

Keeping I-9 forms in separate file: Is it mandatory?

Q. I've read that we shouldn't keep employees' I-9s in their personnel files. Is this a suggestion or are there laws that require them to be in separate files? —L.K., Alabama

A. No federal law tells employers where or how they must keep their I-9s. However, we recommend that you maintain the forms in a confidential I-9 file separate from employees' personnel files. This policy will help maintain the confidentiality of sensitive employee information concerning national origin, citizenship and residency status, and reduce the chance of a discrimination claim.

Editor's note: To access more reader Q&As--which are answered by an HR Specialist employment lawyer--visit the [Q&A section](#) under our [Tools](#) tab.