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## Compliance Reminder: Florida Adds to Employer I-9 Obligations

**As a Reminder** - Have you remembered that on January 1, 2021, Florida employers were required to retain copies of the identification and employment authorization documents presented by new hires in connection with the Form I-9 process that occurs during onboarding. While some companies may keep copies of I-9 documents as part of their existing process, the new law now makes it **mandatory** for companies to keep copies of I-9 documents.

Compliance with the law is required in order to do business in Florida. Florida employers must provide copies of Form I-9 supporting documentation if requested by Florida government officials. If found in violation, employers have 30 days to provide an affidavit confirming (1) that it has terminated all unauthorized employees in Florida, (2) that it will not intentionally or knowingly employ unauthorized workers in Florida, and (3) that it will comply with Florida's I-9 documentation retention requirements. If the employer does not provide the required affidavit, its business license(s) will be suspended; repeated violations of the affidavit requirement may result in loss of business license(s).

Going forward, Florida employers should ensure they are keeping copies of Form I-9 documents provided by new hires during the onboarding process and that their HR policies reflect that they retain copies of Form I-9 documents.

**Another Reminder** - Employers must retain each employee's completed Form I-9 for as long as the worker is on the payroll. Once an employee no longer works for the organization, HR must determine how long to retain and store the form: either three years after the date of hire or one year after the termination date, whichever is later.

Please contact our HR Department if further assistance is needed.