

WorkPlace Protection



Immigrant Justice
THE RESURRECTION PROJECT

ILLINOIS WORKERS IN ACTION



TRABAJADORES DE ILLINOIS EN ACCIÓN

DERECHOS PARA TODOS

EMPODERANDO A LAS EMPRESAS
PROTEGIENDO A LOS TRABAJADORES



PARA MÁS INFORMACIÓN

Rights For All!

EMPOWERING BUSINESSES
PROTECTING WORKERS



FOR MORE INFORMATION

Objectives

1. Learn about employee and employer workplace rights and responsibilities
2. Create a business emergency plan in case federal law enforcement comes to your business.

You Have the Right To:

REMAIN SILENT

- To exercise this right, say loudly: *“I wish to remain silent”*

NOT PERMIT ENTRY TO YOUR HOME/CAR

- It is NOT necessary to open the door unless ICE or the Police have a signed Judicial Warrant

NOT SIGN ANYTHING

SPEAK WITH AND BE REPRESENTED BY AN ATTORNEY

- Immigration: Attorney is at our own expense
- Criminal justice system: Attorney will be provided if you cannot afford one

REQUEST A LOCAL TELEPHONE CALL

- Memorize phone numbers of family/friends with legal status
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Employers Rights

1. Right to a Safe Workplace
2. Right to Manage Business Operations
3. Right to refuse business to any law enforcement, including ICE and Federal Agents



Worker Rights Every Business Must Respect

- Right to **organize** and join unions (NLRA)
- Right to **report wage theft**, discrimination, or unsafe conditions without retaliation
- Right to **equal pay** for equal work regardless of race, gender, or status
- Right to a **workplace free of harassment and discrimination**

Create a Workplace Protection and Response Plan



Concerted activity

In labor law, concerted activity refers to actions taken by two or more employees to improve their working conditions, often for their mutual aid or protection.



Understand the Types of actions ICE takes

- **Form I-9 Audit:** ICE reviews your employees' documents to verify their work authorization.
- **ICE Raid:** An unexpected visit to detain or question workers.
- **Targeted Arrests:** ICE is looking for specific individuals, but may question others.

Section 2: Immigration & Employment Law

1. Employment Verification (Form I-9)

- All employers must complete and retain a Form I-9 for each employee to verify identity and authorization to work.
- Must not discriminate based on citizenship status or national origin (Immigration and Nationality Act - INA)

2. E-Verify (Optional in IL)

- Not required in Illinois, but businesses using E-Verify must follow strict non-discrimination rules.
- Illinois law prohibits misuse of E-Verify to intimidate or retaliate against workers.

Form I-9

Required

Does not require a Social Security number

Does not require a photo on identification documents (List B)

Must be used to reverify expired employment authorization

E-Verify

Is voluntary for most employers

Requires a Social Security number*

Requires a photo on identification documents (List B)

Cannot be used to reverify expired employment authorization

Key Compliance Points for Illinois Businesses

Employment Eligibility & I-9 Form Requirements

What to Know:

- All employers must complete a **Form I-9** for each employee to verify work authorization.
- Forms must be retained for **3 years after hire** or **1 year after termination**, whichever is later.
- **Do not ask for specific documents**—employees can present any valid option from the Form I-9 list.

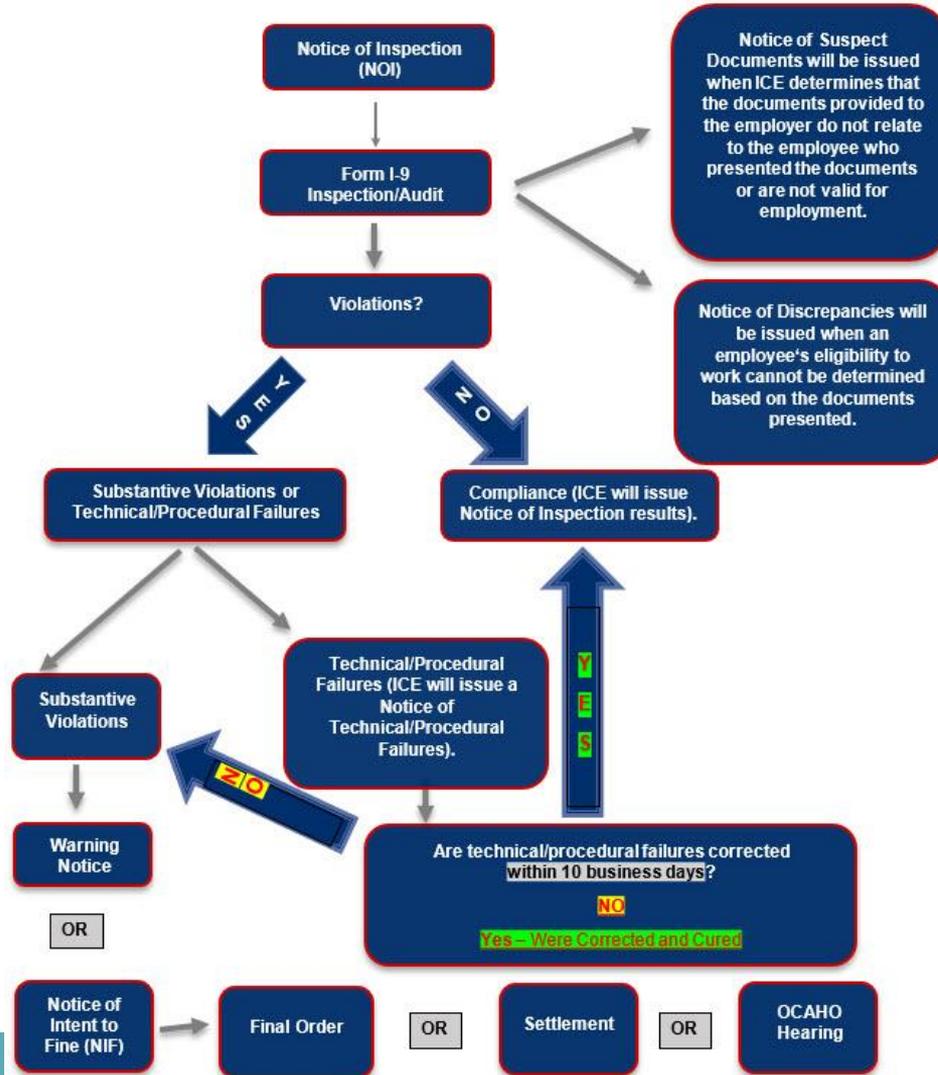
Internal I-9 Audits

Legal Guidelines:

- You may conduct an audit, but it must be based on **neutral, non-discriminatory criteria**.
- Notify employees **in writing** and give them a chance to correct deficiencies.
- Do not terminate workers without allowing reasonable time to resolve documentation issues.

Tips for I-9 Audits

- You have 3 business days to respond to ICE after receiving the notice.
- Consult with an immigration attorney immediately.
- Inform your employees and any unions.
- If ICE identifies undocumented workers, you will have 10 days to resolve or terminate their employment.



***Speak with your
local business
owners***

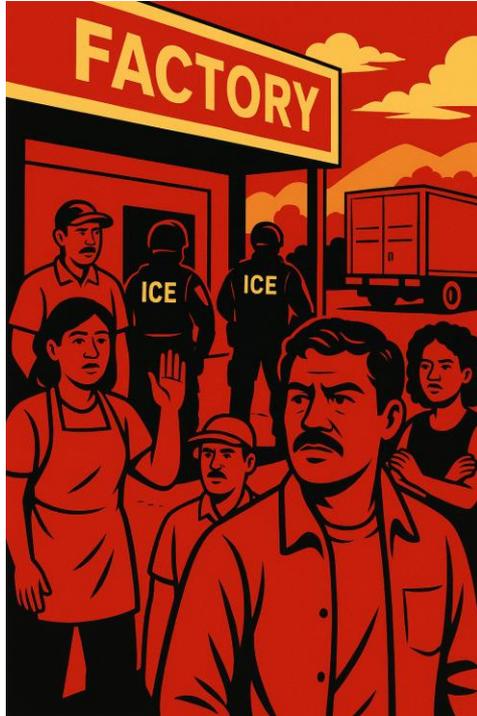


Know your rights at work

With immigration enforcement increasing under the current administration, it is more important than ever for workers and employers to be informed and prepared. This presentation aims to provide key information about your rights and what to do if ICE arrives at your workplace.



Steps to Prepare for a Possible ICE Visit at Work



- Step 1: Know Your Rights
- Step 2: Create a Workplace Protection and Response Plan
- Step 3: If One Doesn't Exist, Request One

Employer Rights and Responsibilities

- ICE cannot enter private areas without a warrant signed by a judge.
- Administrative warrants (I-200/I-205) do not allow access to private areas.
- ICE can enter public areas of your workplace without permission.
- Being in a public area does NOT give ICE the authority to detain, question, or arrest anyone.
- You do not have to answer any questions.
- Employers and employees have the right to remain silent and request an attorney.
- Do not carry false documents.

SAMPLE OF JUDICIAL WARRANT ICE CAN ENTER YOUR HOME

AO93 (Rev. 11/16) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. _____

A search warrant is needed to search and enter premises; an administrative warrant doesn't allow entry

Check that the warrant has your correct name and address

SEARCH AND SEIZURE WARRANT

To Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____
(Identify the person or describe the property to be searched and give its location.)

Officers typically can only search the specified person or property described.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(Identify the person or describe the property to be seized)*:

The search is only allowed at the stated time and date.

YOU ARE COMMANDED to execute this warrant on or before _____ *(not to exceed 14 days)*
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*

for _____ days *(not to exceed 60)* until, the facts justifying, the later specific date of _____

Date and time issued: _____

Judge's signature

City and state: _____

A warrant is only valid with a judge's signature. Without it, you can refuse the search.

Printed name and title

SAMPLE OF ADMINISTRATIVE WARRANT ICE CANNOT ENTER YOUR HOME

U.S. Department of Justice

Immigration and Customs Enforcement

Warrant of Removal/Deportation

Important: An administrative warrant allows for the arrest of the person named, NOT a search of private property. You can refuse if an officer tries to search your home with this warrant.

File No: _____

Date: _____

This warrant is valid only for the arrest of the person named.

To any officer of the United States Immigration and Customs Enforcement

(Full name of alien)

Who entered the United States at _____ on _____
(Place of entry) (Date of entry)

Is subject to removal/deportation from the United States, based upon a final order by:

- An immigration judge in exclusion, deportation, or removal proceedings
- A district director or district director's designated official
- The Board of Immigration Appeals
- A United States District or Magistrate Court Judge

And pursuant to the following provisions of the Immigration and Nationality Act: Section 241 (a) (5) of the Immigration and Nationality Act (Ace), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction command you to take into custody and remove from the United States the above-named alien, pursuant to law at the expense of the appropriation. "Salaries and Expenses Immigration and Customs Enforcement" including the expense of an attendant if necessary.

(Signature of ICE Official)

It must be signed by an immigration officer to be valid

(Title of ICE Official)

(Date and Office Location)

Private Areas

- Private spaces are areas where people have a reasonable expectation of privacy, such as indoor areas or spaces marked with a "private" sign.
- Employees should never consent to agents entering private areas without a warrant.
- Businesses should label private areas of the workplace with "Employees Only" signs or keep them closed to the public.
- This will ensure that ICE agents cannot legally enter private areas of the workplace without consent.

Sample of signs to designate private areas



Before an ICE Action – Prepare

- Create a written response plan (such as a fire drill).
- Train staff to say, "You must speak to my employer."
- Post "Private" signs and limit access to those areas.
- Offer training on their rights and share a list of trusted attorneys.
- Connect with a local immigration response network.

During an ICE Visit

- **Don't panic or run**—this can make the situation worse.
- **ICE can enter public areas, but not private areas, without a warrant.**
- **Request and review any warrant. Deny access if it's invalid.**
- **Don't share employee information or help separate employees based on immigration status.**
- **Record or document the visit if it's safe to do so.**

Workplace Protection & Response Plan (Prevention)

A. Designation of Response Team

- Point of Contact (POC): [Name, Title, Phone]
- Back-Up Contact(s): [Name(s), Title(s)]

These individuals are the only ones authorized to communicate with ICE/federal agents.

B. Training

- All staff will receive Know Your Rights training annually.
- Staff will be trained on how to respond to ICE or law enforcement presence, including:
 - Refusing access to non-public areas without a judicial warrant
 - Exercising the right to remain silent
 - Directing agents to the designated POC

C. Signage & Space Control

- 'Private Area' signs will be posted on non-public spaces.
 - Access to non-public areas is restricted to authorized personnel.
 - Doors to private areas remain closed or locked.
- 

Workplace Protection & Response Plan

(RESPONSE DURING AN INCIDENT)

A. If ICE or Federal Agents Arrive

1. Stay calm and do not panic or run.
2. Direct the agents to the designated POC.
3. Do not provide any documents, information, or access without review.
4. If presented with a warrant:
 - Request a copy and verify if it is a judicial warrant (signed by a judge).
 - If it is an administrative warrant (I-200 or I-205), deny access to private areas.
5. Record or document agent actions, if safe to do so.

B. Communication

- Notify legal counsel and union representatives (if applicable).
 - Inform workers and management with verified information only.
 - Contact family members of impacted workers if needed.
- 

Workplace Protection & Response Plan

(V. POST-INCIDENT ACTIONS)

A. Worker Support

- Offer leave to workers while they secure legal support.
- Pay owed wages and benefits promptly.
- Allow return with full seniority once authorized.

B. Legal & Community Response

- Connect workers to immigration legal aid and rapid response networks.
 - Support legal defense fundraising.
 - Provide job references as needed.
- 

Resources

VI. RESOURCES

- Legal Aid Contact: [Name / Organization / Phone / Email]
- Local Rapid Response Network: [Contact Info]
- Know Your Rights Materials: [Location or Link]

Workplace Protection & Response Plan

For Immigration, ICE, or Law Enforcement Visits

Business Name: [Insert Business Name]

Effective Date: [Insert Date]

I. PURPOSE

This Workplace Protection & Response Plan (WPRP) establishes protocols to ensure the safety, rights, and dignity of all workers in the event of an immigration enforcement action (e.g., ICE audits, raids, or arrests) or visit by federal agents. The plan is rooted in our commitment to a safe and respectful workplace.

II. SCOPE

This plan applies to all employees, contractors, supervisors, and managers at [Business Name]. It outlines procedures for responding to:

- I-9 audits
- Worksite raids
- Arrests or questioning of specific individuals
- Any contact with ICE or federal agents at or near the workplace

III. PREVENTION & PREPAREDNESS

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VI. RESOURCES

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VII. REVIEW & UPDATES

This plan will be reviewed and updated annually or following any incident involving law enforcement. Employees are encouraged to provide feedback for improvement.

Approved By:

[Name]

[Title]

[Signature]

[Date]

Worker Petition for a Workplace Protection & Response Plan

To: [Company Name] Management / Human Resources

Subject: Request for Protections and a Response Plan in the Event of ICE or Law Enforcement Actions at the Workplace

Dear [Manager/HR Representative],

We, the undersigned employees of [Company Name], respectfully urge company leadership to establish and communicate a clear, written **Workplace Protection & Response Plan** in the event that ICE, federal agents, or local law enforcement enter or attempt to enter our workplace without a valid judicial warrant.

As dedicated workers, we believe that all employees—regardless of immigration status—deserve to feel safe and protected at work. Recent increases in immigration enforcement across the country have created significant fear and uncertainty among workers and their families. It is essential that [Company Name] take proactive steps to protect the rights and dignity of all employees and ensure that our workplace complies with the law.

We specifically request that the company:

1. **Establish a clear, written protocol** outlining how management and staff should respond if ICE or other agents arrive at the workplace.
2. **Train supervisors and staff** on how to respond, including understanding the difference between judicial and administrative warrants.
3. **Designate and post private/non-public areas** in accordance with federal guidance.
4. **Refrain from voluntarily sharing employee information or immigration status** without a valid legal requirement.
5. **Ensure workers are not retaliated against** for exercising their rights or expressing concerns related to enforcement actions.

By putting these protections in place, [Company Name] demonstrates its commitment to the safety, dignity, and well-being of its workforce. We are not asking for anything unlawful—only for our workplace to uphold due process and treat all workers with humanity and fairness.

We would welcome a meeting to discuss this matter and work collaboratively toward a plan that reflects our shared values of safety and respect.

Sincerely,
[Space for names, signatures, job titles, and dates].



In case of an ICE visit to our offices

What to do?

Stay calm and alert. DO NOT open the door

Request to see ID and a valid warrant

Do not provide information

Contact leadership and legal team

Follow legal team advice and guidance

Document the interaction

What to say?

“I am not authorized to allow access”

“What agency are you with?”

“May I have your name and badge number?”

“Do you have a warrant?”

“I am not authorized to provide this information”

“I am seeking legal counsel and waiting for instructions”

Resources for Business owners

1. Small Business Development Centers (SBDC)
2. Small Business Development Institute (Illinois Department of Commerce and Economic Opportunity)
3. Chamber of Commerce
4. Immigrants Rising's Entrepreneurship Fund
5. Find your Ward and Alderperson

Tips to remember

- We all have Rights!
- Do not confirm employee schedules or status
- Post signs to designate “Private” areas
- Right to a **workplace free of harassment and discrimination**
- **Train workers to stay calm, silent, and request a lawyer**

Legal Resources

The Resurrection Project (Immigration)

<https://www.illinoisimmigrationinfo.org/>

Illinois Workers in Action (Labor)

<https://www.illinoisworkersinaction.org/>
Email: Info@illinoisworkersinaction.org

**Illinois Coalition for immigrant and
refugee rights**

Family Support Hotline at 1-855-435-
7693

<https://www.icirr.org/resources>

**The Midwest Immigration Bond
Fund**

www.mibfc.org



Training Survey

