

# HR BRIEF

## In-person Inspection of Forms I-9 Due Aug. 30

Recently, the U.S. Department of Homeland Security (DHS) and the U.S. Immigration and Customs Enforcement (ICE) announced that employers have until Aug. 30, 2023, to complete the physical inspection of identity and employment eligibility documents for any employee whose Employment Eligibility Verification form (Form I-9) was completed virtually according to the temporary flexibilities extended during the COVID-19 pandemic.

### Current Guidance

Since March 2020, virtual inspections of identity and employment eligibility documents have been permitted in situations where all employees are working remotely due to COVID-19 or when a new employee is working remotely due to COVID-19 after April 1, 2021. The DHS and ICE announced in October 2022 that the flexibility provisions would end on July 31, 2023; however, employers will now have one additional month to physically inspect identity and employment eligibility documents for employees hired on or after March 20, 2020, and who have received only a virtual or remote examination.

This guidance presumes that the same employer representative who reviewed the documents remotely will also conduct the in-person document review. However, if the employer representative who virtually examined the documents is not the one who performs the physical inspection, the DHS previously advised employers that the representative conducting the physical inspection complete a new Section 2 of the Form I-9 and attach it to the completed remote inspection Form I-9.

### Employer Takeaway

Even with the extension, ICE recommends that employers plan ahead for the compliance deadline to avoid mishaps when completing the in-person inspections.

The DHS and ICE recently proposed a permanent rule to allow employers to remotely review Form I-9 identity and employment eligibility documents when hiring, reverifying and rehiring employees. Employers will want to follow the DHS' rulemaking process closely.

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## Getting Buy-in on HR Initiatives

Building and maintaining successful HR initiatives can be challenging without support from the overall organization and leadership. HR professionals need stakeholders to listen, understand, and support their views before any initiative can get off the ground. Getting buy-in does not mean 100% agreement with a plan or initiative; rather, it's receiving the support of key team members or stakeholders—even if they don't wholly agree. HR professionals will spearhead a myriad of initiatives for an organization. Here are general strategies HR professionals should consider when they pursue a new idea but face roadblocks within the organization.

### Lead with a clear vision.

A well-defined vision demonstrates confidence in the proposed idea. Developing a clear vision involves identifying the problem, providing examples of the proposed solution, leaning on data and metrics to substantiate the solution, and considering potential risks associated with the plan.

### Align with business goals.

An initiative is more likely to gain support if aligned with business goals, core values and other companywide efforts.

### Leverage metrics and data.

Harness the power of HR data to help prove the need for an initiative and demonstrate ways that others have experienced success. Facts and figures don't lie, so HR professionals can use data to prove their points.

### **Calculate the return on investment (ROI).**

ROI is often the ultimate measurement tool and the key piece of information stakeholders are interested in. Many organizational leaders understand and relate to ROI, and including this information can help validate the proposed initiative.

### **Summary**

By selecting the appropriate workplace initiatives and striving to get buy-in from leadership, HR initiatives can achieve notable results for the organization. Reach out today for additional resources.

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