



Form I-9 Tips to Avoid Fines: A Guide to Compliance

Form I-9 compliance is essential to any successful business.

Nov 24, 2025

Categories:

[Immigration & ICE](#)

[Operations](#)

[Publications](#)

Authors:

[Wes Scott](#)

[Alicia M. Visse-Kroger](#)

[Jason Brace](#)

[Elizabeth Anne](#)

[Henderson](#)

The Form I-9 is a document used for verifying the identity and employment authorization of individuals hired for employment in the United States. Employers in the United States are required to complete this form for each individual it employs. U.S. Immigration and Customs Enforcement (ICE) can conduct an audit of an employer's Form I-9 documentation to identify errors and assess fines and, sometimes, even bring criminal charges. Fines can rack up, with some technical first-time violations now allowing for fines of up to \$2,861. **For your business to survive, you must be in full compliance with the vast web of ever-changing immigration laws.**

What Is the Form I-9 Process?

Section 1 (Employee's Biographical Information)

- This must be completed and signed by the employee on or before the first day the employee reports to work for pay.
- If your company is an E-Verify Employer, the employee must provide his or her SSN or Permanent Resident Card Number in this section regardless of what documentation is used in Section 2.

Section 2 (Employer's Document Verification)

- This must be completed by your company no later than three business days from the employee's start date.
- The employee must provide original, unexpired documents to establish both identity and employment authorization.
 - The employer cannot tell the employee what documents to provide.

- The employer may be penalized for accepting more documents than the minimum required.
- The employer should not use the Spanish version of the I-9 if the employer is outside of Puerto Rico.

Section 3 (Employer's Reverification)

- This is required when employing noncitizens with temporary permission to work in the U.S.
- Reverification requires the employer to collect additional documentation from the employee showing that the employee still has permission to work in the U.S.
- This must be completed by the date the employee's work authorization expires.

How Does E-Verify Work?

After the Form I-9 is complete, employers must create a case in E-Verify using information from the Form I-9 no later than the third business day after the employee starts work for pay. Once the employee's information is entered, E-Verify cross-checks it with records available from the U.S. Department of Homeland Security and Social Security Administration to provide a confirmation or tentative nonconfirmation of whether the employee has permission to work in the United States.

How Can I Be Sure My Business Is Protected?

When in doubt, seek help to prevent the worst-case scenario.

Experienced legal professionals can help advise your business on the best practices to protect what you have worked so hard to build. Frost Brown Todd's team of immigration and business law attorneys can help your business to proactively remedy any documentation issues before they endanger your business. Don't hesitate to reach out to the authors of this article for assistance navigating the Form I-9 process or responding to a government

audit request.

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.