




WORK AUTHORIZATION & I-9 COMPLIANCE

WHO CAN BE EMPLOYED?

- ✓ U.S. Citizens
- ✓ Lawful Permanent Residents (Green Card holders)
- ✓ Noncitizens with Work Authorization, including:
 - TPS holders (e.g., Haiti, Venezuela)
 - DACA recipients
 - Asylees and refugees
 - CHNV parolees (if they obtain an EAD)
 - F-1 OPT workers (must present valid EAD)
 - Visa holders with work authorization (e.g., H-1B, L-1)

 Reminder: lawful presence does not always provide employment authorization

I-9 COMPLIANCE & EMPLOYER OBLIGATIONS

Section 2 Review & Attestation

- Must be completed by the same person who physically reviews the employee's original documents—even for remote hires.
- Do not allow one person to review and another to sign (corporate attestation is not permitted).

Acceptable Documents

- Only accept documents from the official I-9 List of Acceptable Documents.
- unexpired documents or expired ones with valid DHS notices of automatic extension.
- Do not request specific documents (e.g., 'green card only').

Correcting I-9s

- If Section 2 is unsigned or incomplete, the original documents must be re-presented.
- Make corrections clearly and transparently, dating and initialing all changes.
- Retain copies of corrected forms and any DHS notices.



Haiti TPS Workers

- ✓ May work only if they hold a valid EAD (Category A12 or C19).
- ✓ EADs may be automatically extended—employers must review Federal Register notices and record the extension on the I-9.
- ✓ Employers must not terminate solely due to expiration dates without verifying whether DHS extended the document.

Venezuela TPS Workers









- ✓ TPS holders from the 2021 designation are work-authorized through September 10, 2025.
- ✓ Those from the 2023 designation may work only until April 2, 2025.
- ✓ DHS rescinded the planned 2026 extension and is invalidating related EADs.
- ✓ Employers should cease relying on EADs issued based on that rescinded extension.

CHNV Parolees (Cuba, Haiti, Nicaragua, Venezuela)

- CHNV parolees must apply for and receive an EAD before working.
- I-9 documents may include an EAD or a foreign passport + I-94 indicating parole.
- The CHNV program is subject to rapid policy change—monitor DHS announcements.



EMPLOYER COMPLIANCE CHECKLIST

Task	Requirement
 I-9 Form	Complete Sections 1–2 accurately, timely, and with correct documents.
 Document Review	Same person must physically examine and sign Section 2.
 Discrimination	Never request more documents than required. Accept any valid combination.
 Reverification	Reverify only when authorization expires. Don't reverify U.S. citizens or green card holders.
 Automatic Extensions	Accept expired EADs if DHS has extended validity via Federal Register. Attach copy of notice.
 No-Match Letters	Investigate SSN mismatches carefully. Don't assume unauthorized status.
 E-Verify	Use only for employees at enrolled hiring sites. SSNs are required. Follow timelines for each case.
 Confidentiality	Store I-9s securely. Do not disclose immigration status unless legally required.

RESOURCES FOR EMPLOYERS & EMPLOYEES

- E-Verify Assistance: 1-888-464-4218 or E-Verify@dhs.gov
- OSC (Discrimination Hotline): 1-800-255-8155 (Employers) | 1-800-255-7688 (Workers) | oscprt@usdoj.gov
- I-9 Central (USCIS): <https://www.uscis.gov/i-9-central>
- TPS & EAD Updates: <https://www.uscis.gov/humanitarian/temporary-protected-status>
- CHNV Parole: <https://www.uscis.gov/CHNV>
- Federal Register Notices: <https://www.federalregister.gov>