



KNOW YOUR RIGHTS EMPLOYERS

**What Employers Need to Know About
Immigration Enforcement at the Workplace**

**Irish in Motion means staying *safe* and *informed*,
wherever your journey takes you.**

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Employer guidance is courtesy of the **National Immigration Law Center's,**
What to do if Immigration Comes to your Workplace.

[Click here to hear more.](#)



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HOW TO PREPARE FOR AN ICE VISIT

No one expects ICE to show up at their door. But if they do, knowing what to say, what to do, and what your rights are as an employer can make all the difference for your employees, your business, and your community.

ICE RAIDS

- ICE agents may go to a workplace without warning as part of an investigation into an employer.
- ICE agents may come to your business to try to find a particular person (or people).
- While they are there, they may try to question, detain, and even arrest other people.
- ICE agents may try to stop, question, or even arrest a worker without the proper authority.

I-9 AUDITS

- A Form I-9 is required for all new employees. A Form I-9 audit is when ICE comes to your business to check if you followed the rules for Form I-9.
- Form I-9 confirms a worker's identity and authorization to work in the U.S.

IF IT DOESN'T GO WELL:

If ICE decides a business did not follow the Form I-9 rules, they may face:

- An order to stop hiring people without valid work permits.
- Civil and criminal fines and penalties.
- ICE may detain a specific worker because of their I-9 form status.

BEFORE A VISIT

Make a written response plan ahead of time.

- **Talk to other businesses or business associations.** Ask what they are doing to prepare.
- **Make a plan** that works for you.
- **Practice – just like a fire drill.** You will be more prepared if you know what to say and do. Connect with immigration response networks in your area. They provide support with family, legal, financial, and media concerns if immigration agents come to your business.



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STAFF TRAINING

Train your staff to **NOT TALK** to ICE agents

IMPORTANT!

- Train all workers to not allow ICE agents to enter your workplace.
- A worker can say, **“I can’t give you permission to enter. You must speak with my employer.”**
- Train all workers to not interact with ICE agents. If ICE agents have questions or requests, workers should say nothing, or say, **“You are not allowed to enter. Talk to my employer.”**

KNOW YOUR RIGHTS!

- **Employers have rights when ICE goes to a business.** ICE agents do not always have a right to enter your business, stop or arrest your workers, or take documents.
- Work with a community or legal group to **arrange a “Know Your Rights” training for you and your staff** and pay your staff for the time they spend in training.

WARRANTS

JUDICIAL WARRANT

A judicial warrant must be signed by a judge and say “U.S. District Court” or a State Court at the top.

- A judicial warrant is signed by a state or federal judge.
- A judicial warrant can give law enforcement permission to enter private spaces such as your home, private areas of your business, or search your vehicle.
- Without a judicial warrant, ICE agents **need your permission** to enter private areas of your business.
- **Examples of Judicial Warrant:** Arrest Warrant, Search Warrant

ADMINISTRATIVE WARRANT

An administrative warrant is signed by a DHS officer, and not a judge.

- **It does not give** ICE or CBP any authority to demand entry to the private areas of a workplace or home.
- **Examples of Administrative Warrant:** Warrant for Arrest of Alien, Warrant of Removal/Deportation



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DURING A VISIT TRY TO STAY CALM

- **Ask your workers to stay calm, too. Do not run to the exits.** This will make things worse because ICE agents can say that people who are running are likely violating immigration laws.
- If ICE agents try to enter a private area, you should say: **“This is a private area. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?”**



TIP

To show that some areas are private, mark them with a “Private” sign, keep the doors closed or locked, and have a policy that visitors and the public cannot enter those areas without permission.

When ICE shows you an administrative warrant with an employee’s name on it

- **You do not** have to say if that employee is working on that day or not.
- **You do not** have to take the ICE agents to the employee named on the warrant (even if he or she is at work at the time).
- **Do not help** ICE agents sort people by their immigration status or the country they are from.
- **Watch the agents** and see if they are complying with what’s written in the warrant.
- If you or an employee is willing, **you should record video** of what the ICE agents do at your workplace. You may be able to prove the agents violated your rights or your workers’ rights.

LEARN MORE

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AFTER A VISIT

Write or record these things after ICE leaves:

- **How many ICE agents were present** (inside and outside)?
- **How were the agents dressed?**
- **How were they armed?**
- Did the agents make you or your workers believe you could not move or leave?
- **Did the agents mistreat anyone?**
- **If yes, how?** Notify the employees' union, if applicable.
- If ICE arrests any of your workers, **ask the ICE agents where they are being taken.** This information will help the worker's family and lawyer find the person.
- **Report the raid.**
- **If someone is detained, check the ICE Online Detainee Locator System locator.ice.gov**

NEED HELP SUPPORTING YOUR STAFF?

Contact us with questions about employee rights, documentation, or workplace preparedness.



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