

Guardian System Update FAQs

7/19/17

LawLogix has compiled the following list a frequently asked questions associated to the upcoming form revision and system changes planned to release in late August.

Form Revision

What changes are included in the 07/17/2017 I-9 form revision?

USCIS has updated the 'List of Acceptable Documents'. With this form revision, employers may now accept document FS-240: Consular Report of Birth Abroad. The new document type will be visible within the List C drop down list. An associated sample image and access to document insights will also be available to document verifiers.

Can I use the 2016 form version after the 2017 form version is released in Guardian?

While USCIS is not requiring use of the 2017 form version until September 18, 2017, organizations are encouraged to adopt the latest form version at the same time as its debut in Guardian. For those utilizing a paper I-9 form, such a strategy ensures the electronic representation mirrors the paper form (including revision date) exactly. Once released, Guardian will automatically default to the 2017 form version upon creation of a new electronic or new hire paper I-9.

Can I complete in-process I-9s created using the 2016 form version once the new form is released?

Yes, in-process I-9s will not be impacted by the form release. Organizations can access and complete I-9s that utilized the 2016 form version per usual.

Can I utilize Section 3 of the new Form I-9 when reverifying or updating I-9s completed on a prior version of the form?

Yes, once the form revision is released any newly created electronic Section 3s will utilize the form version active in Guardian (i.e., the 2017 form revision). No additional actions are required by the user to facilitate this change.

Electronic Signature

What are the employee electronic signature method options?

Guardian will allow organizations to choose the response method required by the employee to electronically

sign Section 1, an E-Verify TNC Further Action Notice, or approve amendments. The default option for all organizations will be 'Question and Answer'. This method presents a list of five questions related to information not easily knowable or guessable by the employer. The employee must choose one of the questions and provide a response to complete the electronic signature. The alternate method is 'Employee-provided PIN'. With this option, the employee must provide a PIN of four or more digits in order to complete the electronic signature.

Is the new signature method used each time the employee electronic signs or approves a document?

Yes, these the electronic signature steps are repeated each time the employee must sign or approve a document within Guardian. It is important to note that the answers are not obtained prior to the signature step, nor are they referenced from signature to signature.

Why are the new signature methods being offered?

While Guardian already includes a multi-step signature process, LawLogix is introducing these enhanced signature methodologies in order to provide further evidence that attributes the signature action to the employee.

Will the responses by the employee be visible to administrators?

No, the response to the signature question or PIN is masked within the audit trail accessible to administrators in order to protect the security and integrity of the information. However, should an Immigration and Customs Enforcement (ICE) auditor wish to review the information, LawLogix will provide the complete unmasked response in the audit export generated from Guardian for organizations that receive a Notice of Inspection (NOI).

I-9 Auto-Population

Why is auto-population of Section 1 no longer supported?

USCIS clarified their stance on this topic, specifying that the employee must enter the information in the I-9 fields even if he or she had previously entered the same information in another related system. In order to strictly comply with this clarification, LawLogix is disabling auto-population of Section 1 in Guardian for all new I-9s created moving forward.

What happens when the information entered by the employee in Section 1 differs from the employee record?

The information collected in Section 1 of the I-9 is separate from information entered previously in the employee record. This allows organizations to maintain a nickname, for instance, of the employee while the I-9 record maintains his/her given name. While there are no alerts for general discrepancies such as given name, organizations may enable a setting that prevents Section 1 completion when the date of birth or social security number, key data integral to criminal and background checks, differs from that on record. The setting 'Alert employee and prevent Section 1 completion when there is an SSN or DOB mismatch' adds an additional check during Section 1 completion. When Guardian detects that either the date of birth or social security number entered by the employee in Section 1 does not match the employee record the employee is prevented from electronically signing Section 1 and is provided steps to remediate the process (this latter instruction is customizable by system administrators). Should the employee have erroneously entered an incorrect birthdate or social security number, he or she can correct the data entry error without intervention by a user.

Why does Guardian no longer support auto-population of the employee start date in Section 2?

Recently USCIS clarified which fields in Section 2 may be auto-populated. This includes the business name, address, and document verifier name and title. USCIS noted that the employee's first day of employment is exempt from this allowance. However, LawLogix understands the importance of conveying the planned start date to document verifiers as many may be removed from the hiring process and unfamiliar with the employee's start date. By providing access to the hire information during Section 2 processing, document verifiers can obtain real-time access to employment information stored in the employee's record. As a result, updates to employee start dates following I-9 creation remain accessible via the new link in Section 2.

As an administrator do I need to change any settings for the auto-population changes to take effect?

No, settings associated to Section 1 information and Section 2 start date auto-population will no longer be accessible within the administration module. If your organization previously allowed pre-population of Section 1 employee information, such information will not flow to the I-9 form automatically following the release. Similarly, regardless of your organization's selection related to pre-populating the employee start date in Section 2, the new planned start date hint will be visible within Section 2 of all electronic I-9s.

How should our organization prepare for the Section 1 auto-population changes?

If your organization was enabled to auto-populate Section 1, we recommend reviewing employee email templates and instructions to ensure messaging is consistent with the employee experience. For instance, if a template instructed the employee to review the information presented in Section 1, we recommend modifying the template prior to the system change.

How should our organization prepare for the Section 2 auto-population changes?

Regardless of whether your organization auto-populated the start date in Section 2, we recommend reviewing job aids and instructions your organization may provide to document verifiers as you may wish to incorporate new explanatory text associated to the start date link that will be visible in Section 2.