

IMMIGRATION ENFORCEMENT AT YOUR BUSINESS

How to Prepare

A Guide for California Businesses



CALIFORNIA
GOVERNOR'S OFFICE OF BUSINESS AND
ECONOMIC DEVELOPMENT



LWDA
LABOR & WORKFORCE DEVELOPMENT AGENCY

About This Guide

This guide is intended to support California businesses in preparing for a potential immigration enforcement encounter, clarifying their rights and responsibilities, and helping them support their employees and operations.

Use this guide to help your business prepare for a possible immigration enforcement encounter.

Keep this guide accessible, and ensure managers and employees understand their roles.

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This information is for general informational purposes only and does not constitute legal advice. The information may change over time, and while we will work to implement timely updates and ensure accuracy, it may not always be fully accurate or up to date.



GENERAL OVERVIEW

Who Are Immigration Agents?

Immigration agents work for the U.S. government and enforce immigration laws.

Agents may arrive at your worksite to ask questions, request information about employees, conduct an I-9 audit or an unannounced workplace raid, or detain a specific person or people. They may not always be in uniform or arrive in marked vehicles.

Most agents are from the following three federal agencies. However, other agencies may be involved.

- U.S. Immigration and Customs Enforcement (ICE)
- U.S. Customs & Border Protection (CBP)
- Homeland Security Investigations (HSI).



NOTE: Always ask officers to identify themselves and which agencies they represent. Reminder that immigration agents are trained to identify themselves as “police” when asked.

Key Rights to Remember

You and your employees have rights, regardless of immigration status.

Everyone has the right to:

- Remain silent—you do not need to answer any questions, including about your name, birthplace, immigration status, or how you entered the country.
- Ask the officer for identification.
- Document and record the encounter—stand at a safe distance and do not obstruct agents.
- Deny entry to private areas if agents do not have a judicial warrant.
- Speak to a lawyer before saying anything or signing anything.

As you read through this guide, you'll notice that people in the United States have different rights when they encounter immigration agents, depending on whether the encounter happens in a public or a private area. However, in both settings, their constitutional rights are still protected.

Agents **CAN** always enter public areas of your worksite:

- Lobbies and reception areas open to the public.
- Waiting areas open to the public.
- Parking lots open to the public.
- Restaurant dining areas.

Agents **CANNOT** enter private areas of your workplace without a valid judicial warrant:

- Employee break rooms and restrooms.
- Back-office and supply rooms.
- Any area marked “Employees Only”.
- Any area where the public is not allowed access unless invited in.



California Protections for Employers and Employees

As a California employer, with one or more employees, you are required to know and follow state laws regarding encounters with immigration enforcement at your worksite.

California Law (AB 450) — Immigrant Worker Protection Act

It is against the law for employers or their staff to give immigration agents permission to enter private work areas without a valid judicial warrant signed by a judge. In addition, if an employer receives notice of an immigration inspection of I-9 forms or other employment records, the employer must notify employees and any applicable union representative within 72 hours of receiving the notice.

California Values Act (SB 54)

State and local law enforcement cannot act as immigration agents or assist federal agencies, such as ICE, with immigration enforcement in most circumstances, including at your place of business.

Workplace Know Your Rights Act (SB 294)

All employers are required to:

- Provide employees with an annual written notice of workplace rights.
- Provide an opportunity for workers to name an emergency contact.
- Notify the employee's designated emergency contact if the employee is arrested or detained at the worksite.

Labor Code §1019-1019.2 — Protections Against Unfair Immigration-Related Practices

Employers are prohibited from retaliating against workers by reporting or threatening to report them to immigration authorities for exercising their labor rights. Employers are also prohibited from engaging in certain unfair immigration-related practices, including refusing to honor documents that reasonably appear genuine, reverifying employment eligibility without legal justification, or misusing E-Verify. Violations may carry penalties of up to \$10,000 per violation.

SB1001 — I-9 Anti-Discrimination

Employers cannot request more or different documents than are legally required for I-9 verification and cannot use the I-9 process to discriminate.



BEFORE

Immigration Agents Arrive

Take proactive steps now to prepare for a potential immigration enforcement encounter at your business. Use the Employer Preparedness Checklist to track your progress.

Step 1

Create a Written Company Preparedness Plan

A written plan helps protect your employees and your business if immigration agents come to your workplace. It helps your employees know what to do in a stressful situation. It gives everyone clear steps to follow.

You may want to consult an attorney experienced in immigration and business law to tailor the plan to your business. Once your plan is finalized and approved, practice it like a fire drill. You will be more prepared if you know what to say and do.

Your written policy should include:

- ☐ Scope — which properties and locations the plan applies to, which staff roles are covered (e.g., owner, manager, reception, off-site staff), and each person's obligations.
- ☐ Name, phone number, and duties of your company representative(s), plus contact information for your attorney or a legal services organization.
- ☐ Steps for verifying warrants — checking the date, location, and scope — and distinguishing judicial from administrative documents.
- ☐ Instructions for asking for, reviewing, and documenting agent credentials and any documents presented.
- ☐ Protocols for public vs. private space — identifying which areas are restricted and how staff should limit access to private areas.
- ☐ Protocols for monitoring and receiving visitors — how visitors sign in and out, who may grant entry, and which doors remain locked.
- ☐ A notification procedure for alerting all staff and your designated representative if agents arrive — including the method (intercom, text, etc.) and how to communicate calmly without creating panic.
- ☐ Optional: Consider a data collection and preservation policy, including guidelines for safely storing all employee and client information.

After writing the plan:

- ☐ Seek approval from your leadership team or board.
- ☐ Hold a staff training — explain the policies and practice what to say and do, just like a fire drill.
- ☐ Post the plan or a summary where all employees can see it.
- ☐ If you have one, connect with your business's immigration attorney for additional support.



Scan for company preparedness plan templates

Step 2

Identify Company Representative(s)

Your company representatives are the people authorized to speak with immigration agents on behalf of your business. It is recommended to designate more than one company representative to make sure someone is always on site if immigration enforcement agents arrive.

Your company representative(s) should be:

- ✓ Regularly present at the worksite and reachable after hours.
- ✓ Familiar with different types of warrants and subpoenas.
- ✓ Comfortable checking the date, location, and scope of a warrant.
- ✓ Able to ask for and document agent credentials.
- ✓ Aware of your company's legal representative's contact information.

Make sure all employees know:

- ✓ The representative's name and how to reach him or her.
- ✓ To contact the representative immediately if agents arrive.
- ✓ That they are NOT authorized to speak with agents on the company's behalf.

Train all employees to respond:



I am not authorized to speak to you, but I will find someone who can. Please wait here.



NOTE: Business owners and employees do not have to say whether a specific employee is present or take agents to the employee named on a warrant—even if they are at work. Business owners and employees also do not have to share personal information about themselves or coworkers.

Step 3

Mark Private and Public Areas

For a space to be legally considered private, there must be a reasonable expectation of privacy. Signs alone may not be enough. Your staff must also make sure all doors leading to private areas are closed (or locked if possible).

PUBLIC AREAS

AGENTS can enter freely

- Lobbies and reception areas open to the public.
- Waiting areas and restaurant dining areas.
- Parking lots open to the general public.

PRIVATE AREAS

AGENTS need a judicial warrant

- Break rooms, kitchens, and employee restrooms.
- Equipment and supply rooms.
- Back-office areas and spaces marked “Employees Only”.



Steps to mark and protect private areas:

- ☐ Post clear signage: “Restricted Area: Employees Only” or “Authorized Personnel Only”.
- ☐ Keep doors to private areas closed or locked.
- ☐ Install fences or physical barriers where applicable.
- ☐ Require all visitors to ask for permission before entering.
- ☐ Train staff to only allow authorized personnel into private spaces.



NOTE: Employees who are already in a private area have the legal right to remain there when agents arrive. Make sure employees know this before agents come.

Step 4

Organize and Separate your I-9 Records

As an employer, you are required to verify that all employees are authorized to work in the United States using Form I-9. Keep all I-9 forms on file for three years after the hire date, or one year after the worker's last day of work, whichever is longer.

An I-9 audit is when immigration agents come to your business to inspect these records.

If you receive a Notice of Inspection (NOI):

- A **Notice of Inspection (NOI)** is a written notice from ICE informing an employer that their **Form I-9 records** and related employment documents will be inspected for compliance with federal immigration laws. A NOI is not the same as a judicial warrant and does not, by itself, authorize agents to retrieve those records.
- Contact a lawyer or legal service provider as soon as you receive the notice.
- Do not waive your three-business-day response period — use this time to gather documents.
- Do not give agents consent to speak with employees during the inspection.
- Only provide the information specifically requested — keep I-9s separate from all other personnel records.
- Ask agents to review I-9 forms outside of your office if possible.
- Post a written notice for employees within 72 hours of receiving the NOI (you can access a CA Department of Industrial Relations template [here](#)).

California law (AB 450) — requirements:

- Notify employees in writing within 72 hours of receiving a Notice of Inspection.
- Employees have the right to bring a representative to any meeting about the inspection.
- If a problem is found with an employee's documents, notify that employee in writing within 72 hours.
- Employees have the right to correct any deficiencies.
- Employers who voluntarily allow agents to access employee records without a subpoena or court order face civil penalties of \$2,000–\$5,000 (first violation) or \$5,000–\$10,000 (subsequent violations).



NOTE: In March 2026, ICE updated its I-9 inspection guidance, and some common mistakes that employers could previously correct may now result in penalties during an audit. Examples include missing dates, missing hire dates, and certain certification errors. See: www.ice.gov/factsheets/i9-inspection

More information
on I-9 responsibilities



Step 5

Collect Emergency Contacts

The Workplace Know Your Rights Act (SB 294), effective February 1, 2026, requires all California employers to provide employees the opportunity to designate an emergency contact, and to notify that contact if the employee is arrested or detained at or during work.

SB 294 requires employers to:

- Provide employees with an annual written notice of workplace rights (See next page).
- Provide employees an opportunity to designate an emergency contact.
- Notify the designated emergency contact if an employee is arrested or detained at the worksite and the employer is aware of the detention.
- Notify the designated emergency contact if you learn of an employee's arrest during work hours, even if it occurs off-site.



NOTE: Failure to comply with SB 294 can result in penalties of up to \$10,000 per employee.

Steps to collect emergency contacts:

- ☐ Give all employees a form to designate an emergency contact.
- ☐ Explain the purpose: their contact will be notified if they are detained at or during work.
- ☐ Clarify that employees are not required to name a contact, and their choice will be respected.
- ☐ Keep emergency contact information confidential in a secure location, separate from I-9 files.
- ☐ Update the employees' contact information regularly — at least once per year.

You Can Say:



Please write down your emergency contact's information so I can notify them if anything ever happens to you while at work.



Step 6

Train Employees on Their Rights

Work with your legal counsel or a qualified organization to hold a “Know Your Rights” training for you and your staff. [GO-Biz \(business.ca.gov\)](https://business.ca.gov) has free recorded webinars and materials on Know Your Rights that you can use.

All employees have the right to:

- Remain silent, even if you are asked about your immigration status.
- Refuse consent to a search of their person or belongings.
- Not help agents sort people by immigration status or country of origin.
- Observe, record, and document the encounter — if it’s safe to do so and you are not in the way of agents.
- Speak to a lawyer. You may be pressured to sign documents. You do not have to sign anything without speaking to an attorney.
- Make a phone call to a family member or lawyer if detained.

Make sure all employees know:

- ✓ Stay Calm. Do Not Run and Do Not Resist. If you don’t stay calm or you run or resist, this could give agents a reason to detain you.
- ✓ Contact the company representative(s) immediately.
- ✓ If already in a private area, remain there.
- ✓ Do not open the door or give access or consent to enter private areas of the worksite. But do not physically block officers or interfere. This could give agents a reason to detain you.
- ✓ Do not answer questions about immigration status, citizenship, birthplace, or personal information — employees have the right to remain silent.
- ✓ Do not sign anything without first speaking with a lawyer.
- ✓ Do not carry or present false documents or lie.

The California Department of Industrial Relations has published a free “Workplace Know Your Rights” notice (required under SB 294) that can serve as a ready-made training resource. You can access that here in english and spanish.

ENGLISH



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California Legal Service Providers



Provide employees an opportunity to designate an emergency contact:

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Step 7

Designate a Trusted Person and Protect Your Business Assets

For business owners who may face the risk of detention, if you are suddenly unavailable, someone you trust should be able to step in and keep your business running. Depending on your situation, this person may help ensure that bills are paid, communicate with employees or vendors, work with accountants or attorneys, or help maintain basic business operations.

Document your business assets and operations:

- Business property and real estate — keep copies of property leases, deeds, or other documents confirming ownership.
- Equipment, tools or machinery, furniture, and inventory.
- Financial accounts — personal bank accounts, business bank accounts, savings accounts, and retirement accounts.
- Insurance policies — business insurance, liability insurance, property insurance, and health insurance.
- Monthly financial obligations — rent or mortgage, payroll, vendor payments, and utilities.
- Contact information for your accountant, tax preparer, or bookkeeper, and location of your most recent tax filings.

Identify a trusted person who can help implement your plan

- ☐ Select someone who is responsible and reliable — such as a co-owner, a family member, or a close associate.
- ☐ Make sure your trusted person knows where important documents are located and how to access them, including physical files and digital records.
- ☐ Share with them a brief overview of your financial responsibilities, business operations, and where important documents are stored.
- ☐ Keep monthly financial obligations documented in a single document or spreadsheet so it is easier for someone you trust to manage payments and keep the business running without interruption.
- ☐ For business owners, a Power of Attorney (POA) is a critical planning tool that authorizes another person to make decisions on your behalf.



NOTE: A Power of Attorney (POA) is a legal document that authorizes another person to make decisions on your behalf. If you become temporarily unavailable, detained, or unable to manage your affairs, a designated agent can step in immediately to handle essential financial and business responsibilities, such as paying employees, managing accounts, and keeping operations running so your business remains stable and protected.

Full Asset
Protection Guide
for Businesses



Frequently Asked Questions

Before Agents Arrive

Can I face penalties for voluntarily letting immigration agents in?

Under California law (AB 450), **you can face penalties** if you voluntarily allow agents to enter non-public or private areas without a judicial warrant. You cannot be penalized for following the law and requiring a judicial warrant.

What should I do if I receive a Notice of Inspection?

Contact a lawyer immediately. You have three business days to comply — do not waive this. Notify workers in writing within 72 hours. Only provide the information immigration agents specifically requested, and keep I-9 documents separate from all other employee records.

Do all employees have the same rights regardless of their immigration status?

Yes. California's labor laws apply to all employees, regardless of immigration status.

Do I need a lawyer to create a response plan?

It is strongly recommended. While you can start drafting a plan on your own, work with an attorney to ensure your policy complies with AB 450 and other applicable laws.



DURING

An Immigration Enforcement Encounter at Work

Stay calm. Contact your company representative(s) immediately.

Step 1

Notify the Company Representative(s)

The moment agents arrive, employees should contact the company representative(s). Only the representatives have the authority to speak with agents, review documents, or grant access to private areas.

Employees should:

- ☐ Stay calm — do not run or resist.
- ☐ Contact the company representative(s) right away.
- ☐ If already in a private area, stay there.
- ☐ Tell agents that only the company representative(s) can review warrants or grant access.
- ☐ Employees can remain silent — they do not have to answer any questions.

The company representative(s) should:

- ☐ Ask agents to show identification and confirm which agency they represent.
- ☐ Do not give agents permission to enter private areas without a judicial warrant. But do not physically block officers or interfere. This could give agents a reason to detain you.
- ☐ Assess whether agents have a valid judicial warrant (see Step 2).
- ☐ Begin documenting the encounter immediately (see Step 4).

You Can Say:



I am not authorized to speak with you, but I will find someone who can. Please wait here.



Check for a Judicial Warrant

Judicial Warrant

Allows private area entry

- A judicial warrant must be signed by a judge and say “U.S. District Court” or the name of a State Court at the top.
- It includes:
 - The workplace address and areas they are allowed to search
 - The name(s) of the person(s) they are allowed to detain
 - The time frame during which the warrant can be enforced
- A judicial warrant only allows entry into private areas specifically listed in the warrant.
- Under California Penal Code § 1534, California search warrants generally must be executed within 10 days of issuance or they become void. Federal judicial warrants are generally subject to a 14-day execution period.

Judicial Warrant

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AO 93 (Rev. 11/13) 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. _____

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):

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)*:

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. § 3103a(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 30)* ☐ until, the facts justifying, the later specific date of _____.

Date and time issued: _____

Judge's signature

City and state: _____

Printed name and title

Five questions to ask when reviewing any warrant:

- ☐ Who issued the document? Is it a court or a federal agency?
- ☐ Does it list the correct name and address — spelled correctly?
- ☐ Does it authorize a search of this facility? Which specific areas?
- ☐ Has it expired? More than 14 days since signing?
- ☐ Is it signed by a judge — not an immigration officer?

If agents HAVE a valid judicial warrant:

- Ask for a copy and read it carefully before acting
- Walk with agents — keep them within authorized areas only
- Object to any search outside the warrant's stated scope
- Do not physically block or interfere — state your objections verbally
- Ask for a list of any items agents seize

Step 2

Check for a Judicial Warrant

Administrative Warrant

Does NOT allow private area entry

- It will say “U.S. Department of Homeland Security or Department of Justice”
- Signed by an immigration officer, not by a judge
- May include:
 - “Warrant for Arrest of Alien” or “Notice of Inspection”
 - Name(s) of the person(s) they are seeking to detain
- Does not give permission to enter private areas.

Administrative Warrant



U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☐ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

If agents DO NOT have a valid judicial warrant:

- Do not release any information
- Tell them they are not authorized to enter private areas
- Ask them to remain in public areas, away from clients and staff
- Continue to document the encounter

You Can Say:



Do you have a judicial warrant signed by a judge? If so, I would like to see it.

I do not give you permission to search me or our work site.

Step 3

Accompany Agents — Keep Them in Authorized Areas

If agents have a valid judicial warrant, your representative should walk with them at all times. Observe carefully — make sure the agent stays within the areas listed in the warrant.

Your representative:

- Cannot provide information about other employees.
- Cannot help agents sort people by immigration status or country of origin.
- Does not need to confirm whether a specific employee is present.
- Does not need to take agents to the employee named on the warrant.

If agents try to take something, ask permission to photocopy it before it is taken.



Important: Your company representative is not required to volunteer information or actively assist agents in locating an employee. However, staying professional and cooperative (within legal limits) will reduce the risk of escalation.

Step 4

Document and Record the Encounter

Record everything as it happens. This information will be essential when you talk to a lawyer, and it may help prove that agents violated the law.



How to record safely:

- Announce that you are recording and maintain a safe distance from agents.
- Record agents — avoid filming other staff, clients, or community members present.
- If asked to back up, do so — but continue recording.
- Save recordings and notes in a secure location immediately.

Write down immediately after the encounter:

- | | |
|--|---|
| ☐ Date, time, and warrant provided — number, issuing court, name of judge. | ☐ Whether anyone was stopped from moving or leaving. |
| ☐ Number, names, badge numbers of the officers (take photos). | ☐ Any mistreatment — who was impacted and what happened. |
| ☐ Who, if anyone, was detained — and where agents said they were taking them. | ☐ How many agents were inside vs. outside the worksite. |
| ☐ What agents did — areas searched, arrests, people spoken to, items taken. | ☐ How agents were dressed and whether they were armed. |

Your Employees or Representative Can Say:

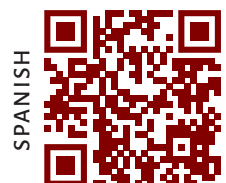


I am exercising my right to record this encounter.

Template
to Document
an Enforcement
Encounter



ENGLISH



SPANISH

Frequently Asked Questions

During an Encounter

What do I do if agents arrive and my company representative is not available?

Tell agents to wait while you contact the representative. If you are an employee, say: "I am not authorized to speak with you, but will find someone who can. Please wait here." It is recommended to designate more than one company representative to make sure someone is always on site if immigration enforcement agents arrive.

What if agents show a warrant and you are not sure if it's a judicial warrant?

Look for the name of a court at the top of the document and a judge's signature. Ask: Who issued this — a court or a federal agency?

Can I stop agents from talking to my employees?

You cannot prevent agents from talking to employees in public areas. However, employees always have the right to remain silent and not answer questions.

Do I have to help agents identify employees?

No. Under California's Immigrant Worker Protection Act (AB 450), it is illegal to let immigration agents into private areas of your business or show them employee records without a valid judicial warrant signed by a judge. You also do not have to tell agents whether a specific employee is at work, help agents identify employees by immigration status or where they are from, or bring agents to a worker they are looking for. Doing any of these things voluntarily could result in fines of up to \$10,000.

What if agents present a subpoena?

Seek legal counsel before responding. You may have the right to object to what the subpoena is requesting or not respond. Document where, when, and how the subpoena was served.



AFTER

Immigration Agents Leave

Act quickly — fulfilling your legal obligations is one of the most important ways you can support your employees.

Step 1

Notify Designated Emergency Contacts

If you have knowledge of your employee being arrested or detained at work, you must notify their designated emergency contact if a contact has been provided.

Write down immediately after the encounter:

- ☐ Check your records for the detained employee's emergency contact information.
- ☐ Contact the designated emergency contact and inform them that the employee was arrested or detained.
- ☐ For best practice, provide the name of the detention facility or where the employee is being taken.
- ☐ For best practice, let the emergency contact know legal help may be available from nonprofit organizations.

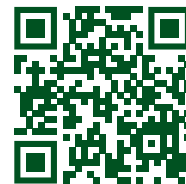
SB 294 — required under California law

Failure to notify designated emergency contacts can result in penalties of up to \$500 per employee per day the violation occurs. You must also notify your employee's designated emergency contact if you are aware of an employee's arrest or detention off the worksite, during work hours, or while performing their job duties.



Emergency
Contact
Template

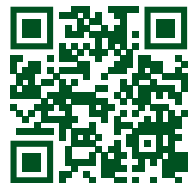
ENGLISH



SPANISH



California Legal Service
Providers



Protect Yourself
from Immigration Scams



Step 2

Pay All Wages Owed

California law requires employers to pay all final wages to employees who do not return to work, including those who are detained or are otherwise unable to return.

When an employee resigns, final wages must be paid within 72 hours. When an employee is terminated without notice, final wages are due immediately.



Follow these steps after an encounter:

- ☐ Calculate all wages owed, including any final paycheck.
- ☐ If the employee previously provided written instructions for where to send their paycheck, follow them.
- ☐ If the employee designated an authorized person to pick up their paycheck, pay that person.
- ☐ If you cannot locate the employee and they have not provided written instructions for where to send their paycheck or an authorized person to pick it up, keep the wages in a secure account until they can be distributed.

As a best practice, employers may arrange secure delivery or pickup of final wages, including release to an emergency contact or representative designated by the employee. If the employee does not provide delivery or pickup instructions, the employer may mail the final wages to the Labor Commissioner's Office.

Step 3

Talk to Your Team



As best practice, hold a team meeting as soon as possible after agents leave. Employees who witnessed an enforcement encounter may feel frightened, confused, or vulnerable.

Consider addressing the following in your team meeting:

- ☐ Acknowledge what employees witnessed and that it was difficult.
- ☐ Make it clear that the company stands behind their rights.
- ☐ Remind employees that California law prohibits retaliation against any employee for exercising their rights during an enforcement visit.
- ☐ Remind employees that all California labor protections remain in effect regardless of immigration status.
- ☐ Provide information about legal resources and community support available to employees.

The following are best practices and not required by law:

- Consider providing affected employees leave while they are unable to work, or allow them to return to their same positions with full seniority and benefits once they are able to, if they have work authorization.
- If you lack a separation pay policy, consider providing extra funds to workers who cannot return to work.
- Consider helping employees connect with or contribute to an immigration legal fund to help cover attorney fees or bond.

Step 4

Reach Out for Help

You do not have to navigate this alone. The following resources may be able to help you, your employees, and your business after an enforcement encounter.

GO-Biz Immigration Resources for Businesses

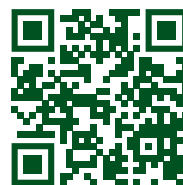
A list of government-approved resources helping employers understand their rights and responsibilities.



GO-Biz Immigration Resources for Businesses

California Department of Social Services (CDSS)

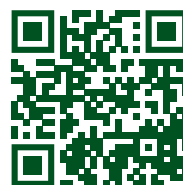
CDSS funds qualified community-based organizations to provide free legal services and community education to immigrants who live in California.



California Legal Service Providers

Immigration Legal Support

An immigration attorney can help you understand your rights and obligations after the encounter.



Find immigration legal help near you



Frequently Asked Questions

After Agents Leave

Do I have to notify anyone if an employee is detained off-site during work hours?

It depends. Under SB 294, you must notify the designated emergency contact if the employee is arrested or detained on their worksite. If the arrest or detention occurs during work hours, or during the performance of the employee's job duties, but not on the worksite, you must notify the employee's designated emergency contact only if you have actual knowledge of the arrest or detention of the employee.

Do I have to pay employees who were detained?

Yes. California law requires you to pay all wages earned, including to employees who were detained or deported.

What if an employee is afraid to come back after the encounter?

Remind employees that California law protects them from retaliation for exercising their rights or based on their immigration status.

What if immigration agents come back?

Follow the same steps each time agents arrive. Make sure your company representative(s) are always reachable and your response plan is up to date.

Resources and Business Information

Fill in this information for your business. Share it with your employees and post it where they can access it.

Company Representative(s) & Phone Number

Name _____	Phone # _____
Name _____	Phone # _____
Name _____	Phone # _____

Useful Contacts

CA Labor Commissioner's Office: **1-833-526-4636**

LCO's Immigration Helpline: **1-855-526-7775**

Local CBO / Service Provider: _____

Other Company Contacts (List Here)



Special thanks to the California State Employer Outreach Subcommittee and the many community organizations whose expertise, insights, and collaboration helped develop and strengthen this resource, including:



Los Angeles Alliance for a New Economy





Notes