

LABOR & EMPLOYMENT ALERT

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UPDATE:

The new I-9 forms that employers had been ready to start using on February 2 have been put on hold by the Obama Administration. The U.S. Customs and Immigration Service has invited renewed public comment on the new form (to be submitted by March 4) and delayed the effective date to April 3. Continue to use the old forms and wait as we do to see what form is actually adopted.

Government Contractors' E-Verify Rule Delayed Until May 21. Stay Tuned!

The effective date of the new E-verify rule affecting federal government contractors and subcontractors has been delayed - twice!

The rule, which requires the use of the E-verify system to comply with I-9 obligations to check the identity and U.S. work authorization of employees, had been slated to become effective on January 15, 2009. The federal government suspended the rule's implementation until February 20, 2009, as a result of a lawsuit in the federal district court in Maryland brought by the U.S. Chamber of Commerce and others. In a later announcement related to the same law lawsuit, the effective date was again moved, this time to May 21, 2009.

The rule could be further delayed or radically changed, depending on the progress of the case and changes in the executive branch with the new presidential administration.