Which INS forms to file for US employment eligibility verification?

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Authorization for each new employee who was hired after November 6, 1986, both citizen and non citizen, to work in US is documented in Form I-9. Form must be completed by all employees who have been hired and working in US from the said date. In order to prove that the worker is eligible to work in US and to verify his/her identity this form is used by employer.

At the time employment begins no later than time of hiring employees should complete section 1 of the form. Within the third day of work of the employee the employer should complete the section 2 of the form. Itâ€™s the employerâ€™s responsibility to ensure that the form is completely filled on time. If employee can neither read nor write English a translator could fill up the form and also sign it along with the employee. New legislation was passed in October 2004 and henceforth employment eligibility verification form could be completed electronically as well.

Documentation for filing Form I-9

Following documents may be used to establish identity:

1. ID card or driverâ€™s license issued by any US state which provides information like name, address, date of birth, height, address and gender and also includes a photo or identity information. It could also be issued by a Federal government.

2. ID of the school which also has photograph.

3. Draft record or card of identity from US armed services.

4. Voter Registration Card

5. Mariner card if in US coast merchant navy.

6. Document as proof as Native American tribe.

7. Canadian government authority issued driverâ€™s license.

The INS forms I-9 which was introduced by the Immigration Reform and Control Act also included anti-discrimination provisions. Discrimination is not allowed against employees on the basis of country of birth or citizenship status to all US citizens, permanent residents who are legally allowed to work in the US. It is also applicable to temporary resident or asylee/refugee who legally works in US. To employers of three or more employees who covers both hiring and termination decisions this provision applies. Genuine appearing documents specified on Form I-9 must be accepted by employer as valid document.

Penalties for INS forms I-9 disobedience are also included in Immigration Reform and Control Act. If false statements or documents are submitted along with this form there is room for imprisonment or/and fine under federal law. Fine between $250 and $5,500 per worker would be charged if itâ€™s the employerâ€™s fault or mistake for hiring an unauthorized person. Such employers also could be barred from any federal government contracts for a year. Criminal prosecution is also possible under immigration laws for faulty employers.

For each form employee also could be fined from $110 for each missing item till $1100 per form

though he/she is legally authorized to work in US. Fines between $375 and $3,200 would be charged per document for any fraud by any individual concerned as for the first time offense and thereafter between $3,200 and $6,500 if offense is repeated.

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