



How to spot fraudulent worker documents

A QUICK GUIDE

Maintaining worker document compliance is critical for any employer, and a key part of this process is verifying documentation during hiring and onboarding.

Document fraud has become an increasingly sophisticated challenge for employers. Fraudulent compliance documents can bypass traditional screening processes, potentially exposing organizations to significant legal, financial, and reputational risks.

As an employer, you must develop strong strategies to detect and prevent document manipulation.

This quick guide provides tips to identify red flags, implement verification protocols, and protect your organization from potential compliance document fraud.

Disclaimer: This guide does not constitute legal advice. Consult legal counsel with specific compliance questions.

What is a Form I-9?

Before diving in, let's define Form I-9 and its importance. The U.S. Citizenship and Immigration Services (USCIS), an agency of the Department of Homeland Security, requires completion of the Form I-9, Employment Eligibility Verification, to establish that an employee is eligible to work in the U.S.

In addition to proving employment eligibility, the Form I-9 verifies an individual's identity by requiring the individual to provide the employer with acceptable documentation as evidence of identity and employment authorization.

What is the Form I-9 used for?

As noted, the Form I-9 verifies the identity and employment authorization of individuals hired to work in the U.S. Federal law requires employers to hire only individuals legally permitted to work in the U.S., including:

- U.S. citizens
- Non-citizen nationals
- Lawful permanent residents
- Noncitizens authorized to work the United States

What documents are needed to complete the form?

A single document may establish both employee identity and employment eligibility, such as a U.S. passport or Permanent Resident Card. Alternatively, an employee may present two documents, such as an original unrestricted Social Security card (not a copy) and a valid driver's license.

Employees choose which documents to provide from the Form I-9 Instructions, but employers must examine these documents to determine whether they reasonably appear to be genuine and relate to the employee.

General rules for Form I-9 documentation

Documentation provided for Section 2 of the Form I-9 must:

1. Reasonably appear to be genuine **AND**
2. Relate to the person providing the documentation.

WHAT DOES THIS MEAN IN SIMPLE TERMS?

A genuine document is real or authentic, as opposed to fake or fraudulent. Employers must use a reasonableness standard to determine document authenticity.



Important Reminders:

- Employers are not expected to be document experts but should focus on identifying documents that do not reasonably appear to be genuine.
- Various documents can fulfill the Form I-9 requirements — detailed resources should be provided to those verifying documents. Acceptable forms and examples can be found [here](#).
- Employers cannot request specific forms of identification or make statements that a document is “fake” or “fraudulent.” Instead, state that you cannot accept the document and ask if the employee has another acceptable document.

Let's get into what potential red flags might be that could indicate a fraudulent document.

Things to watch out for on Form I-9 documentation

There are a few red flags on documents that could indicate they're not genuine. While not exhaustive, these common indicators should raise concern:

1. MISSPELLINGS

Example: City, State, or Issuing Authority is misspelled.

2. INCORRECT ISSUING AUTHORITY

Example: "Department of Social Security" instead of "Social Security Administration".

3. FONT OR FORMATTING ISSUES

- Different font sizes within the same word or phrase.
- Inconsistent fonts throughout the document.
- Document orientation does not match standard format (e.g., a horizontal driver's license when it should be vertical for minors).

4. MISMATCHED ISSUE DATE AND DOCUMENT VERSION

Example: A Permanent Resident Card with an issue date that does not match the version used at that time.

5. UNUSUAL COLORING

Example: Colors appear too bright, fluorescent, or inconsistent with known versions of the document.

6. EXTRANEOUS TEXT OR MARKINGS

Example: Additional words, dashes (-), or commas (,) not found on authentic documents.

7. INCORRECT FORM NUMBER

- Permanent Resident Card (Form I-551)
 - Employment Authorization Document (Form I-766)
- Example: Documents labeled as "I-551," "I-531," or "I-736" are incorrect.*

8. MISSING AUTHENTICITY MARKERS

Many official documents contain security features, including:

- Ghost images (faint duplicate images of the holder's photo).
- Holograms (3D images that change when viewed from different angles).
- Magnetic strips (often on the back of IDs, allowing for data scanning).
- Seals (official insignias from government agencies).
- Unique identifiers (e.g., Golden Gate Bridge on California driver's licenses).

9. RAISED EDGES OR BORDERS

Legitimate identification cards have smooth surfaces. Raised photographs or uneven lamination may indicate tampering.

Example: A raised photograph could suggest the original photo was covered and the card re-laminated.

Verifying the person submitting the documents

After careful examination and verification of the submitted Form I-9 documents, the next step is to verify the person submitting them. Not only must documents presented for the Form I-9 be genuine, they must also reasonably relate to the person who is presenting them as his or her identification. Here are a few things to keep in mind.

People's physical appearances do change over time. Differences due to a change in a person's physical appearance — like a new haircut — where the photo identification still appears to match the person who is providing the photo identification are to be expected.

Also, some states issue driver's licenses that are valid for as long as 12 years so it is possible that the person could look different in their picture.



A note on glasses

Some people wear both glasses and contact lenses; some states make people take their glasses off for photo identification pictures; other states allow people to wear their glasses for photo identification pictures. Generally, these differences are not a problem.

However, a photo identification where a person is wearing sunglasses should be a warning sign — as photo identifications where the person is wearing sunglasses are not common.

If the photo identification on the document does not “look” like the person who is providing it, though, you can reject the document and ask the person to provide another acceptable document.



List of Acceptable Documents

Employees must present:

- One document from List A **OR**
- One document from List B **AND** one document from List C

At least one document must include a photo, and all documents must be unexpired.

A [detailed list of Acceptable Documents](#) can be found in the Form I-9 Instructions or on the U.S. Immigration website for a visual example.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) NOT VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph	3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card	4. Native American tribal document
5. Foreign passport with Form I-94 or Form I-94A with Arrival-Departure Record, and containing an endorsement to work a. Foreign passport; and b. For I-94 for Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record	5. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card	6. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card	7. Employment authorization document issued by the Department of Homeland Security (DHS)
		8. Native American tribal document	
		9. Driver's license issued by a Canadian government authority Card	
		For persons under age 18 who are unable to present a document listed above	
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		10. School record or report card	
		11. Clinic, doctor, or hospital record	
		12. Day-care or nursery school record	



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