

Immigration Related Threats

In California, **all** workers are protected by labor laws regardless of their immigration status.

It is **illegal** for an employer to take **adverse actions** against a worker by making immigration-related threats in retaliation for a worker exercising their rights or by engaging in **unfair immigration related practices**.

Taking action can be difficult, but the law protects you.



Protect Yourself by Taking These Important Steps:

1. **Take Notes:** Write down what happened with a timeline, include who was involved and present, when and where the threat took place.
2. **Gather Supporting Evidence:** Collect text messages, voicemails, emails, and identify any witnesses; note their names and contact information.
3. **Know and Abide by Your Employer's Rules:** As long as they don't violate your rights, an employer can fire an employee for many reasons, but not to punish them for exercising their rights.
4. **Get More Information:** A worker organization may help you understand your rights and what you can do next.
5. **Get Help:** Report the immigration threat to the Labor Commissioner's Office. It is important to report the incident as soon as possible; otherwise, the Labor Commissioner's Office may not be able to enforce your rights if you wait more than one year from the date the threat took place.

The Labor Commissioner's Office will contact the worker when a complaint is received to gather more information as part of the investigation.

We Will Never Ask About Immigration Status and All Personal Information is Kept Private.

Unfair Immigration Related Practices Include:

- Refusing to honor identity and employment documents that appear genuine.
- Misuse E-Verify in a way not required by law.
- Threatening to call/calling immigration authorities to report you or your family's suspected immigration status.

Adverse Actions Include:

- Firing you.
- Not paying you what they owe.
- Threat to report you to immigration authorities.



The Labor Commissioner's Office

LCO Call Center: 833-526-4636

Email: Retaliation@dir.ca.gov

Website: www.dir.ca.gov/dlse



State of California
Department of
Industrial Relations