

## **JULY 2017 GOVERNMENT UPDATE:**

### **Revised Form I-9 to Be Published July 17 (USCIS.GOV)**

USCIS will [release](#) a revised version of [Form I-9, Employment Eligibility Verification](#), on July 17. Employers will be able to [use this revised version](#) or continue using Form I-9 with a revision date of 11/14/16 N through Sept. 17. On Sept. 18, employers must use the revised form with a revision date of 07/17/17 N. Employers must continue following existing [storage](#) and retention rules for any previously completed Form I-9.

### **Revisions to the Form I-9 instructions:**

- We will change the name of the Office of Special Counsel for Immigration-Related Unfair Employment Practices to its new name, Immigrant and Employee Rights Section.
- We will remove “the end of” from the phrase “the first day of employment.”

### **Revisions related to the List of Acceptable Documents on Form I-9:**

- We will add the Consular Report of Birth Abroad (Form FS-240) to List C. Employers completing Form I-9 on a computer will be able to select Form FS-240 from the drop-down menus available in List C of Section 2 and Section 3. E-Verify users will also be able to select Form FS-240 when creating a case for an employee who has presented this document for Form I-9.
- We will combine all the certifications of report of birth issued by the Department of State (Form FS-545, Form DS-1350 and Form FS-240) into selection C#2 in List C.
- We will renumber all List C documents except the Social Security card. For example, the employment authorization document issued by the Department of Homeland Security on List C will change from List C #8 to List C #7.

We will include these changes in a revised Handbook for Employers: Guidance for Completing Form I-9 (M-274), which also will be easier for users to navigate

**DOL Signals That Overtime Rule Will Be Adjusted.** The U.S. Department of Labor (DOL) has submitted a Request for Information (RFI) on the white collar exemptions to the overtime rule for review. Once approved, the RFI will be published in the Federal Register and the public will have an opportunity to comment. The DOL also noted, in a recent court filing, that it will seek public input regarding where the salary level for the white collar exemptions should be set. (APA Payroll Currently – July 2017)

### **House Passes Mobile Workforce Bill**

On June 20, the House of Representatives passed [H.R. 1393](#), the Mobile Workforce State Income Tax Simplification Act of 2017. If enacted, the legislation would provide a 30-day safe harbor against nonresident income tax withholding for employees who travel across state borders on business travel. An identical bill, [S. 540](#), is under consideration in the Senate. (APA website)