

How to Fill Out an I-9 Form

What is an I-9 form?

When you onboard a new Homecare worker (HCW), you must verify that the person is legally eligible to work in the United States (U.S.). Once you've made a job offer (but not before), the new HCW must demonstrate eligibility to work in the U.S. by completing the [I-9 Employment Verification](#) form.

As Agency Staff it is your responsibility to see that this form from the U.S. Citizenship and Immigration Services is completed by the HCW and you. Retain the form with your other employment records – do not file it with the government.

Filling Out an I-9 Form

The I-9 form is designed to obtain information from new HCWs that demonstrates their eligibility to work legally in the U.S. No worker is exempt from having to complete the form.

The I-9 form is made up of three parts:

- **1. Part I: For the HCW, establishing identity**
 - This part of the form is completed by the HCW. It includes information such as the HCWs full name, address, date of birth, social security number (if applicable), email address and telephone number (the email address and phone number are optional).
 - This part is also used to attest – under penalty of perjury – that the person is legally eligible to work in the U.S. because he or she is:
 - A citizen
 - A non-resident national of the U.S.
 - A lawful permanent resident
 - An alien authorized to work in the U.S. The HCW must enter the expiration date of this for authorization, if applicable.
 - A HCW who is an alien and authorized to work must enter the [alien registration number](#) (an “A-number” which is a unique 7-, 8-, or 9-digit number assigned to an alien) or Form I-94 admission number.
 - The HCW must sign the form and date it. False statements can result in fines and/or imprisonment.

- Some HCWs may need assistance to complete their portion of the form. If the HCW is disabled (or needs translation), the person aiding in the completion of the form (preparer and/or translator) must also enter his/her name and address, as well as signing the form (also under penalty of perjury).
- **2. Part II: For agency staff reviewing the HCWs documents**
 - This part of the form is completed by the agency staff. It describes the documents that the agency staff has reviewed to verify eligibility of employment. The agency staff should take this action within three days of the first day of employment (provider number is active). The agency staff can — but is not required to — create a copy of the document(s) presented.
 - There are three lists of documents that can be used. The type of documents used dictate the portion of Part II that the agency staff must complete.
 - **List A:** The documents in this list establish both the HCWs identity and employment authorization. A HCW need only present one of the following forms to satisfy the document requirement:
 - U.S. passport (or U.S. passport code)
 - Permanent resident card (“Green Card”) or alien registration receipt card (technically, the green card is Form I-551)
 - Foreign passport with a temporary I-551 stamp
 - Employment authorization document that contains a photograph (Form I-766)
 - For a non-immigrant alien authorized to work: a foreign passport and Form I-94 (or 94A) and an endorsement of the alien’s non-immigrant status as long as it has not expired
 - Passport from the Federated States of Micronesia, Republic of the Marshall Islands
 - **List B:** The documents in this list show the identity of the HCW. If a HCW does not have a document from [List A](#), he or she must produce one document from [List B](#), plus one document from List C (below).
 - Driver’s license or ID card issued by a state (as long as it contains a photo ID and other personal information)
 - School ID with a photograph
 - Voter’s registration card
 - U.S. military card or draft record
 - Military dependent’s ID card
 - U.S. Coast Guard Merchant Marine card

- Native American tribal document
 - Driver's license issued by a Canadian government authority
- In List B, alternative documents that are acceptable to prove the HCWs identity include a school record or report card; client, doctor, or hospital record; or a day-care or nursery school record.
- **List C:** This document establishes the HCWs authorization to work in the U.S. Again, if the HCW cannot produce a document from List A, he or she must produce one from List B and one from [List C](#).
 - Social Security account number card (unless the card says: not valid for employment, valid only for work with INS authorization, or valid for work only with DHS authorization)
 - Certification of birth abroad issued by the Department of State (Form FS-545)
 - Certification of report of birth issued by the Department of State (Form DS-1350)
 - Original or certified copy of a birth certificate issued by a state, county, municipal authority, or territory of the U.S. that has an official seal
 - Native American tribal document
 - U.S. citizen ID card (Form I-197)
 - Identification Card for use of resident citizen in the U.S. (Form I-179)
 - Employment authorization document issued by the Department of Homeland Security
- As in the case of the HCW, agency staffs must attest under penalty of perjury that they have reviewed the necessary documents, believe they are genuine and believe to the best of their knowledge that the HCW is authorized to work in the U.S. In addition to signing the certification section, the agency staff must note the HCWs first day of employment (first day the HCW receives a provider number) as well as other agency staff information (the name of the business, the title of the person signing the form and the business's address).
- **3. Part III: For the agency staff when rehiring**
 - This part of the form is also completed only by the agency staff but is used only in the case of re-verifying when re-hiring an HCW. If a HCW is re-hired within three years of the date of the original I-9, the agency staff can opt to complete this section or a new I-9.
 - If it is necessary to complete this part, then the agency staff merely lists the name of the HCW (or new name if the HCW has had a name change) and date of re-hire.

If the previous authorization of employment expired but has now been extended, enter information about the document establishing such authorization (document title, number, and new employment authorization expiration date).

- As in the case of the other parts, the HCW must sign under penalty of perjury that he/she believes the document presented is genuine and that the HCW is authorized to work in the U.S.

- **The bottom line**

- Agency staffs must retain I-9s for the later of three years from the date of hire or one year after the date employment ends. From time to time, the federal government may examine your employment records. If you fail to produce I-9s, you can be subject to civil and/or criminal penalties. Find more information about the I-9 from the "[Handbook for Agency staffs: Instructions for Completing Form I-9](#)".

- **References**

- U.S. Citizenship and Immigration Services:
 - <https://www.uscis.gov/>
 - <https://www.uscis.gov/i-9>
 - CM Tools HCW page - <http://www.dhs.state.or.us/spd/tools/cm/homecare/index.htm>