

NEWS UPDATE

July 27, 2010

Subject: DHS Updates Electronic I-9 Signature and Storage Requirements

DHS has updated the electronic I-9 signature and storage requirements found at 8 CFR §274a.2. Employers and recruiters or referrers for a fee who are required to complete and retain Form I-9, Employment Eligibility Verification, may sign this form electronically and retain this form in an electronic format. DHS clarified the following:

- Employers must complete Form I-9 within three business (not calendar) days;
- Employers may use paper, electronic systems, or a combination of paper and electronic systems;
- Employers may change electronic storage systems as long as the systems meet the performance requirements of the regulations;
- Employers need not retain audit trails of each time Form I-9 is electronically viewed, but only when the Form I-9 is created, completed, updated, modified, altered, or corrected; and
- Employers may provide or transmit a confirmation of a Form I-9 transaction, but are not required to do so unless the employee requests a copy.

If you have any questions, email us at contactRS@rudnickspector.com.

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