

# LEGAL UPDATE

## Remote Verification of Form I-9 Documents Extended to ~~Sept~~Nov. 19

Because of the ongoing COVID-19 pandemic, the U.S. Department of Homeland Security (DHS) ~~Homeland Security (DHS) is allowing employers that are operating remotely to conduct a remote verification of approved Form I-9 documents.~~ has extended for an additional 30 days the exemption for the physical inspection of Form I-9 documents. On Sept. 15, 2020, DHS extended yet again this exemption for an additional 60 days. The new expiration date for the exemption is now ~~Sept~~Nov. 19, 2020.

### 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 only to employers that are operating remotely due to COVID-19 and 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.~~ When this happens, Employers should

### 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.

#### ~~Sept~~Nov. 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 ~~Sept~~Nov. 19, 2020.*





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will need to add “documents physically examined” with the date of inspection to affected I-9 forms.

## Important Dates

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Provided to you by **VAST**

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