

Trump-Era Immigration Worksite Raid Threats May Bring New Requirements For California Employers

June 2, 2017 | [Employment Lessons](#), [Labor And Employment](#)

Amidst fears of increased workplace immigration raids during Trump's presidency, California's legislature recently introduced a bill that, if passed, would ban employers from providing workplace access to immigration and U.S. Immigration and Customs Enforcement (ICE) officials without a warrant. This bill could have enormous affects for California, where more than 2.6 million undocumented workers reside. Notably, almost one in every 10 California workers is undocumented, and undocumented workers make up almost half of California's agricultural workforce. The measure, AB 450, called the Immigrant Worker Protection Act, would impose the following requirements on California employers with respect to workplace immigration raids:

- AB 450 would require employers to request a warrant before granting federal immigration agents with access to workplaces
- The bill would also ban employers from sharing with federal immigration agents employee records and confidential information, like Social Security numbers, without a court order
- If an employer is told to hand over employee information, the bill would require the employer to notify the state labor commissioner, the employee and their union representatives within 24 hours of receiving notice

The bill applies to *both* public and private employers. Moreover, non-compliance with the bill could result in penalties that would range from \$10,000 to \$25,000 for each violation. The California Assembly is scheduled to vote on this measure on June 2.

RELATED PRACTICE AREAS

Labor and Employment
Management and Employee Training
Workplace Counseling
Workplace Culture 2.0

RELATED TOPICS

California
Employers
Employment Law
Immigrant Worker Protection Act
Immigration