

CAN IMMIGRATION OFFICERS ENTER MY WORKPLACE?

Yes, but only with permission from your employer or the business owner. If your workplace has a union, ask if the union has an agreement with your employer to not permit immigration officers on the job site without a warrant. If your employer allows immigration officers to enter, they may ask you questions about immigration status.

Whether you have work authorization papers or not, you still have certain legal rights when interacting with immigration officers.

- Do *not* run from an officer or resist arrest. Resisting arrest or interfering with an immigration officer from arresting someone can lead to criminal charges against you. Remain calm and polite.
- You have the right to a lawyer. Always keep your lawyer's business card with you and show it to the immigration officer and tell him or her that you wish to speak to your lawyer before providing any information.
- You do not have to provide any documents about your immigration status to an immigration officer. However, you may want to only give your name so that your family can locate you if you are arrested.
- You have the right to refuse to sign any documents an immigration officer gives you and ask to talk to your lawyer about the documents.
- Never give false information, including an ID, to any immigration officer. Doing so could lead to additional serious legal problems, including deportation.

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Office of Human Dignity and Solidarity
Immigration Ministry
Cardinal Meyer Center
3525 South Lake Park Avenue
Chicago, IL 60653

RESOURCES

Department of Justice Office of Special Counsel for Immigration-Related Unfair Employment Practices

justice.gov/crt/office-special-counsel-immigration-related-unfair-employment-practices
800.255.7688

Equal Employment Opportunity Commission

eeoc.gov
800.669.4000

Americans with Disabilities Act (ADA)

dol.gov/general/topic/disability/ada
202.307.1197

Equal Pay Act

eeoc.gov/laws/statutes/epa.cfm

Occupational Safety and Health Administration

osha.gov/Publications/osha3021.pdf

To learn more visit us at catholicsandimmigrants.org or on Facebook at office.for.immigrant.affairs/

The Immigration Ministry invites immigrants to respond to the baptismal commitment to engage in service and justice actions as leaders in the parish community.

To learn more about Pastoral Migratoria, please contact:

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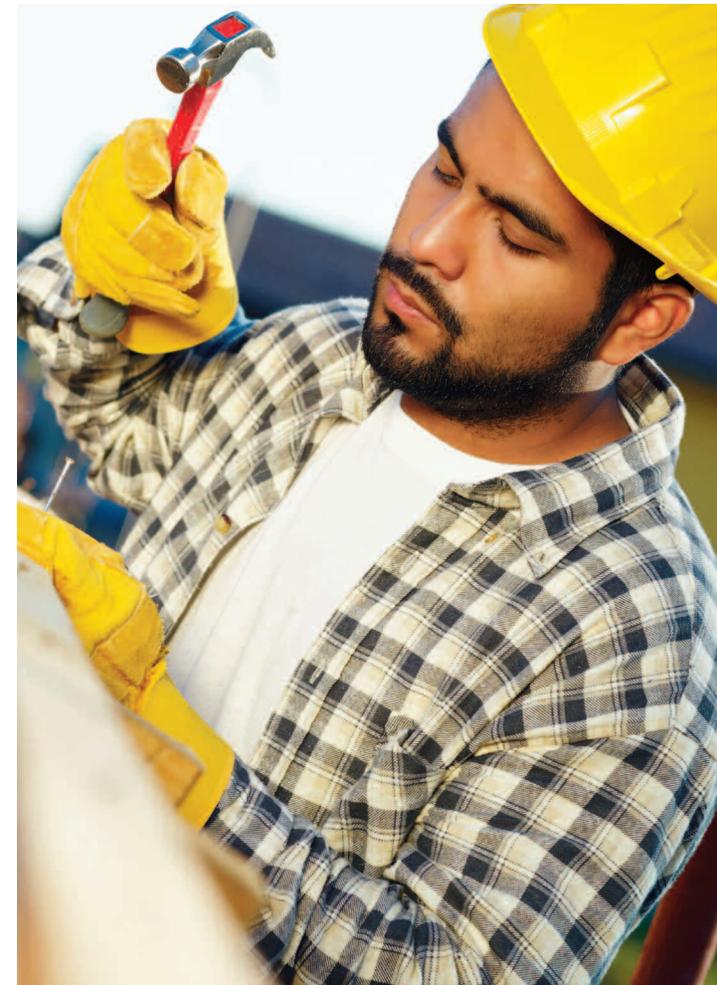
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IMMIGRATION MINISTRY

WORKER'S RIGHTS FOR IMMIGRANTS



YOUR RIGHTS AS A WORKER

There are many federal and state laws that protect all workers, regardless of immigration status, before and after being hired.

- Employers cannot discriminate on the basis of your age, race, gender, religion, national origin or ethnicity, color, genetic information (including medical history) or disability. If you are a woman, you cannot be treated differently because you are pregnant, nursing, or becoming pregnant. (Note: Employers may choose not to hire you because they prefer a better qualified candidate.)
- You are protected from being physically or sexually harassed (i.e., forced, coercive, or unwanted sex acts, touching, or comments) by workers or customers on the job that makes it difficult for you to perform your job or makes you feel unsafe or unwelcomed.
- If you have a disability, an employer is required to make reasonable accommodations to help you do your job successfully, unless making the changes will be too expensive for the employer to reasonably afford.
- Your employer must provide you a workplace that does not put your physical health or safety at risk (not providing legally required work breaks, inadequate bathroom facilities, ventilation, or lighting, extreme room temperatures, constant loud noise, lack of protective equipment, exposure to illegal chemicals or pesticides, unguarded or poorly maintained machinery, etc.)

Information provided by the Catholic Legal Immigration Network—CLINIC (<https://cliniclegal.org>) and the United States Department of State (<https://travel.state.gov/content/dam/visas/LegalRightsandProtections/Wilberforce/Wilberforce-ENG-100116.pdf>)

- You have the right to get paid an equal and fair rate, for all of your work, including for any hours worked over 40 hours per week. Visit www.minimumwage.com to learn the minimum wage in your state. Employees must clearly identify deductions from your paycheck. (Note: Deductions may be illegal if you payment is less the legally required wage after deductions.)
- You have the right to request help from union, immigration, and labor rights groups to ask your employer to change, correct, or improve your working conditions without retaliation by your employer. This includes attending public speeches, rallies, or demonstrations when you are not working.

WHAT SHOULD I DO IF I THINK MY RIGHTS HAVE BEEN VIOLATED?

- Tell a trusted friend or family member who will listen and support you without judgement and guarantee confidentiality.
- Document all instances of violations for use as evidence if/when reporting. Specify details, people, times, places, witness accounts, etc. Include any letters, forms, reports, memos, emails, phone calls, photos, recordings, etc.
- Research and follow your company's process for reporting violations. Most companies' policies require workers to first report problems to their supervisor. If that does not resolve the issue (or if your supervisor is the perpetrator) consider reporting to another supervisor or directly to the human resources manager. (Note: If you are in a union, meet with your union representative to learn other options.)

- Consult with an attorney specializing in workers' and/or immigration rights to file a complaint with the appropriate government agencies and/or to learn your legal options if the issue has not been resolved.

WHERE TO FIND A LAWYER

Many lawyers work on a sliding fee or pro-bono (free):

American Bar Association (ABA)

americanbar.org/directories/lawyer-referral-directory.html

American Immigration Lawyers Association

aila.org

Immigration Advocates Center National Immigration Legal Services Directory

immigrationadvocates.org/nonprofit/legal-directory/

National Consumer Law Center (NCLC)

nclc.org/for-consumers/how-to-get-legal-assistance.html

National Center for State Courts (NCSC)

ncsc.org/Topics/Legal-Services/Legal-Aid-Pro-Bono/Resource-Guide.aspx

The United States Department of Justice List of Pro Bono Legal Service Providers

justice.gov/eoir/list-pro-bono-legal-service-providers

The information in this brochure is only for education and general guidance. It does not try to replace the legal consultation with a professional and accredited person. Any use of this information, including, but not limited to, the use of service providers mentioned, is with the condition that the Immigrant Ministry will not have liability or any legal obligation for damages or other consequences arising from its use, including, but not limited to, personal injuries or even death.