

the ICE has increased its enforcement activities, including a significant expansion of Form I-9 workplace audits.

Ideally, employers have a written I-9 compliance policy and all managers responsible for completing the form are trained on the policy and its requirements. The policy and training help to minimize errors on completing the form, and show an employer's commitment to compliance in the event of a worksite audit. Employers should also annually, or on some other regular basis, conduct a self-audit of their I-9 forms.

Corrections can be made to I-9 forms. Employers are only permitted to correct errors on Sections 2 and 3 of the form. If there are errors on Section 1, the employee is the only person permitted to make those adjustments.

The person responsible for fixing errors should date and initial the changes. If errors are extensive, the affected section should be redone on a new form and attached to the original I-9 form. An entirely new form can be completed if there are major corrections to be made (<https://www.uscis.gov/i-9-central/complete-correct-form-i-9/correcting-form-i-9>).

In addition to I-9 requirements, the IRCA also prohibits employers from knowingly hiring or continuing to employ persons who are not authorized to work in the U.S. Additionally, ICRA prohibits discrimination against individuals based on national origin or citizenship status in hiring, recruitment, referrals, and discharge. There are additional penalties for violating these provisions. Information can be found in

the Handbook for Employers by the U.S. Citizenship and Immigration Services: <https://www.uscis.gov/i-9-central/handbook-employers-m-274>

This article is for informational purposes only and is not intended to provide legal advice. Any policy and compliance issues regarding the I-9 requirements should always be discussed with an employment law attorney.

Employees 352

This monthly column offers HR basics, best practices, and compliance information. If you would like to see a particular subject addressed in a future column, please contact Lisa at bergersen@pewaukee.wi.us



Learn More!

Lisa Bergersen will be presenting HR 101 as one of the three Deep Dives that open the League's 121st Annual Conference on Wednesday, October 23.

One-Day Registration is available! Register now using the Registration Form on page 28 of this magazine or register online <https://www.lwm-info.org/731/Annual-Conference>

