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Determining the employment eligibility of every single employee you hire is a key responsibility of every employer. In the current immigration issues environment where federal sanctions and penalties are widely enforced against the employer, you cannot afford to make any exceptions or assume that any employee is a "legal" worker. You must verify every employee at the time they start to work.

There are several programs or processes that may be included in employment eligibility but the federal Form I-9 is the one that must be completed for every hire, even your relative!

There are many rules to follow such as not "pre-screening" applicants, that would be discriminatory, the three day window to complete the I-9, no document steering by the employer, etc. Most employers find it safest and easiest to make sure the new-hire knows they will have to complete the I-9 on day one when they report for work, what documents they can choose from to bring with them, and complete the form on the day the employee starts. It is also best to have only one person in your organization do all the I-9s, and self-audit regularly.

The US Customs and Immigration Service (USCIS), part of the Department of Homeland Security, manages the I-9 process and are the organization who might audit your compliance. They have an online site called "[I-9 Central](#)" which does an excellent job of teaching everything you ever needed to know about I-9s and more.

Additionally, NCAE and allied groups and associations routinely offer I-9 compliance updates at meetings and seminars.

The key is, no I-9, no work. It is as simple as that, if an employee will not or cannot provide the necessary documents within the time allowed, you need to remove them from your payroll and send them home until they can!

The author is Executive Vice President of the National Council of Agricultural Employers (NCAE.) NCAE is the national trade association representing Agricultural Employers in Washington, DC. NCAE advocates and addresses employer issues for all employers of both domestic and H-2 agriculture workers. NCAE is proud to count many individual growers and grower associations among our Membership. The invitation to become an individual Member of NCAE and receive our communication and information direct is extended to all agricultural employers. Visit NCAE's [website](#) at for more information and continuing updates.