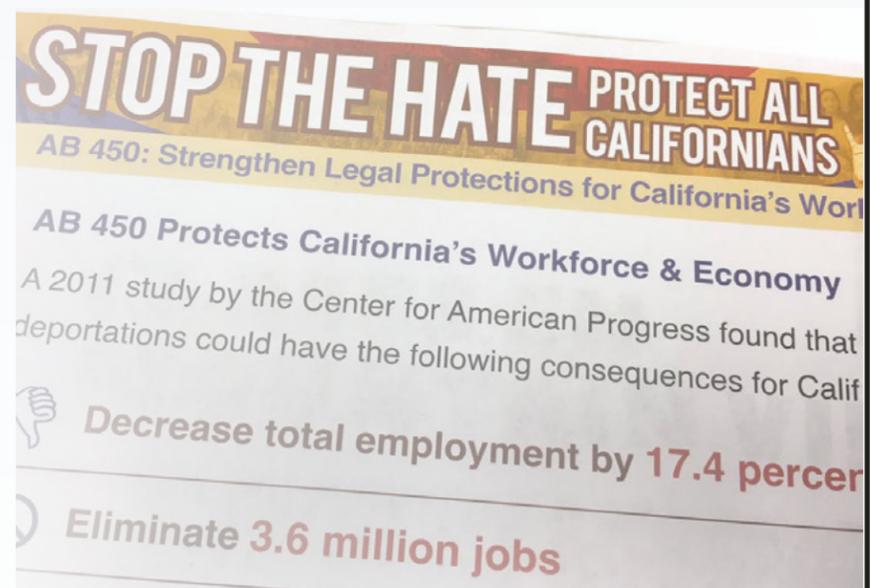


What should I know if I encounter an immigration enforcement agent at work?

- 1. You have the right to REMAIN SILENT.** You have the right not to answer any questions, including questions about where you were born, whether you are a citizen, how you entered the United States, or your immigration status. If stopped at the workplace, stay calm and say, "I choose to remain silent," or hand a card (downloadable at aflcio.org/immigrationresources) to an immigration enforcement agent.
- 2. You have the right NOT TO SIGN any documents without first speaking with an attorney,** no matter what an agent says. Anything you say or sign could be used against you later in any legal proceeding, including removal proceedings.
- 3. If you have valid federal immigration DOCUMENTS, carry them with you.** For example, if you have a green card or a work permit that is not expired, always carry it with you. Don't carry a foreign passport or papers from another country, as these could be used against you in deportation proceedings. Never carry false documents or lie about your immigration status.
- 4. If an immigration enforcement agent comes to your workplace, your boss or supervisor should not let them into the non-public areas of the worksite without a judicial warrant, signed by a judge.** ICE warrants for removal do not give immigration agents the right to enter non-public areas of the worksite.



For more information, contact
Michael Young
myoung@calaborfed.org



California LABOR Federation

AB 450 (CHIU) The Immigrant Worker Protection Act



California is home to over 2.6 million undocumented immigrants, comprising one in every ten workers. Undocumented workers make up 45 percent of California's agricultural workforce and 21 percent of construction. California is also home to 200,000 DREAMers who contribute to our state's economy, workforce, and culture. →



California LABOR Federation

California Labor stands with all workers and communities in rejecting our unfair immigration policy and the abusive enforcement tactics of this Administration. All workers should be able to come to work, and return home to their families, free from fear of detention and deportation.

California Labor Federation and SEIU California sponsored AB 450 (Chiu) to protect workers from worksite enforcement abuses and create clear guidelines for employers when immigration agents appear at the workplace.

What does AB 450 do?

• Physical Access to the Worksite

IMMIGRATION AGENTS CANNOT ENTER WITHOUT A JUDICIAL WARRANT:

An employer or person acting on behalf of the employer must request a judicial warrant before granting immigration agents access to the private area of a worksite.

• Access to worker records

IMMIGRATION AGENTS CANNOT REVIEW WORKER RECORDS WITHOUT A SUBPOENA OR JUDICIAL WARRANT:

An employer or person acting on behalf of the employer must request a subpoena or judicial warrant before allowing immigration agents to access, review, or obtain employee records unless the employer received a NOTICE OF INSPECTION, in which case they may provide worker I-9 forms and documents listed in the NOTICE OF INSPECTION only. Employers retain the right to challenge the validity of a subpoena or warrant for employee records.

• Prohibition on reverification:

Employers are prohibited from reverifying the employment eligibility of any current employee at any time or in any manner not required by federal law. This is added protection for DREAMers who are facing uncertainty at the worksite as well as immigrant workers who are organizing a union or enforcing health and safety rules at the worksite.

• Notice to workers and union of records inspections:

- ▶ Employers must notify employees of any inspections by an immigration agency of I-9 forms or other employment records within 72 hours of receiving notice of the inspection by posting specific information in the language the employer normally uses to communicate to the employee.
- ▶ The posting must contain the name of the agency conducting the inspection, the date the employer received the notice, the nature of the inspection, and a copy of the NOTICE OF INSPECTION.
- ▶ The Labor Commissioner will develop a template posting, by July 1, 2018, employers can use to comply with the notice requirements. The template will be available online.
- ▶ Employers must provide employees with a copy of the NOTICE OF INSPECTION upon request.
- ▶ Employers must provide affected employees and the union with the written results of any audit of I-9s or employee records by ICE as well as any obligations of the employer or worker as a result of the audit within 72 hours of receipt.

Does this new law keep immigration agents completely out of worksite?

No. The State of California does not have the ability to regulate federal agencies and cannot prohibit immigration agents from entering private businesses. However, the State can require employers exercise due diligence to ensure workers' rights are protected. Workers and employers must remain vigilant to make sure workers are safe to come to work and return home to their families. Workers need to know their rights and employers should have a plan in place to deal with any immigration enforcement action in a manner that keeps California workers safe. →



AB 450

PROTECTS IMMIGRANT WORKERS IN THE WORKPLACE BY REQUIRING A WARRANT AND SUBPOENA FOR ICE.