



# ICE Compliance Checklist

Are you confident your business could handle a surprise visit from U.S. Immigration and Customs Enforcement (ICE)?

Whether this is on your radar or not, the risks are real. Lost productivity, legal penalties, and reputational harm can all follow a single compliance misstep. That's why we've pulled together a practical, ready-to-use toolkit for employers who want to stay compliant and protected.

## What's Included in Your Compliance Toolkit:

### 1. Workplace Preparedness Checklist

Ensure your internal documentation, protocols, and team training are in place before an agent ever shows up

- ✓ Designate a response team
- ✓ Prepare documentation storage
- ✓ Train key staff

### 2. Onsite Visit Checklist

If ICE does arrive, this step-by-step guide helps your team respond calmly and legally

- ✓ How to respond
- ✓ What not to say or share
- ✓ What to document in real time

### 3. I-9 Compliance Checklist

Keep your Form I-9 process audit ready at all times

- ✓ Timelines and required fields for Sections 1, 2, and 3
- ✓ Rules for document storage and reverification
- ✓ Common errors and how to fix them

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### Why It Matters:

ICE worksite investigations have been on the rise. Fines for I-9 violations can range from hundreds to tens of thousands of dollars per error. Most issues stem from simple paperwork mistakes or unclear procedures. These checklists give you a proactive foundation, and our team can help with the rest.



## Workplace Preparedness Checklist

### What to Have in Place Before an ICE Visit

#### Documentation and Records

- Completed and current Form I-9s for all employees
- Secure, organized I-9 file storage (separate from personnel files)
- Photocopies of identity and work authorization documents (if collected)
- I-9 audit trail (noting corrections, re-verifications, and updates)

#### Internal Protocols

- A designated point of contact for all government inquiries
- Written internal policy for handling immigration enforcement visits
- Authorized representative trained to receive and review warrants/subpoenas
- Updated employee emergency contact list

#### Training and Communication

- Supervisors are trained on how to respond to ICE visits or audits
- Employees are aware of their rights and employer protocols
- Legal counsel is identified and available for rapid contact
- HR staff trained in document retention and re-verification rules

#### Legal Compliance

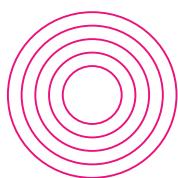
- Regular internal I-9 audits or third-party reviews
- Clear process for verifying expiring work authorizations
- Policy in place to avoid over-documentation (document abuse)

## Onsite Visit Checklist

### Steps to Take During an ICE Workplace Inspection

#### 1. Stay Calm and Professional

- Do not obstruct or interfere with agents
- Immediately notify the designated company representative
- Alert legal counsel as soon as possible



#### 2. Control the Environment

- Escort agents at all times; do not allow unsupervised access
- Do not allow agents to speak with employees unless required



#### 3. Limit Disclosure

- Do not volunteer information beyond what is requested
- Do not answer questions without legal counsel present
- Take notes on what is requested and copied by agents



#### 4. After the Visit

- Debrief with internal stakeholders and legal counsel
- Document the visit in detail (date, time, names, actions taken)
- Follow up on any requests or issues flagged during the inspection
- Notify leadership and HR advisors to assess risk and next steps



## I-9 Compliance Checklist

### Stay Aligned with Employment Eligibility Verification Requirements

#### Section 1: Form I-9 Completion (Employee Responsibility)

Must be completed **by the employee no later than the first day of employment**

- Employee completed Section 1 fully and legibly
- No fields left blank (including middle name, email, etc.—use “N/A” if not applicable)
- Employee signed and dated Section 1 on or before their start date
- Preparer/translator section completed if applicable

#### Section 2: Employer Review & Verification

Must be completed **by the employer within 3 business days** of the employee’s start date

- Documents reviewed are **from the acceptable lists** (List A **or** List B **and** List C)
- Employer completed Section 2 with correct document title, issuing authority, numbers, and expiration dates
- Physical inspection of documents completed in person (or using DHS-authorized remote verification if applicable)
- Form signed and dated by the employer representative within the 3-day window
- Start date listed matches the actual first day of work for pay

#### Section 3: Reverification (if applicable)

- Reverify expiring work authorization documents **before expiration**
- Section 3 used to document name changes (or new Form I-9 completed)
- Reverification only done when required (not for U.S. citizens or permanent residents with green cards)
- Section 3 completed by a company representative with signature and date

#### Retention & Storage

- Forms stored in a secure and centralized location (digital or paper)
- I-9s kept **separate from general personnel files**
- Forms retained for **three years after hire or one year after termination**, whichever is later
- System in place to track reverification and document expirations

## Best Practices & Internal Audit

- Conduct periodic internal audits to ensure accuracy and completeness
- Correct errors using USCIS guidelines—initial and date any changes
- Avoid over-documentation (do not request more documents than required)
- Provide consistent instructions and support to new hires completing the form
- Train HR staff on updates to Form I-9 procedures and anti-discrimination rules

