

CHECKLIST | Completing Form I-9

Presented by ToughComp

Federal law requires employers to hire only individuals who may legally work in the United States—either U.S. citizens or authorized foreign nationals. To comply with the law, employers must verify the identity and employment authorization of each individual they hire by completing and retaining the Employment Eligibility Verification form (Form I-9). Employers must have a completed Form I-9 for every employee hired after Nov. 6, 1986.

Complying with Form I-9 requirements accurately and in a timely manner is difficult. The risk employers face for any errors is real and can be extremely expensive. Employers who fail to comply with Form I-9 requirements can face severe consequences, including civil and criminal penalties.

This checklist outlines the steps for completing Form I-9 for a newly hired employee. This checklist is intended to be used as a guide, and the steps in this list should be modified to meet the unique needs of your organization and its onboarding process. This checklist should be completed by someone trained in Form I-9 requirements to reduce the risk of errors.

This checklist provides an overview of completing Form I-9 for a newly hired employee and should not be construed as legal advice. Due to the complex nature of Form I-9 compliance, employers are encouraged to seek legal counsel to discuss and address specific issues and concerns.

On or Before Employee's First Day of Employment	Complete	Not Applicable
Provide the employee with the current Form I-9, instructions and List of Acceptable Documents.	<input type="checkbox"/>	<input type="checkbox"/>
Request that the employee provide identity and employability documents for verification.	<input type="checkbox"/>	<input type="checkbox"/>
Communicate to the employee that Form I-9 must be completed no later than the end of their first day of employment.	<input type="checkbox"/>	<input type="checkbox"/>

Completing Section 1 of Form I-9	Complete	Not Applicable
Ensure the employee completes Section 1 of Form I-9 no later than the end of their first day of employment.	<input type="checkbox"/>	<input type="checkbox"/>
Verify the employee entered their full legal name.	<input type="checkbox"/>	<input type="checkbox"/>

This checklist is merely a guideline. It is neither meant to be exhaustive nor meant to be construed as legal advice. It does not address all potential compliance issues with federal, state or local standards. Consult your licensed representative at ToughComp or legal counsel to address possible compliance requirements. © 2022 Zywave, Inc. All rights reserved.

If the employee has either two first or last names, confirm the employee included both names.	<input type="checkbox"/>	<input type="checkbox"/>
If the employee has only one last name, ensure the employee entered "N/A" in Other Last Names Used field.	<input type="checkbox"/>	<input type="checkbox"/>
If the employee only has one name, verify the employee entered it in the Last Name field and then entered "Unknown" in the First Name field.	<input type="checkbox"/>	<input type="checkbox"/>
If the employee used a preparer or translator to complete Section 1, ensure the preparer or translator completed, signed and dated the Preparer and/or Translator Certification.	<input type="checkbox"/>	<input type="checkbox"/>
If your organization participates in E-Verify, ensure the employee provided their Social Security number.	<input type="checkbox"/>	<input type="checkbox"/>
If the employee's employment authorization will expire, document the date for reverification.	<input type="checkbox"/>	<input type="checkbox"/>
Verify the expiration date for the employee's employment authorization provided in Section 1 matches the expiration date of the List A or List C documents presented for Section 2.	<input type="checkbox"/>	<input type="checkbox"/>
Verify the employee entered:		
A hyphen or apostrophe in their name, if applicable	<input type="checkbox"/>	<input type="checkbox"/>
Middle initial if the employee has a middle name	<input type="checkbox"/>	<input type="checkbox"/>
Any other legal last name, including a maiden name, if applicable	<input type="checkbox"/>	<input type="checkbox"/>
Current address, including street name and number, city, state, ZIP code and apartment number or letter, if applicable	<input type="checkbox"/>	<input type="checkbox"/>
Date of birth	<input type="checkbox"/>	<input type="checkbox"/>
Citizenship or immigration status; verify this by checking the appropriate box to indicate whether they are a U.S. citizen, a noncitizen national, a lawful permanent resident of the United States or a noncitizen authorized to work in the United States	<input type="checkbox"/>	<input type="checkbox"/>
Alien Registration Number or U.S. Citizenship and Immigration Services Number, Form I-94 Admission Number or foreign passport number, including the country of issuance and date the employment authorization expires	<input type="checkbox"/>	<input type="checkbox"/>
Signature and current date	<input type="checkbox"/>	<input type="checkbox"/>

Completing Section 2 of Form I-9	Complete	Not Applicable
Ensure Section 2 of Form I-9 is completed and signed within three business days of the employee’s day of employment.	<input type="checkbox"/>	<input type="checkbox"/>
Ask the employee to present unexpired original documentation or an acceptable receipt that shows their identity and employment authorization from the List of Acceptable Documents. Do not request or direct the employee to present specific documents from the list.	<input type="checkbox"/>	<input type="checkbox"/>
Ensure the employee presents one document from List A or a combination of one document from List B and one from List C.	<input type="checkbox"/>	<input type="checkbox"/>
Physically examine the documents presented by the employee to determine if they appear genuine and relate to the employee presenting them. If the documents do not reasonably appear genuine or relate to the employee, ask the employee to present other documents from the List of Acceptable Documents.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the employee’s last name, first name, middle initial and select the correct citizenship or immigration number from Section 1 in the Employee Info Form Section 1 field at the top of Section 2.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the employee’s document title, issuing authority, number(s) and expiration date, if any.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the date the employee began or will begin work for pay.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the first and last name, signature and title of the individual completing Section 2, as well as the date they completed the section.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the employer’s business name and address.	<input type="checkbox"/>	<input type="checkbox"/>
Return the documents presented to the employee.	<input type="checkbox"/>	<input type="checkbox"/>

Completing Section 3 of Form I-9	Complete	Not Applicable
Ensure Section 3 of Form I-9 is completed if the employee’s employment authorization or documentation of employment authorization has expired. If the employee is rehired within three years of the date their Form I-9 was originally completed or if they have legally changed their name, employers may complete Section 3.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the employee’s last name, first name and middle initial in Block A.	<input type="checkbox"/>	<input type="checkbox"/>

Ask the employee to present unexpired original employment authorization documentation from the List of Acceptable Documents.	<input type="checkbox"/>	<input type="checkbox"/>
Physically examine the document presented by the employee to determine if it appears genuine and relates to the employee presenting it. If the document does not reasonably appear to be genuine or relate to the employee, ask the employee to present another document from the List of Acceptable Documents.	<input type="checkbox"/>	<input type="checkbox"/>
Record the document title, document number and expiration document, if any, in Block C.	<input type="checkbox"/>	<input type="checkbox"/>
If the employee is a rehire, enter the rehire date that the employee began or will begin work in Block B.	<input type="checkbox"/>	<input type="checkbox"/>
Enter the first and last name, signature and title of the individual completing Section 3, as well as the date they completed the section.	<input type="checkbox"/>	<input type="checkbox"/>

Form I-9 can be deceptively simple. Despite only being two pages long, the form comes with 15 pages of instructions. Errors on the form can be costly. Mistakes not only increase the amount of time and money organizations must spend to complete the form but also increase their risk of audits, fines and penalties. While strategies may vary, an effective Form I-9 onboarding process can help organizations reduce errors and decrease their legal exposure while saving money.

For more information about Form I-9, contact ToughComp today.



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