

LEGAL UPDATE

Remote Verification of Form I-9 Documents Extended to Aug. 19

The U.S. Department of Homeland Security (DHS) has announced that the exemption for the physical inspection of Form I-9 documents has been **extended to Aug. 19, 2020**. According to the DHS, this will serve as the final extension.

Physical Inspection

Employers must complete and sign Section 2 of Form I-9 **within three business days** of the employee's first day of employment. Employers are required to **physically examine** the documents the employee presents from the list of acceptable documents to prove his or her employment eligibility.

Remote Verification

Because of COVID-19, DHS is allowing employers that are operating remotely to conduct a remote verification of approved I-9 documents. The exemption also applies to new hires affected by quarantine or lockdown protocols. The exemption does not apply to employers that have employees physically present at a work location.

Under the exemption, employers must complete a **remote inspection** of approved documents **within three business days and enter "COVID-19"** as the reason for the physical inspection delay. Employers that use this exemption must also keep written documentation of their remote onboarding and telework policy for each employee.

Within three days of when normal operations resume, all employees who were onboarded using remote verification must present their approved documents for a physical inspection. Employers should add "documents physically examined" with the date of inspection to affected I-9 forms.

Important Dates

March 11, 2020

National emergency declared for the coronavirus (COVID-19) outbreak.

March 19, 2020

DHS grants exemption from physical inspection of Form I-9 documents.

July 18, 2020

DHS announces second extension for the remote inspection exemption.

Aug. 19, 2020

Final date for the remote verification exemption.

DHS is allowing employers that are operating remotely to conduct a remote verification of approved I-9 documents until Aug. 19, 2020.

Provided to you by JP Griffin Group

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