



I-9 Management Release Notes

Form I-9 Verification During EAD Production Delays Due to COVID-19

Release Date: 09/10/2020

I-9 Management Release Notes

The following information is related to updates implemented in the I-9 Management Solution. The software update will begin on **Thursday, September 10th between 8pm and 12am CST.**

Form I-9 Verification During EAD Production Delays Due to COVID-19

Form I-797, Notice of Action (Approval), as acceptable list C document

The Department of Homeland Security (DHS) has provided [temporary guidance](#) to establish flexibility in requirements for Employers impacted by COVID-19. Updates have been made in the solution accordingly to allow employers to utilize the temporary DHS provision. Employees may use Form I-797, Notice of Action, with a Notice date on or after December 1, 2019 through and including August 20, 2020 informing an applicant of approval of an Application for Employment Authorization (Form I-765) as a Form I-9, Employment Eligibility Verification, List C #7 document that establishes employment authorization issued by the Department of Homeland Security, even though the Notice states it is not evidence of employment authorization.

This means that the Form I-797 (Approval) is temporarily an acceptable list C document for form I-9 provided the following conditions are met:

- 1) It's an Approval notice
- 2) The Notice date is on or after 12/01/2019 and before (including) 08/20/2020
- 3) It's accompanied by an acceptable List B document

Please Note: THE I-797 NOTICE OF ACTION DESCRIBED ABOVE DOES NOT PROVE EVIDENCE OF IDENTITY OR SERVE AS A LIST A DOCUMENT ESTABLISHING BOTH IDENTITY AND EMPLOYMENT AUTHORIZATION OR A LIST B DOCUMENT ESTABLISHING IDENTITY FOR FORM I-9 PURPOSES.

Per instructions, the Form I-797 should be entered in the I-9 Management system as an List C "Employment Authorization document issued by DHS (LPR or AAW)"

The screenshot shows a web interface for selecting document types. At the top, there is a dropdown menu. Below it, the "List B and C" radio button is selected. Under "List B proves identity:", there is a checkbox for "Receipt (e.g., replacement) What's This?" and a dropdown menu with the selected option "Driver's License Issued by State or Possession with Photo". Under "List C proves work authorization:", there is a checkbox for "Receipt (e.g., replacement) What's This?" and a dropdown menu with the selected option "Employment authorization document issued by DHS (LPR or AAW)". At the bottom, the "Employee terminated before completing I-9" radio button is unselected.

By **December 1, 2020**, employers must reverify employees who presented this Form I-797 Notice of Action as a List C document. These employees will need to present their employers with new evidence of employment authorization from either List A or List C.

Pursuant to this guidance, the newly added I-9 will be tracked as Reverification Due with a Reverification Due Date of 12/01/2020. For an employee to be included in the new workflow,, the I-797 Approval notice date **must be between 12/01/2019 and 08/20/2020**.

List C document - Employment authorization document issued by DHS (LPR or AAW)

Issuing Authority:

DHS/USCIS Sample Document

Document #:

Expiration Date (mm/dd/yyyy):

 The document does not have an expiration date

I-797 Approval Notice Date (mm/dd/yyyy):

CancelBackContinue

Once the I-9 is added, it will be tracked as "Reverification Due" and the "Reverification Due Date" will be set to 12/01/2020. If you are configured to receive Reverification Due emails, these records will be included in those automated notices.

Questions

Should you have any questions regarding this upcoming change, please contact your Account Manager or contact Workforce Solutions Support at WorkforceSolutionsSupport@Equifax.com.