

FLORIDA LAW ALERT

NEW FORM I-9 DOCUMENTATION REQUIREMENTS

Florida now requires employers to verify that their employees are authorized to work in the United States when they're hired—this was already required by federal law. Florida employers may choose to verify work authorization using either E-Verify or the paper Form I-9. Although Florida doesn't provide a specific deadline (just after the applicant has accepted the offer), federal law requires that this verification be completed within three business days.

Florida also now requires employers to keep a copy of each employee's E-Verify or Form I-9 supporting documentation for at least three years. For example, if a new employee provides their driver's license and Social Security card, the employer must keep a copy of them for at least three years from the date of hire. This requirement applies to employees who are hired on or after January 1, 2021.

Federal law doesn't require employers to keep copies of the documentation provided for employment verification, so employers who have not previously kept this documentation will need to start doing so. Employers should also ensure that these sensitive personal documents are kept in a secure location, whether physical or virtual.