

Beyond the Form

Navigating Risky I-9
Document Scenarios

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Today's I-9 Subject Matter Experts



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I-9 Gossip

Do you know what's going on with TPS?

I looked all over but couldn't find the document number.

He handed me a receipt, but it looked like it came from a convenience store.

Have you ever heard of an I-94?
Sounds like a highway.

Her green card wasn't even green!



Agenda



Review: Form I-9 Documentation Rules



Five Tricky I-9 Scenarios (and considerations for navigating them)



Pop Quiz (test your knowledge)



Best Practices & How Equifax Can Help



Questions and Answers

Poll #1

What is your biggest concern with Form I-9 Documentation? (choose only one)

Making sure that documents can be accepted for I-9 purposes

Capturing document information correctly

Spotting potential document fraud

Avoiding improper rejecting of documents

Handling documentation of non-citizen employees

The Delicate Balance of Form I-9 Documentation Review

Form I-9 Documentation Rules

Examining I-9 Documentation

- Examine original, **acceptable**, and unexpired documentation, or an acceptable receipt
- Determine if **reasonably** appears to be genuine and relates to the person
- When reviewing documents virtually, USCIS recommends **fraud awareness** training

Avoiding Discrimination

Employers may not:

- Request more or different documents
- Reject reasonably genuine-looking documents
- Specify certain documents based on citizenship status or national origin

Tricky Scenarios

Scenario 1: Insufficient documentation



Hypothetical:

David is a new hire who explains that he can't locate his Social Security Card. His hiring manager is eager for him to start right away.

Employer Considerations

- Other documentation may be available (always provide the Lists of Acceptable Documents)
- A receipt for a lost, stolen, or damaged document provides an additional 90 days for the employee to present a replacement document
- Documentation or receipt must be provided within 3 days after first day of work for pay

Scenario 2: Employee presents Form I-94



Hypothetical:

Maria presents her foreign passport along with a Form I-94.

U.S. Customs and Border Protection
securing America's borders

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:
Please visit the DHS I-94 website. Results will link on the link for "Get Most Recent I-94" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94 protocol matches the "Get Most Recent I-94" returned results for this applicant. I-94 FAQs: (<https://dhs.gov/immigration-services/faq/i-94>)

Admission I-94 Record Number:
Arrival/Issued Date:
Class of Admission:
Admit Until Date:
Details provided on the I-94 information form:
Last Name:
First (Given) Name:
Birth Date:
Document Number:
Country of Citizenship:

Effective April 30, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a printed Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.410.

For an employer, local, state or federal agency requesting admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

Employer Insights

- Different types of I-94s may be presented
- The class of admission must be an immigration status that can work (e.g., H-1B, L-1, TN, etc.)
- Some statuses may have an expiration date indicating "D/S" which stands for Duration of Status - these typically require additional documentation (I-20, DS-2019, etc.)
- May also be presented with List B document

Scenario 3: Employee presents expired EAD



Hypothetical:

Edgar presents an expired I-766 Employment Authorization Document along with an I-797C receipt notice



Employer Insights

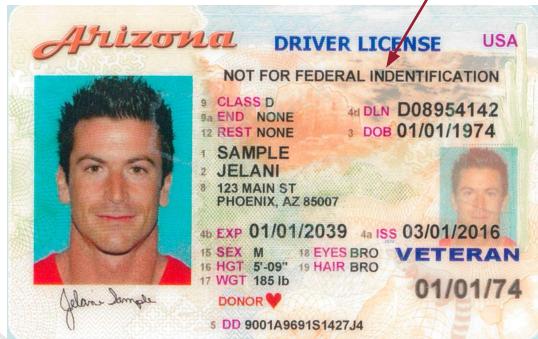
- Certain EAD holders may receive up to a 540-day automatic extension upon applying to renew their EAD
- The eligibility category on the front of the employee's EAD generally must have the same eligibility category as the employee's I-797C
- E, L-2, and H-4 dependent spouses are extended up to 540 days or their I-94 expiration date, whichever is earlier

Scenario 4: Unusual Driver's License



Hypothetical:

Tom presents a driver's license that looks a bit different



Employer Insights

- While employers are not expected to be document experts, they must contend with an increasing sophistication of fake IDs
- ICE recommends looking for potential indicators of fraud such as poor image quality or alterations
- In a December 2024 indictment, the Department of Justice noted that foreign actors used stolen identities to apply for jobs and paid US persons to receive, set up, and host laptops sent from employers



TRENDS IN DOCUMENTATION FRAUD

HR Challenges

- Frequent immigration policy changes can sometimes make a valid-looking document invalid overnight
- Identity documents may consist of thousands of federal, state, and local ID types
- Employers must still adhere to Form I-9 requirements and avoid unfair documentary practices

In June 2025, a Nebraska meat processing plant lost over 70 workers in a high-profile ICE raid even though the employer had been using the E-Verify system.

Source: [ICE Press Release](#)

Scenario 5: The Virtual Conundrum



Hypothetical: Employee doesn't have document during video call

Emily uploads a green card that looks outdated but has a valid expiration date. During the video call, she explains that she doesn't have the document with her.



Employer Insights

- When using the alternative procedure (virtual inspection), employers must conduct a live video interaction with the employee
- The employee must first transmit a copy of the document(s) to the employer and then present the same document(s) during the live video interaction
- Documentation presented should be original (and not images stored on the individual's phone)

Examining Documentation Pop Quiz

Is this acceptable for I-9 purposes?

Employee presents expired
EAD with a category code of
C11 along with an I-797C

C11 (humanitarian parole)



Visit [I-9 Central](#) for more information

Poll #2

Can you accept an expired C11 EAD with an I-797C for I-9 purposes?

Yes, this qualifies as an automatic extension

No, this document combination would not be acceptable

Is this acceptable for I-9 purposes?

Employee presents an electronic I-94 indicating a work authorized status along with a driver's license

For:

 **U.S. Customs and Border Protection**
Securing America's Borders

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:
Please visit the CBP I-94 Public Website and click on the tab for "Get Most Recent I-94" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94 printout matches the "Get Most Recent I-94" returned results for this applicant. I-94 I-94 (https://i94.cbp.dhs.gov/i94/faq)

Admission I-94 Record Number:
Arrival/Issued Date:
Class of Admission:
Admit Until Date:
Details provided on the I-94 information form:

Last/Surname:
First (Given) Name:
Birth Date:
Document Number:
Country of Citizenship:

Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(a)(5).

If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

Form No. 1021-0011
Expiration Date: 11/30/2024



Visit [I-9 Central](#) for more information

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Poll #3

Can you accept an I-94 when presented with a List B driver's license?

Yes, this document combination is acceptable

No, this document combination would not be acceptable

Is this acceptable for I-9 purposes?

Employee presents Resident Alien card that expires in 2031. She explains it's her green card.



Visit [I-9 Central](#) for more information

Poll #4

Can you accept a Resident Alien Card with a future expiration date?

Yes, this document is acceptable

No, this document would not be acceptable

***“The eye sees only what
the mind is prepared to
comprehend”***

- Robertson Davies

Best Practices



Evaluate your current I-9 document review procedures

Are your processes built for 2025 or 1986?

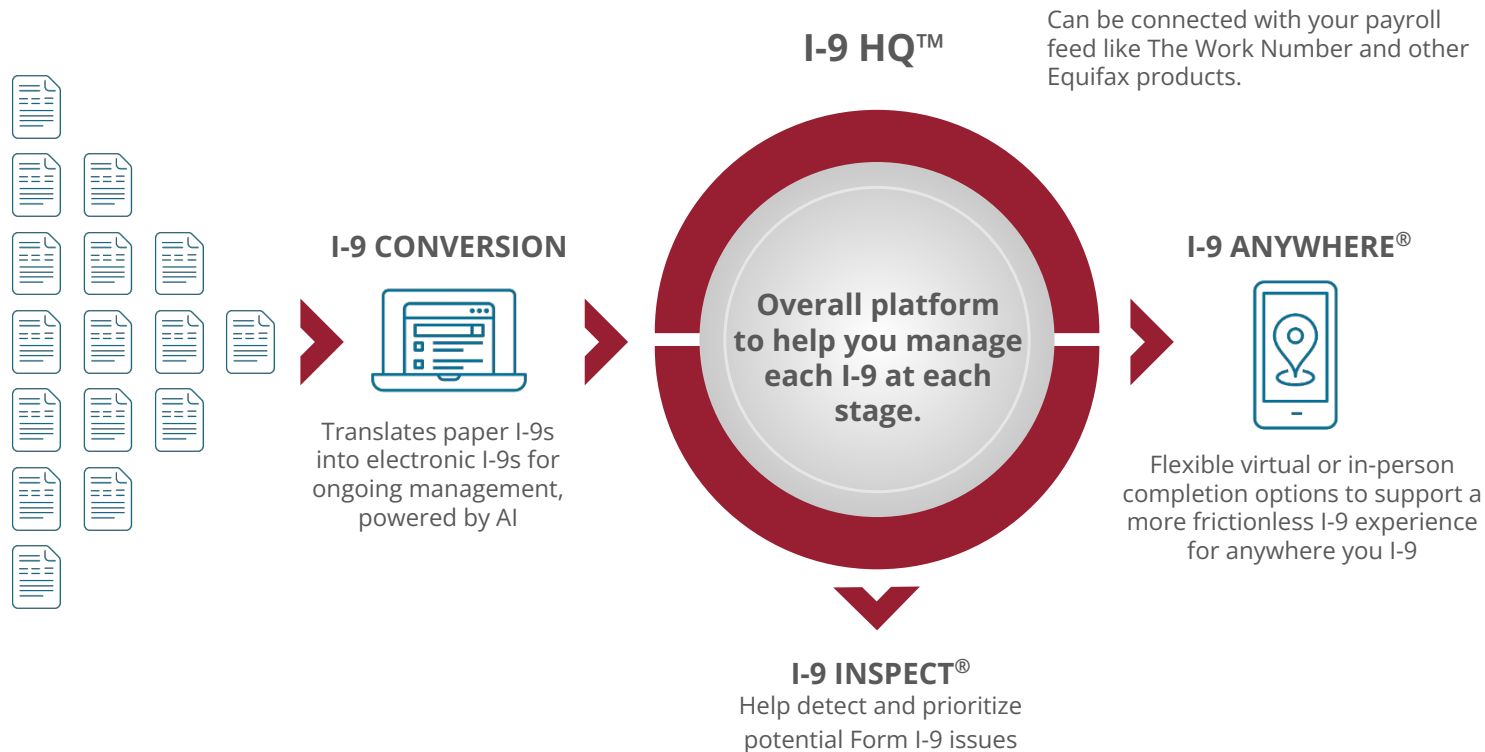
Education

Keep track of changes in Form I-9 policies relating to acceptable documentation and fraud awareness

Consider getting help

Outsource the Form I-9 document review process to trained completers to help you reduce your workload, improve onboarding experience, and help reduce risk

I-9 HQ Suite of Solutions



Q&A

Next Steps



1 SURVEY

Complete the survey through the webinar console



Activity ID:
25-94H7W



2 CONTACT

Want to talk to someone about your Form I-9 processes? Click on the “Want to Get In Touch” button on your webinar console or contact us at:

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