

### AMENDED FORM I-9 ISSUED BY DEPARTMENT OF HOMELAND SECURITY

Beginning on December 26, 2007, all employers must use an amended Form I-9 when verifying the identity and employment authorization of newly hired employees or reverifying an employee's employment authorization. Any employers who are not using the amended Form I-9 after that time may be subject to fines and penalties. The amended Form I-9 contains an updated list of acceptable identity and employment authorization documents that reflect the current regulations and includes nonsubstantive changes to its organization and the content of its instructions. The Department of Homeland Security also issued a newly revised "Handbook for Employers, Instructions for Completing the Form I-9 (M-274)." The amended Form I-9 can be downloaded from the Department of Homeland Security's website (<http://www.uscis.gov/i-9>), as can the Handbook (<http://www.uscis.gov/files/nativedocuments/m-274.pdf>).

### PROPOSED LEGISLATION PENDING CONSIDERATION BEFORE NEBRASKA UNICAMERAL LEGISLATURE

The Nebraska Unicameral 100<sup>th</sup> Legislature, Second Session, is scheduled to convene on January 9, 2008. Some legislation proposed during the First Session remains pending; the bills of note for employers include:

#### Legislative Bill 175 ("LB 175")

LB 175 would require certain public employers to provide employees and private sector employers to provide nonexempt employees under the Fair Labor Standards Act with the specific reason for the employee's proposed termination. Covered employers would also be required to provide the employee a meaningful opportunity to present the employee's position in response to the proposed termination. In the Introducer's Statement of Intent, Senator Abbie Cornett, stated that LB 175 was "intended to provide employees...minimal procedural due process before they can be terminated from their employment...Generally, it will apply to those employees who are at or near the bottom of the socio-economic ladder." LB 175 is pending before the Business and Labor Committee.

#### Legislative Bill 57 ("LB 57")

LB 57 would permit a labor organization and an employer to enter into an agreement requiring represented employees of the employer, who are not paying membership dues to the labor organization, to pay a fair share representation contribution. This amount cannot exceed the amount regularly paid for labor organization membership. An opinion issued by the Nebraska Attorney General regarding LB 57, indicated that it may be constitutionally suspect as violative of Nebraska's "Right to Work" law; however, in the Introducer's Statement of Intent, the principal introducer, Don Priester, stated that LB 57 would not repeal Nebraska's "Right to Work" laws. LB 57 is presently pending before the full Legislature.

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