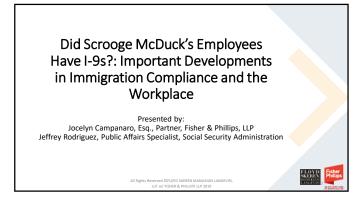
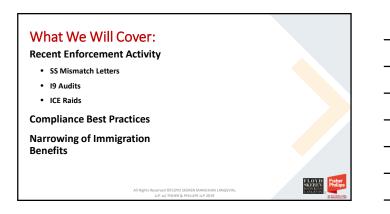


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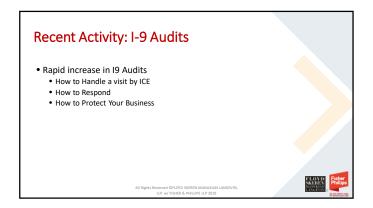


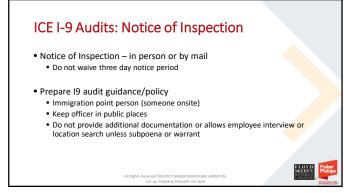
# Changing Landscape of Immigration Law and Enforcement

- Record-Breaking Immigration Enforcement Continues
- I-9 Compliance and Enforcement
- Higher scrutiny on immigration filings
- Executive action repeal and enactment



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#### ICE I-9 Audits: SB450

• Enacted on January 1, 2018, SB450 placed additional requirements on employers regarding I9 inspections related to voluntary consent and notice to employees

- Federal court enjoined several provisions that prohibited employers from:
  - Voluntarily consenting to allow officers to enter non public areas of labor (needed warrant)
    Voluntarily consenting to allow officers to access, review or obtain employee records (needed warrant or subpoena)

#### • Federal Court upheld notice provisions

- With 72 hours of receiving Notice of Inspection, employers must notify all employees
  Upon reasonable request, an employer must provide an affected employee with a copy of a Notice of Inspection of I-9 forms
- Employers must provide affected employees of the results of the inspection

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#### ICE I-9 Audits: SB450

- Notice to Employees of Inspection
  - With 72 hours of receiving Notice of Inspection, employers must notify all employees
  - Post in location normally used to communicate with employees
  - · Post in language normally used to communicate with employees

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- Must include:
  - Name of immigration agency conducting inspection
  - Date the employer received the NOI
  - Nature of the inspection to the extent known and
    A Copy of the Notice of Inspection

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## Protecting Your Business: I-9 Basic Requirements

- I-9 for all employees hired after November 6, 1986
- Section 1
  - · completed by employee no later than start date of employment.
  - may complete form prior to start date if offer of employment is made and accepted.
- Section 2
  - completed by employer by end of **third** business day after employee starts work.
- Section 3 reverification
- Insert N/A in all fields where no information is available.



### **Use the Correct Form**

## I-9, Employment Eligibility Verification Form I-9 (PDF, S35 KB) Form I-9 Paper Version (This version is unfillable and must be printed for completion on paper only) (PDF, 73 KB) Form I-9 Supprement, Section 1. Preparer and/or Travelator Certification (PDF, 816 KB) (PDF, 816 KB)

- www.uscis.gov Paper version
- Smart form

Either form must printed and signed.

- Instructions for Form I-9 (PDF, 565 KB) (PDF, 565 KB) Form I-9 in Spanish (May be filled out by emp Rico ONLY) (PDF, 421 KB)
- Instructions for Form I-9 in Spanish (PDF, 322 KB)
   M-274, Handbook for Employens, Guidance for Completing Form I-handbook will be updated soon; refer to the Form Instructions for to-date information.) (PDF, 2.14 MB)

#### New version = 09/18/2017

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## Self-Audits: Making Corrections

- Correct errors, as allowed, on each form.
- Section 1 Employee makes corrections.
- Section 2 Employer makes corrections.
- Strike through errors do not use White Out or Liquid Paper.
- All corrections should be initialed, dated, and include the words "Per Self Audit."

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## **Increased Scrutiny on Immigration Filings**

- H1Bs under increased scrutiny
   More RFEs
   More denials
   Possible H1B cap changes
- TN visas for engineers more narrowly reviewed
- Advance Parole Abandonment
- Denial without RFE and no prior approval deference
- Substantial processing delays

All Right

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## **I-9 Best Practices** • Only accept unexpired documents. • Use E-verify for new hires. • Establish a written I-9 compliance policy. • Implement compliance and training programs. • Allow only trained personnel to complete I-9s. • Perform annual internal I-9 audits. • Establish a protocol for responding to government agencies. • Implement policies to protect against document abuse. FLOYD SKEREN

• Maintain clear copies of verification documents.



### Social Security Administration

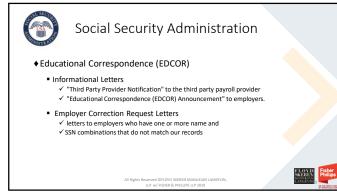
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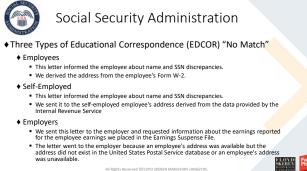
- 1994 2005
- 2018 current

♦ Wage reports may not match for a number of reasons. These include typographical errors, unreported name changes, and inaccurate or incomplete employer records

- SSA places the earnings information in the Earnings Suspense File instead of posting the earnings to an employee's earnings record
- SSA began notifying third party payroll providers and employers submitting wage reports with one or more name and SSN combinations that did not match our records FLOYD SKEREN

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## Social Security Administration

♦ How to Handle EDCOR Inquiries

- EDCOR letters direct recipients to call 1-800-772-6270
- EDCOR letters direct recipients to our Business Services Branch of the Office of Central Operations

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Calls are serviced by 'Employer Reporting Technicians'

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