internal transfers verified, § 1:7

New hires verified, § 1:4

Recruiter referrals verified, § 1:8

Referrals verified, § 1:8

Rehires verified, § 1:9

State agency referrals verified, § 1:8

Union referrals verified, § 1:8

Verification

generally, § 1:3 et seq. current employees, § 1:3

SANCTIONS—Cont'd

Verification—Cont'd

domestic service workers providing sporadic services, § 1:6

employer associations, § 1:11

independent contractors, § 1:5

internal transfers, § 1:7

new hires, § 1:4

non new hires, § 1:10

ownership interests, people with, § 1:13

recruiter referrals, § 1:8

referrals, § 1:8

rehires, § 1:9

state agency referrals, § 1:8

union referrals, § 1:8

SCHOOLS

Document guide, school ID card with photo, § 9:38

SECTION BY SECTION ANALYSIS

I-9 Process, this index

SERIOUSNESS

Complaint procedures, seriousness of violation, § 7:33

SERVICE OF PROCESS

Complaint, service of, § 6:2

SETTLEMENT AGREEMENTS

Department of Justice (DOJ) settlement agreements, sample, § 8:55

Justice Department settlement agreements, Sample, § 8:55

Negotiation and settlement after issuance of notice of intent to fine. ICE/DOL Investigations, this index

OCAHO Settlement Officer Program, § 6:11

Post-complaint settlements, procedures, § 6:10

SIZE FACTOR

Complaint procedures, fines, § 7:31

SOCIAL SECURITY

Document guide, social security card, § 9:49, 9:50

Further inquiries warranted, strategies when employer receives Social Security Administration no-match letter, § 3:10 to 3:12

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

I-9 process, sample I-9 forms, § 4:64, 4:72, 4:76, 4:128

New social security numbers, complaint procedures, presentation of new social security numbers, § 7:14

Reverification procedures, I-9, § 4:127 et seq.

SPECIAL FEES

Discrimination, employer's mistake in charging special fees to complete the verification process, § 8:38

SPECIAL RULES

I-9 process, special I-9 rules applicable to particular groups

generally, § 4:82 et seq.

"rehires," persons previously employed by the same employer and 'rehired,' § 4:105

SPONSORSHIP

I-9 process, temporary U.S. employment for sponsored employee, § 4:69

SSA NO-MATCH LETTERS

No-Match Letters, this index

STANDARDS

Compliance policy, establishment of standard written, § 4:3

Discrimination charge, standards for tolling 180-day period, § 8:42

STATE AGENCIES

Sanctions, verification of state agency referrals, § 1:8

STATE AND LOCAL LEGISLATION

IMAGE program, § 4:119

STATE DEPARTMENT

Document guide, State Department certification of birth abroad, § 9:52 to 9:55

STATES

Document Guide, this index State and Local Legislation, this index

STATUS

Discrimination, this index

STATUTE OF LIMITATIONS

Complaint procedures, defenses in employer sanction proceedings, § 7:21

Discrimination charge, standards for tolling 180-day period, § 8:42

STATUTES

Limitation of actions. Statute of Limitations, this index Relevant Statutes and Regulations, this index

STEM GRADUATES

OPT extension, seeking 17-month, § 4:90

STORAGE

Electronic storage of I-9 records, § **4:122**I-9 records maintenance, location of, privacy considerations, § **4:121**

STRATEGIES

Further Inquiries Warranted, this index ICE investigations, enforcement policies, § 5:3

STUDENTS

Document guide, school ID card with photo, § 9:38 I-9 process, foreign student with practical training authorization, § 4:65

STUDENTS—Cont'd

Verification, F-1 students eligible for automatic OPT extension or covered under 180-day rule, § 4:89

SUBCONTRACTORS

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

SUBDIVISIONS

Complaint Procedures, this index

SUBSTANTIAL COMPLIANCE

Complaint procedures, substantial compliance defense for paperwork violations, § 7:23

SUCCESSOR EMPLOYER

Mergers and acquisitions, liability of successor employer, § 3:28

TEAR-OFF PORTION

Document guide, unexpired foreign passport with employment authorization attached, § 9:18

TEMPORARY MATTERS

I-9 process, temporary U.S. employment, employer sponsored employee, § 4:69

TIME OR DATE

Complaint procedures, timeliness of employer's response, § 7:6

Discrimination, this index

Human resources managers, timing Form I-9 completion, § 1:14 to 1:23

ICE/DOL Investigations, this index

I-9 Process, this index

Job offer, employer's mistake of inconsistency with regard to time job offer is open while employee seeks documentation, § 8:29

Maintenance of I-9 records, length of time, § 4:120

Reverification procedures, timing, § 1:25

Verification, timing of reverification, § 1:25, 4:85, 4:126

TITLE VII

Discrimination, enforcement and administrative procedures, § 8:56

UKRAINIAN PAROLEES

I-9 process, § 4:99

UNDOCUMENTED ALIENS

Discrimination, preference for undocumented aliens, § 8:18

UNEXPIRED PASSPORT

Document guide, unexpired foreign passport with employment authorization attached, § 9:10 to 9:20

UNFAIR IMMIGRATION - RELATED EMPLOYMENT PRACTICES

Immigrant and Employee Rights Section (IER) (formerly OSC), this index

INDEX **UNION REFERRALS** VERIFICATION—Cont'd Completion of I-9 procedure—Cont'd Sanctions, verification of union referrals, § 1:8 review of verification documents by third day of UNITED STATES COAST GUARD employment, § 4:47 Document guide, U.S. Coast Guard merchant mariner salary and benefits, § 4:21 card, § 9:46, 9:47 sample I-9 forms. Reverification, below self-employment, § 4:24 UNITED STATES DOCUMENT GUIDE special rules for designated groups, § 4:28 U.S. citizen ID cards, § 9:30 to 9:32 sporadic services, domestic service workers, § 4:25 UNITED STATES PASSPORT CARD state agencies, referrals from, § 4:15 Document guide, § 9:8 third day of employment, review of verification Sample, § 9:9 documents by, § 4:47 transfers, internal transfers, § 4:14 UNITED STATES PASSPORTS unions, referrals from, § 4:15 Document guide, § 9:5 to 9:9 Current employees, § 4:11 UNLAWFUL DISCHARGE Domestic service workers, § 4:25, 4:26 Discrimination, this index Employer associations, § 4:18 Extension applications under 240-day rule, nonim-UNLAWFUL "DOCUMENT ABUSE" migrants, § 4:85 Basic requirements under IRCA, § 2:10 sample form, § 4:86 **UNPAID INTERNS** Federal contractors, § 4:118 Verification, § 1:12, 4:27 register notice, § 4:94 **UNTIMELY ATTESTATION** Foreign airline employees, § 4:26 I-9 process, § 4:72 Fraud, employer's obligation to review documents for fraud during verification process, § 2:12 **UPDATES** F-1 students eligible for automatic OPT extension or Reverification, § 4:124 covered under 180-day rule, § 4:89 Further Inquiries Warranted, this index VERIFICATION Further verification required, § 4:128 to 4:131 Airlines, foreign airline employees, § 4:26 Grandfather clause, § 4:20 Asylees status, acceptance of receipts for individuals authorized to work incident to, § 4:93 H1-B portability provision, covered employees, § 4:87, Automatic extension, EADs through federal register Immigrant and Employee Rights Section (IER) notice, § 4:94 (formerly OSC), this index Automatic extension of TPS, persons granted, § 4:94 Independent contractors, § 4:13, 4:22 Basic requirements under IRCA, work verification procedures, § 2:4 Intermittent services, domestic service workers, § 4:25 Completion of I-9 procedure Internal transfers, § 4:14 I-9 process

Basic requirements under IRCA, work verification procedures, § 2:4

Completion of I-9 procedure generally, § 4:10 et seq.
airlines, foreign airline employees, § 4:26
current employees, § 4:11
domestic service workers, § 4:25, 4:26
employer associations, § 4:18
foreign airline employees, § 4:26
grandfather clause, § 4:20
independent contractors, § 4:13, 4:22
intermittent services, domestic service workers, § 4:25

internal transfers, § 4:14 irregular services, domestic service workers, § 4:25

outside contractors, § 4:23 recruiters, referrals from, § 4:15

referrals from unions, recruiters, or state agencies, § 4:15

§ 4:15 rehires, § 4:16

new hires, § 4:12

prepopulation of Section 1, § 11:10
reverifying employment authorization documents, § 11:11
I-9 form for employee presenting receipts, § 4:84
receipts presented for verification purposes, special
I-9 rules applicable to particular groups, § 4:83

limiting list of acceptable I-9 documents, § 11:9

generally, § 4:10 et seq.

generally, § 11:9 et seq.

E-Verify violation, § 11:14

driver cards, § 11:12

reverification, below

discrimination

completion of I-9 procedure, above

E-Verify, current employees, § 11:16

overdocumented employees, § 11:13

E-Verify use, staffing company, § 11:15

VERIFICATION—Cont'd

Irregular services, domestic service workers, § 4:25 New hires, § 4:12

180-day rule F-1 students eligible for automatic OPT extension or covered under, § 4:89

Outside contractors, § 4:23

Ownership interests, persons with, § 4:19

Persons who must be verified, § 4:125

Receipts presented for verification purposes, special I-9 rules applicable to particular groups, § 4:83

Recruiters, referrals from, § 4:15

Referrals from unions, recruiters, or state agencies, § 4:15

Refugees status, acceptance of receipts for individuals authorized to work incident to, § 4:93

Rehires, § 4:16

Residents seeking removal of conditional status, § 4:91 Reverification

generally, § 1:24 to 1:26, 4:124

complaint procedures, constructive knowledge based on failure to conduct reverification, § 7:12

completion of sample I-9 forms, generally, § **4:124** et seq.

further inquiries warranted, strategies in reverification situations, § 3:8

further verification required, § 4:128

I-9 process

completion of I-9 procedure, reverification by work authorization expiration date, § **4:62** procedures for reverification, § **4:124 et seq.** section-by-section analysis of Form I-9, § **4:34 et**

seq.

mergers and acquisitions, reverification needed when company reorganizes, § 3:27

persons who must be reverified, § 1:24

persons who must be verified, § 4:125

procedures, § 1:26

sample forms

expiration date in Section 1, social security card, § 4:129

USCIS employment authorization, social security card, § 4:130, 4:131

USCIS-issued employment authorization document, § 4:128

section-by-section analysis of Form I-9, § 4:34 et seq.

social security card, completion of sample forms, § 4:127 et seq.

timing, § 1:25, 4:126

Review of verification documents by third day of employment, § **4:47**

Salary and benefits, § 4:21

Sample forms

completed for reverification, § **4:128 et seq.**Expiration date in Section 1, social security card, § **4:129**

VERIFICATION—Cont'd

Sample forms—Cont'd

Form I-9 for employee presenting receipts, **§ 4:84**Form I-9 for employees covered by 240-day rule, **§ 4:86**

USCIS employment authorization, social security card, § 4:130, 4:131

USCIS-issued employment authorization document, § 4:128

Sanctions, this index

Section-by-section analysis of Form I-9, reverification, § 4:34 et seq.

Self-employment, § 4:24

Social security card, completion of sample forms, § 4:127 et seq.

Special fees charged to complete verification process, employer's mistake, § 8:38

Special rules for designated groups, § 4:28

Sporadic services, domestic service workers, § 4:25

State agencies, referrals from, § 4:15

Status, acceptance of receipts for individuals authorized to work incident to, § 4:93

STEM graduates seeking 17-month OPT extension, § 4:90

Third day of employment, review of verification documents by, § 4:47

Timing of reverification, § 1:25, 4:85, 4:90, 4:126

TPS, persons granted automatic extension of, § 4:94

Transfers, internal transfers, § 4:14

240-day rule nonimmigrants with pending extension applications, § 4:85

Unions, referrals from, § 4:15

Unpaid interns and volunteers and unpaid interns, § 1:12, 4:27

Volunteers and unpaid interns, § 1:12, 4:27

VIOLATIONS

Discrimination, this index

VISAS

Temporary Form I-551 printed notation on machine readable immigrant visa, Sample Form 9-7, § 9:15 Unexpired foreign passport with employment authorization attached, § 9:15

VOTERS AND VOTING

Document guide, voter's registration card, § 9:39, 9:40

WARRANTS

ICE/DOL Investigations, this index

WORKPLACE SOURCES

Further inquiries warranted, strategies when employer put on notice by workplace sources, § 3:13

WORKSITE ENFORCEMENT

California's AB 450, impact on ICE actions, § 5:44

ZIP CODES

I-9 process, omission of zip code, § 4:72