CAN ICE TAKE ACTION AGAINST ME IF I STAND UP FOR MY RIGHTS IN THE WORKPLACE?

MORATORIUM ON WORKPLACE RAIDS: The Biden Administration has ceased massive workplace raids. During a labor dispute, ICE will generally not:
1. Take actions that interfere with exercising your labor rights
2. Demand more work authorization documents – requiring an employer to provide more proof of your permission to work

ICE will generally stay away from workplaces where a labor dispute is taking place.

WHAT IS A LABOR DISPUTE?
A labor dispute is when a worker’s rights are violated and the worker chooses to be public about the violation either by speaking up or filing a charge or complaint. This includes a worker’s right to:

- Organize a union
- Participate in union activities
- Join the fight for a contract
- Fight for higher wages, overtime pay, breaks, fair scheduling, medical leave
- Refuse to work in unsafe conditions
- Complain about discrimination or harassment because of race, nationality, color, sex, age, religion, disability, or pregnancy
- Be free from retaliation by an employer

WHAT KIND OF PROOF MIGHT THERE BE OF A LABOR DISPUTE?

- A notice showing bargaining is taking place (FMCS Notice)
- A wage and hour complaint filed with DOL
- An unfair labor practice charge with the NLRB
- A petition showing union organizing taking place
- A charge of discrimination with the EEOC
- An OSHA complaint about unsafe working conditions
- A letter to a government agency stating that organizing is taking place
- A letter/petition with workplace demands that has been delivered by a group of workers to an employer or raised in a meeting

WHAT RIGHTS DO I HAVE IF MY BOSS BRINGS UP MY IMMIGRATION STATUS?

- An employer’s threats to call immigration, calls to immigration, or demands for more work permission documents may be an unlawful retaliatory act.
- You may be eligible for immigration protections based on a new process that protects workers from intimidation and retaliation for speaking out against unscrupulous employers.
- Contact the organizer you work with to create a plan.

iAmerica.org/WorkerRights