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## Increased U.S. Department of Justice fines for Immigration-related (I-9) Offenses go into effect August 1

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### **New fines will apply to violations that occurred on or after Nov. 2, 2015 - Another good reason to conduct regular I-9 self-audits**

The U.S. Department of Justice's (DOJ) new penalties for immigration-related workplace violations including unlawful employment of aliens, I-9 paperwork violations and unlawful employment practices tied to immigration (discrimination) will take effect Aug. 1. The new penalties will cover activities that occurred on or after Nov. 2, 2015.

#### **Penalties for unlawful employment of unauthorized workers**

- For the first offense, the minimum fine will increase from \$375 to \$539 per worker, while the maximum fine will increase from \$3,200 to \$4,313 per worker. Fines for second and subsequent offenses will also increase significantly, with a maximum fine possible of \$21,563 per worker for companies with a poor track record.

**Penalties for Form I-9 paperwork violations** - For all Form I-9 paperwork violations, the minimum fine will increase from \$110 to \$216 per violation. The maximum fine will increase from \$1,100 to \$2,156 per violation. This is a significant increase which will impact employers even if they are not employing unauthorized workers or are not involved in unfair immigration-related employment practices.

**Penalties for unfair immigration-related employment practices** - For the first offense, the minimum fine will increase from \$375 to \$445 per violation, while the maximum fine will increase from \$3,200 to \$3,563 per violation. Fines for second and subsequent offenses will also increase significantly, up to a maximum fine of \$17,816 per violation. In addition, the minimum fines for document abuse (requiring employees to provide more and/or different evidence of work authorization than what is required) will increase from \$110 to \$178 per violation, and the maximum fines will increase from \$1,100 to \$1,782 per violation.

With the increase in fines, employers need to be confident that they are following best practices when recruiting and hiring and completing the Form I-9. As always, reviews of employment practices and regular self-audits of company Form I-9s are a good way to make sure that your company is complying with federal law. We are always willing to help with any questions you have regarding your policies and practices.

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