

U.S. Department of Justice

Civil Rights Division

Office of Special Counsel
for Immigration-Related
Unfair Employment Practices



**If You Have The Right
To Work, Don't Let
Anyone Take It Away.**

What Do You Need to Know to Fill out the I-9 Form?

▼ You can **CHOOSE** which documents to present as proof of your right to work in the United States, as long as these documents are included in the lists to the right. Employers **CANNOT DEMAND** to see specific documents, such as a "green card," and they **CANNOT REFUSE** to accept the documents that you present.

▼ The documents you show must establish two things: your **IDENTITY** and your **RIGHT TO WORK IN THE U.S.** One document from **Group A** is enough to prove *both* identity and work authorization. If you do not present one of these documents, you must show one document from **Group B** to establish your identity and one document from **Group C** to establish your work authorization.

▼ An employer **CANNOT REFUSE TO HIRE YOU** because your work authorization has an expiration date. Your employer must reverify your work authorization by asking to see valid work documents on or before the expiration date. For this confirmation of your work authorization, you can also **CHOOSE** which documents to present to the employer.

Group A

*(Group A documents prove **both** your identity and your work authorization)*

- ▼ U.S. Passport (expired or unexpired)
- ▼ Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
- ▼ Unexpired foreign passport with a temporary I-551 stamp
- ▼ Unexpired Employment Authorization Document that contains a photograph (Form I-766, I-688, I-688A, I-688B)
- ▼ Unexpired foreign passport, with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's non-immigrant status, if that status authorizes the alien to work for the employer

List of Acceptable Documents

Group B

(Documents that establish identity)

- ▼ Driver's license or ID card issued by a state or outlying territory of the United States, provided it contains a photograph or information such as name, date of birth, sex, height, eye color and address
- ▼ Identification card issued by federal, state, or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, sex, height, eye color and address
- ▼ School ID card with a photograph
- ▼ Voter's registration card
- ▼ U.S. military card or draft record
- ▼ Military dependent's ID card
- ▼ U.S. Coast Guard Merchant Mariner Card
- ▼ Native American tribal document
- ▼ Driver's license issued by a Canadian government authority

For persons under age 18 who are unable to present a document listed above:

- ▼ School record or report card
- ▼ Clinic, doctor, or hospital record
- ▼ Day-care or nursery school record

Group C

(Documents that establish employment eligibility)

- ▼ U.S. Social Security Card issued by the Social Security Administration *(other than a card stating it is not valid for employment)*
- ▼ Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)
- ▼ Original or certified copy of a birth certificate issued by a state, county, or municipal authority or outlying possession of the United States bearing an official seal
- ▼ Native American tribal document
- ▼ U.S. citizen ID card (I-197)
- ▼ ID Card for use of Resident Citizen in the United States (I-179)
- ▼ Unexpired employment authorization document issued by USCIS *(other than those listed in Group A)*

Remember: if you do not have a document from Group A, you need one from Group B and one from Group C.

What Are Your Rights as a Worker?

When filling out the I-9 form, **an employer CANNOT:**

- ▼ ask you to show specific documents, or refuse to accept valid documents
- ▼ ask **ONLY** foreign-looking or sounding individuals, or immigrants, to fill out the I-9 form
- ▼ refuse to accept documents with a future expiration date
- ▼ refuse to accept receipts of valid documents
As an employee, you also have the right to challenge an employer if s/he:
- ▼ refuses to hire you, or fires you, because you look or sound foreign, or because of your immigration status.
- ▼ refuses to hire you, or fires you, because s/he requires from you a knowledge of English that is not necessary to do the job you are applying for.

All of these employer actions are **ILLEGAL**. They are discriminatory practices. If you have been denied--or lost--work for any of these reasons, call the **Office of Special Counsel (OSC)** in the U.S. Department of Justice.

What Can Happen to You If You Use False Papers?

▼ If the Department of Homeland Security (DHS) finds that you used false papers to get your job, **you risk losing the right to live and work legally in the U.S.** This is true even if you have legal immigration papers now. These papers can be taken away from you if you are found using false documents.

▼ Under federal law, you can be criminally prosecuted, resulting in imprisonment and/or receiving a serious fine. You can also be deported.

▼ If you now have legal immigration papers, stop using false documents immediately. Go to your employer and make sure that your file has the correct information. You and your employer will not have any problems if you now present your valid documents.

Changes in the list of acceptable documents are anticipated. For the latest regulations please call 1-800-255-7688.

If you would like to file a charge of discrimination, or have any questions about filling out the I-9 form or about worker protection laws, contact:

**Office of Special Counsel
(OSC) 1-800 255-7688;
*TDD for hearing impaired:
1-800-237-2515***

**U.S. Department of Justice
Civil Rights Division
Office of Special Counsel
For Immigration-Related
Unfair Employment Practices
950 Pennsylvania Ave., NW-NYA
Washington, DC 20530**

For more information about immigration documents, contact:

**U.S. Citizenship and Immigration
Services (USCIS) 1-800-375-5283
<http://www.uscis.gov>**