



## **IMMIGRATION COMPLIANCE: NOW IS THE TIME TO COMPLETE A SELF-AUDIT**



Employers in the Bay Area are increasingly concerned about ICE Raids and Notices of Inspection. You can address these concerns by completing a self-audit of employee I-9 forms and the accompanying documentation.

Copies of I-9 forms and supporting documentation should be stored in a separate binder, away from employee personnel files. Take the time to review each form to determine the following: (1) Was the form completed accurately? (2) Is the supporting documentation still valid?

Pay close attention to expiration dates. It is important to contact employees who need to provide new documentation before their documentation expires.

It is illegal for employers to knowingly employ or continue to employ someone who is not legal to work in the United States. If you determine that an employee's documentation has expired, you should immediately notify the employee and take them off the schedule. Offer the employee the opportunity to provide updated documentation. In some instances, a receipt that the employee has applied for proper documentation is also acceptable. However, the employee cannot continue to work until the proper documentation is submitted.

Finally, employers should have a plan in place for a potential ICE raid or Notice of Inspection. For example, Managers should be trained on how to respond to immigration officers, and who to call in the event of a raid or receipt of a Notice. Similarly, employees should be trained to remain calm and follow instructions from the manager.

Failure to comply with immigration regulations can result in steep fines. The U.S. Immigration and Customs Enforcement website provides a detailed overview of the Form I-9 inspection process and potential fines: <https://www.ice.gov/factsheets/i9-inspection>.

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