

I-9 Virtual Verification Checklist

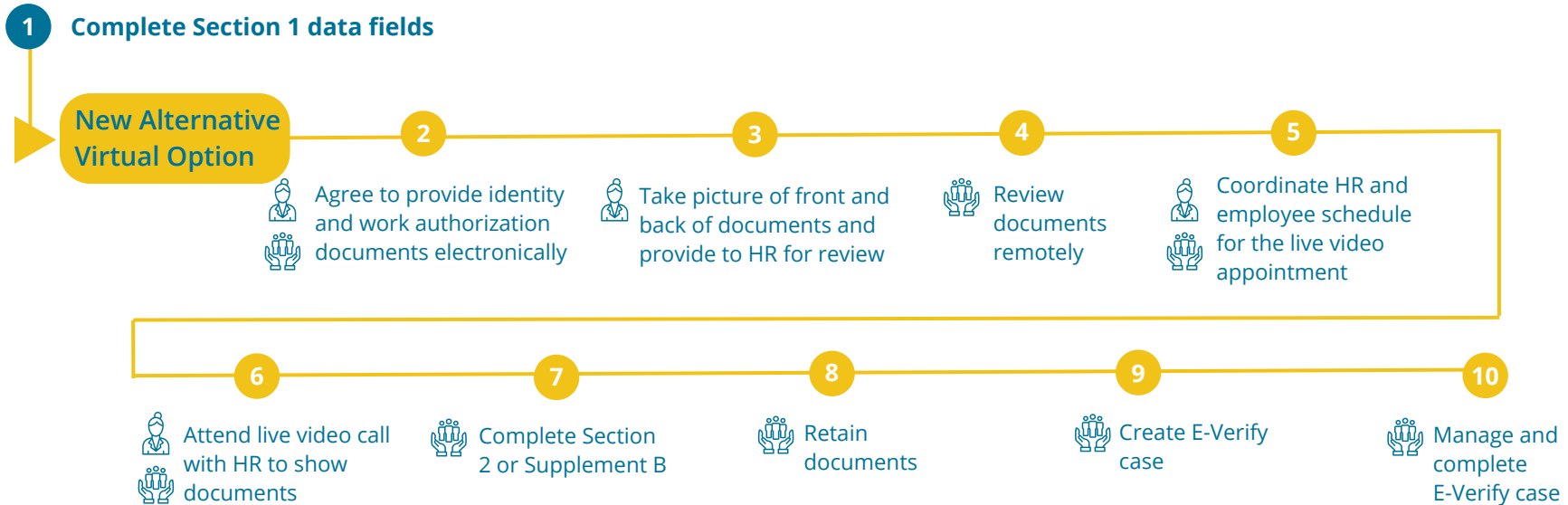
Is it right for your organization?

The New Alternative Virtual I-9 Inspect Option:

As of August 1, 2023 qualifying employers are able to remotely examine a new hire's I-9 documents in lieu of a physical in-person inspection. While this may sound like an "easier" option for verifying an employee's identity and work authorization there are many considerations and often hidden "costs".



Alternate Virtual Completion Process:



Icon Key



Employee



Human Resources





Is your organization eligible?

There are several requirements in place for both initial set-up and ongoing program review of the alternative virtual verification option.

E-Verify Eligibility

Your organization must be in good standing with E-Verify

New Alternative Virtual Option

- ☐ Is your organization enrolled in E-Verify with respect to all hiring sites in the US that use the alternative procedure?
- ☐ Is your organization in compliance with the E-Verify MOU (e.g., submitting cases on-time, following all required TNC and FNC procedures, etc.)?
- ☐ Has your organization received one or more E-Verify compliance notices (via email, phone, etc.) for violations of the MOU including late submissions, failure to refer TNC cases, failure to resolve FNCs, etc.?

Data Security and Technology

New Alternative Virtual Option

- ☐ How will employees transmit their identity and work authorization documents? Do employees have the technical awareness and capabilities to complete this step?
- ☐ How will you conduct the live video interview (i.e., approved video conferencing platform)? Do your new hire employees have access to the platform?
- ☐ Have IT/SEC and data privacy departments approved of the transfer and retention method chosen?



Non-Discrimination Check

Your organization must be in good standing with E-Verify

New Alternative Virtual Option

- ☐ Is your organization using virtual consistently for all employees at a given worksite or using it only for remote employees without regard to an employee's protected class?

Training and Headcount

New Alternative Virtual Option

- ☐ Does your organization have sufficient HR (headcount) to manage scheduling and virtual examination of each new hire's I-9 documents and to complete the Form I-9?
- ☐ Can you ensure each HR staff member who will handle your I-9s has taken fraud awareness and anti-discrimination training from E-Verify?
- ☐ How will you work with your counsel to establish a standard of review for examining document copies (e.g., determining quality standards, level of review, etc.)?
- ☐ How will you create a policy for managing employees who refuse (or are unable) to use the virtual option?
- ☐ Can you update or create I-9 Standard Operating Procedures (SOPs) to cover all of the above, plus training on how to avoid discrimination during the live video interaction?



E-Verify Eligibility

New Alternative Virtual Option

- ☐ Will the employee be submitted to E-Verify?
 - Is the employee located at (or reporting into if remote) a qualifying E-Verify hiring site?

Remotely examine documents presented by employee

New Alternative Virtual Option

- ☐ Did the employee provide copies (front and back if applicable) of acceptable documents or an acceptable receipt?
- ☐ If non-citizen, did the employee provide an acceptable combination of documents according to the M-274 handbook?
- ☐ If documents are expired, is there an exception in effect (e.g., EAD auto-extensions)?
- ☐ Check to ensure documents are of good quality (retention obligation)
- ☐ Follow-up with employee in the case of no documents, incorrect documents, or if document quality is an issue
- ☐ If employee refuses virtual option, must enable them to conduct in-person review

Conduct live video review of documents

New Alternative Virtual Option

- ☐ Are the documents the same as those examined?
- ☐ If new documents, are they acceptable?
- ☐ If new documents are acceptable, instruct employee to send them separately for review



Schedule live video appointment with employee

New Alternative Virtual Option

- ☐ Is the employee available during HR's schedule?
- ☐ Is the appointment within 3 days of start date?
- ☐ Set a reminder to follow-up with employee before day of appointment

★ *Reschedule appointment as needed*

Complete Section 2 or Supplemental B (in the case of reverification)

New Alternative Virtual Option

- ☐ Ensure correct documents are selected
- ☐ Enter document numbers and expiration dates
- ☐ Annotate I-9 as needed for special work authorization scenarios
- ☐ Indicate that "alternative procedure" was used to examine documents

Document Retention

New Alternative Virtual Option

- ☐ Ensure correct documents are retained for inspection



Is I-9 virtual verification right for your organization?

Before you decide what's right for your organization make sure you have thoroughly reviewed the requirements for this alternative virtual option. You may find that utilizing a service for your I-9 verifications, like I-9 Anywhere[®] in-person inspections, is a better solution for your organization.

I-9 Anywhere can help:



Ease the burden of paperwork and help save time for your team members



Improve experiences for new employees, hiring managers, and HR



Remove roadblocks through a more employee-driven approach



Improve timeliness and accuracy through software and processes built to help you minimize errors

Contact us today to learn more about I-9 Anywhere to help get your I-9s done right and on time.

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