

Striking a Balance When Completing the I-9 Form

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Maxiel Gomez's article "Striking a Balance When Completing the I-9 form," was published by the New Jersey Law Journal on April 18, 2012.

The Immigration Reform and Control Act of 1986 (IRCA) requires all employers to verify the employment eligibility of their employees and imposes significant penalties for employing unauthorized workers. See 8 U.S.C. 1324a. The challenge for employers is that they may neither ask too many questions, nor too few. Failing to ask for enough information exposes employers to penalties under IRCA. Asking impermissible questions concerning an employee's ethnic heritage or national origin exposes employers to damages under the discrimination laws. With the number of government investigations steadily increasing, the purpose of this article is to highlight IRCA compliance in order to strike the proper balance.

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