

New Form I-9 Questions and Answers

When should employers begin using the revised version of the Form I-9? Employers must use the revised Form I-9 for all new hires (and reverifications) beginning April 3, 2009. The current edition of Form I-9, dated 06/05/2007, will no longer be valid for use as of that date. Employers who continue to use the 06/05/2007 edition of Form I-9 on or after that date may be subject to civil money penalties.

Does a rehired employee have to complete the new Form I-9 if they are hired after April 3, 2009? Yes. If they are rehired on or after April 3, 2009 the new Form I-9 must be completed.

What if someone has been on medical leave and comes back, are they a “new” employee? No. If someone returns from medical leave they would not be considered a new employee and a new form should not be completed.

What about someone returning from active military duty and is being rehired under USERRA? Yes. If someone is rehired after returning from active military leave, the new Form I-9 must be completed.

What about someone transferring from one council to another? Yes. If someone is transferring between councils or between a local council and the national council the new Form I-9 must be completed.

What about completing the reverification for an employee? The new Form I-9 must be used when reverifying an existing employee. You may not reverify the employee by completing Section 3 – Updating and Reverification on a previous version of the Form I-9.

Are documents that used to be on the Form I-9 still acceptable to use with the new Form I-9? No. Beginning April 3, 2009, you may only accept documents listed on the List of Acceptable Documents on the new Form I-9.

Are there any changes in the way the revised Form I-9 is completed? No. The revised form should be completed exactly the same way as the old one was.

Are employees in Puerto Rico required to complete the Spanish version of the Form I-9? No. Employees in Puerto Rico may complete either the Spanish or the English version of the new Form I-9.

Do I need to complete the revised version of the Form I-9 for all my employees or just the new ones? You only need to complete the revised version of the Form I-9 (Rev. 02/02/09)N for new employees. You should not be completing the new Form I-9 for existing employees. However, employers must use the new Form I-9 when their employees require reverification.

Who can I contact if I have questions regarding completion of the new Form I-9? You can contact the Employment and Retention Team at (972) 580-2122 if you have any questions regarding the completion of the new Form I-9.