



Industry Update



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Employment Eligibility Verification 101: Form I-9

At Award Staffing, we match hundreds of candidates to jobs at our clients' companies each week. Our placement staff must verify the employment eligibility of every employee we assign by properly completing and retaining I-9 Forms for them. As a result, we frequently send our placement staff to training courses regarding employment eligibility verification and I-9s. This continual training is important because there are a lot of legal requirements associated with completing the I-9 Form, and the consequences of not properly identifying a new worker's employment eligibility can be extremely costly. As immigration reform continues to be a hot topic and the government agencies in charge of immigration and employment continue to increase employer audits and crack down on violators, we thought we would share what we reviewed in our most recent I-9 refresher course to help you ensure your company's employment eligibility verification processes are compliant.

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The I-9 Basics: Frequently Asked Questions

What is the purpose of the I-9 Form?

The purpose of Form I-9 is to document the identity and eligibility of an individual to work in the United States.

Who must complete an I-9 Form?

Employers must oversee the completion of and keep on file an I-9 Form for every employee, both citizen and non-citizen, hired on or after November 6, 1986.

How long must an employer keep an I-9 Form on file?

An employer must keep an employee's completed I-9 Form on file for 3 years after the date of hire or 1 year after employment ends, whichever is longer.

How often does an I-9 Form need to be completed for an employee?

The I-9 Form only needs to be completed one time for each new hire, within 3 business days of his/her start date. However, a new I-9 Form must be completed if there is a break in employment of more than 1 year.

Are employers required to make copies of the documents presented by employees when filling out Section 2 of the I-9 Form?

Photocopying documents presented as part of the employment eligibility verification process is neither required nor prohibited. However, it is important that you handle the copying of documents presented to establish employment eligibility the same for every new hire or you could be charged with discriminating based on citizenship status.

Can employers accept photocopied documents from employees when completing Section 2 of the I-9 Form?

No. Employees must present original documents. The only exception is a **certified** copy of a birth certificate.

(Employment Eligibility Verification continued on page 2...)

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(...Employment Eligibility Verification continued from page 1)

Is completion of an I-9 the only thing required to verify an individual's employment eligibility?

The most basic employment eligibility verification requirement is completion of the Form I-9. A blank copy of the most recent version of Form I-9 can be obtained from the U.S. Citizenship and Immigration Services (USCIS) website at www.uscis.gov.

As part of immigration reform aimed to reduce the number of illegal aliens residing and working in the U.S., some companies are opting to use E-Verify, an internet based system operated by the Department of Homeland Security (DHS) and the Social Security Administration (SSA), in addition to the I-9 form to verify employment eligibility.

Currently, there are no federal mandates requiring the use of E-Verify. However, there has been a recent trend toward state mandates for the use of E-Verify. In Minnesota, Governor Pawlenty issued an executive order that is now in effect and requires that any company awarded a government contract valued at \$50,000 or more must implement E-Verify for all new hires.

What are the advantages to opting to participate in E-Verify?

E-Verify is a show of good faith to the DHS, SSA, Department Of Labor (DOL) and Immigration and Customs Enforcement (ICE).

What are the disadvantages to E-Verify?

Employers must be prepared to handle a potential increase in No-Match letters they receive as a result of participating in E-Verify.

Completing Form I-9: Important Facts

- In Section 1, applicants are not required to fill in their Social Security Number unless the employer is registered with E-Verify.
- Employers cannot tell employees which documents to present for completion of Section 2 of the I-9 Form. They can only give employees the list of acceptable documents and verify that the documents the employee chooses to present are valid.
- Employers should only accept the minimum number of documents required to complete Section 2 of the I-9 Form from a new employee. If multiple documents are listed under the lists in Section 2, the employer could face charges of document abuse in an audit.
- The penalty for document abuse, when an employer requests more or different documents than an employee has chosen to present from List A or Lists B and C, ranges from \$100 to \$1000 per employee determined to have suffered document abuse.
- Protect yourself from potential non-compliance, discrimination or document abuse charges in an audit by storing I-9s separate from other personnel files.
- If Form I-9 is completed prior to a job offer you could face charges of hiring discrimination based on information disclosed on the I-9 Form related to national origin, race, gender, age, etc.
- Employers are not expected to be document experts. Employers are only required to inspect documents to ensure that they appear to be genuine, valid and belong to the individual presenting them as part of the employment eligibility verification process.
- Your company should have an I-9 and Employment Eligibility Verification Procedures and Compliance Policy that is written, standard and applied across the board to all employees to help protect your company from non-compliance or discrimination claims.
- If you have any questions about your company's employment eligibility verification process, the eligibility of one of your employees to work in the United States or are notified that you will be subject to an ICE or DOL audit, you should contact your legal counsel for advice immediately.

Award Staffing's Safety and Risk Management Program Earns Workers' Compensation Risk Certification



Award Staffing recently underwent an extensive screening, training and testing process to show that we are dedicated to operating at the highest level of safety and risk management. As a result, we are the first locally-owned and operated staffing company in the Twin Cities Metro Area to be Workers' Compensation Risk Certified by Risk Control Services (RCS).

When you choose a WRC Certified staffing company like Award Staffing as your staffing partner, you will notice a higher level of service in terms of safety and risk management compared to non-certified staffing companies. This premium level of service starts with a visit from Award's WRC Certified Risk Manager to your work site so we can tailor recruiting and training to the demands of the job at your facility, and is apparent through the end of every project in the quality of our workers and our quick, expert response to any issues regarding safety.

The advantages of the more stringent screening, training and safety practices of WRC Certified staffing companies include: orientation tailored to your business, lower rates of turnover, less downtime, increased productivity, preservation of your safety record and free safety consultative services.

If you would like to learn more about Award Staffing's WRC Certified Safety and Risk Management Program and how it can benefit your company please call your Account Manager at (952)924-9000 today!

Administrative Professionals Day is April 23: Honor Your Administrative Professionals

Administrative Professionals Day, which falls on the third Wednesday of each April, was established over 50 years ago to honor the contributions of administrative professionals in helping companies succeed. As the roles and responsibilities of administrative professionals have expanded over the years Administrative Professionals Day has become one of the most widely celebrated corporate holidays around the world.

This year Administrative Professionals Day falls on April 23, 2008. Be sure to celebrate the holiday by acknowledging your administrative professionals for their contributions to your company's team and success.

Some suggestions for honoring your administrative professionals, from the International Association of Administrative Professionals, include: offer to sign your administrative professionals up for professional development or new skills training, write a letter of commendation for good service, send flowers or a gift to your administrative professionals, and/or provide lunch in honor of your administrative support staff.

If you have an outstanding Award Staffing administrative professional working at your company, please call and let us know so we make a special note of their job well done on Administrative Professionals Day!

In the Breakroom: Award Staffing Sudoku

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5								
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Stumped!? Call your Award Staffing Account Manager for the solutions to this puzzle.

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