

KNOW YOUR RIGHTS



Employment Eligibility Verification  
Department of Homeland Security  
U.S. Citizenship and Immigration Services

Form I-9  
OMB No. 1615-0047  
Expires 10/31/2022

# Immigrant Workers in Washington State

*Understanding your rights at work, during ICE enforcement, and under Washington law*

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**GIBBSHOUSTONPAUW**  
COMPREHENSIVE IMMIGRATION ADVOCACY

Current as of May 11, 2026

# Presentation Goals

**This presentation is for all workers.  
You have rights regardless of immigration status.**

## What we will cover:

- Washington laws that protect workers
- Judicial vs. administrative warrants
- Talking to your employer about an ICE response plan

- Constitutional rights
- I-9 inspection vs. worksite raid
- Individual safety planning

- Public vs. private spaces
- What to do during a worksite raid
- Who to call: resources and emergency contacts

SECTION 1

# Washington Laws That Protect Workers

*Key laws that create a safety net for immigrant workers in our state*



# Washington's Immigrant Worker Protection Laws

2019

## **Keep Washington Working Act**

Limits local police cooperation with ICE; protects all WA residents

2025

## **SSB 5104 – Anti-Coercion Law**

Bans employers from using immigration status to threaten workers

2025

## **SHB 1875 – Paid Sick Leave for Immigration Proceedings**

Allows workers to use paid sick leave for immigration court proceedings for self or family

2026

## **HB 2105 – Immigrant Worker Protection Act**

Requires employers to notify workers within 5 days of an I-9 inspection (effective October 2026)

2026

## **HB 2355 – Domestic Workers Bill of Rights**

Provides labor protections for nannies, housekeepers, and home care workers (effective July 2027)

# Keep Washington Working Act (2019)

## *Washington's landmark law supporting immigrants' role in the workplace*

- Local police, sheriffs, WA State Patrol, & school resource officers are PROHIBITED from:
  - Asking about or collecting your immigration status, place of birth, or nationality (unless related to an active criminal investigation)
  - Stopping or detaining you solely to determine immigration status
  - Sharing personal information (such as home address) with ICE or CBP
  - Holding you on ICE administrative warrants or detainers
  - Allowing ICE access to interview you while in jail, without your consent
- Law enforcement CANNOT contract with ICE/CBP to conduct immigration enforcement
- State agencies (Licensing, Labor, Health, Youth and Families) are also prohibited from sharing personal information and MUST provide services regardless of immigration status

# Keep Washington Working Act (2019)

## *Washington's landmark law supporting immigrants' role in the workplace*

- **The following is** what Local police, sheriffs, Washington State Patrol, & school resource officers are **not allowed to do:**
  - Ask about or collect your immigration status, place of birth, or nationality, unless related to an active criminal investigation
  - Stop or detain you only to find out your immigration status
  - Share your personal information (such as home address) with Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP)
  - Cannot keep you in custody based on an ICE administrative warrant or detainer
  - Cannot let ICE access to interview you while in jail, without your consent
- Law enforcement CANNOT contract with ICE/CBP to conduct immigration enforcement
- State agencies (Licensing, Labor, Health, Youth and Families) are also prohibited from sharing personal information and MUST provide services regardless of immigration status

# SSB 5104: Anti-Coercion Law (2025)

*No employer in Washington may use immigration status to threaten workers*

- Employers are PROHIBITED from using an employee's (or a family member's) real or perceived immigration status to threaten or deter protected activities
- "Coercion" is any explicit or implicit threat that forces an employee to give up legally protected rights in the workplace
- Examples of protected activities: filing wage/hour complaints, reporting safety violations, joining a union, filing discrimination claims
- Enforcement: WA Department of Labor & Industries (L&I) investigates; fines range from \$1,000 (first violation) to \$10,000 (repeat violations)
- Workers may file a complaint with L&I within 180 days of the coercive act
- L&I can also investigate coercion found during other investigations — no separate complaint needed

# SHB 1875: Paid Sick Leave for Immigration Proceedings (2025)

*You can use your accrued paid sick leave for immigration-related needs*

- Covered uses include preparing for or attending immigration proceedings
- Applies to proceedings involving YOU or a family member
  - child, grandchild, grandparent, parent, sibling, or spouse
  - any individual who regularly resides in the employee's home with an expectation that the employee cares for them
- This means you do not have to lose wages or risk discipline when attending immigration court
- Your employer CANNOT discipline or retaliate against you for using sick leave for this purpose
- This law works alongside Washington's existing Paid Sick Leave law (employers must offer 1 hour per 40 hours worked)

# HB 2105: Immigrant Worker Protection Act (2026)

*Increasing fairness and transparency in the workplace - Effective June 11, 2026\**

- When federal agents begin an audit for I-9 records at a place of employment, employers **MUST**:
  - Notify **ALL** employees within 5 business days of receiving the federal inspection notice (Notice of Inspection, NOI).
  - Post a poster in English and the five most common languages used in Washington (currently Spanish, Chinese, Vietnamese, Somali, Tagalog)
  - Share information about workers' rights and statewide resources
  - Notify each affected employee within 5 business days of the results of the I-9 inspection
- No retaliation: Employers **CANNOT** punish workers for exercising rights under this law



# HB 2355: Domestic Workers Bill of Rights (2026)

*Statewide protections for nannies, housekeepers & home care providers - Effective July 1, 2027*

- Domestic workers have been historically excluded from labor protections
- Workers must be paid at least state minimum wage; 1.5× over 40 hours
- Your employer **MUST** provide a written contract in a language you understand before work begins, including pay rate, hours, and terms
- Your employer **CANNOT** take or hold your personal documents (passport, ID)
- Your employer (the homeowner) cannot voluntarily allow ICE in to arrest you without a judicial warrant
- Employers must give advanced written notice before termination; failure to give notice requires severance pay
- Workers can report violations, retaliation, and discrimination to L&I

SECTION 2

# Constitutional Rights - Anywhere, Anytime

*These rights belong to EVERYONE in the United States, regardless of immigration status*

# 5<sup>th</sup> Amendment Right to Remain Silent

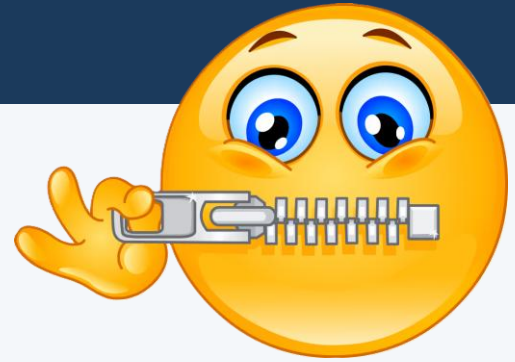
*Invoking your rights is not obstruction — it is legal and protected*

## What you **SHOULD** do:

- Stay calm and be polite — do not argue, resist, or run
- Ask if you are free to go — if yes, calmly walk away
- Say “I am exercising my right to remain silent. I want to speak with an attorney.” And then stop talking. Really.
- If detained, ask for a lawyer and do not speak until one is present

## What you should **NOT** do:

- Do **NOT** answer questions about where you were born or how you entered the country
- Do **NOT** lie about your immigration status or give false documents
- **Do NOT sign any documents** without attorney review, especially “voluntary departure” forms



# 4th Amendment Protects against Unreasonable Search & Seizure

- Employees have the right to refuse consent to a search of private spaces and personal belongings
- Your employer cannot consent to a search of your personal space (bag, locker, vehicle)
- Even if ICE presents a judicial warrant, you can object to the search.
  - Clearly and calmly state: *“I do not consent to this search. I am complying because you have presented what appears to be a warrant, but I am not consenting voluntarily.”*
- **Do not physically resist, even if the search is unlawful!**
- State your objection, document everything.

# A Note on Rideshare Drivers & Gig Economy Workers

*App-based work presents unique legal challenges*

- Rideshare and delivery drivers (Uber, Lyft, DoorDash) are generally classified as independent contractors — not traditional employees
- Washington law requires rideshare drivers to be given sick leave, so SHB 1875 (Paid Sick Leave for Immigration Proceedings) *may* apply
- As a contractor, you likely do not have other employee protections (e.g., Immigrant Worker Protection Act)
- **You still have constitutional rights!**

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# A Note on Rideshare Drivers & Gig Economy Workers

## *App-based work presents unique legal challenges*

- You have the right to remain silent and refuse consent to search — even in your vehicle
- If ICE approaches you during a ride: pull over safely, state you are exercising your right to remain silent, and call an attorney
- Your vehicle is private property — ICE cannot search it without a warrant or your consent
  - *Unless* you are within 100 miles of the U.S. border or they have probable cause the car contains evidence of a crime
- App companies/platforms have their own protocols — check whether your platform has an ICE response policy

SECTION 3

# Public vs. Private Spaces

*The difference is critical*

# Public vs. Private Spaces at Work

*Where you are determines what ICE can do*

## **PUBLIC SPACES**

- Sidewalks, streets, public parks, bus stops
- Supermarket, retail stores
- Dining areas of a restaurant
- Office and hotel lobbies
- Fields
- \_\_\_\_\_?

## **PRIVATE SPACES**

- Your home or private residence
- Employee-only areas:
  - Break rooms/locker rooms,
  - Back offices and supply rooms
  - Work floors not open to the public
  - Restaurant kitchens
- For domestic workers, your employer's home

# Public vs. Private Spaces at Work

*Where you are determines what ICE can do*

## PUBLIC SPACES

- ICE does NOT need a warrant to be present in a public space
- ICE can approach and ask questions
- You are NOT required to stop or answer questions – ask if you are free to leave
- If ICE grabs you without a warrant in public, it may be an unlawful seizure — document it
- ICE *can* make arrests with an **administrative warrant**

## PRIVATE SPACES

- ICE CANNOT enter without a **judicial warrant** signed by a judge
- An **administrative warrant** (signed by an ICE officer) is NOT enough to enter or make an arrest
- Calmly ask: “Do you have a **judicial warrant?**” – if not, you may deny entry
- Employers have the right to refuse ICE access to private work areas without a **judicial warrant**

SECTION 4

# Judicial Warrants vs. Administrative Warrants

*The difference is critical*

# Judicial Warrant vs. Administrative Warrant

*Always ask: "Is this signed by a judge?"*

## JUDICIAL WARRANT

- Signed by a federal judge or magistrate
- Examples: Form AO 93 (Search) or Form AO 442 (Arrest)
- Contains phrases like "United States District Court"
- Must name the specific person, location, and items to be seized
- Your employer cannot refuse entry when ICE presents a valid judicial warrant

## ADMINISTRATIVE WARRANT

- Signed by an ICE or DHS supervisor – *NOT a judge*
- Examples: Form I-200 (Arrest of Alien) or Form I-205 (Removal/ Deportation)
- Does NOT authorize entry into private spaces or businesses
- Employers and individual employees can legally deny entry to private areas based solely on an administrative warrant

# Judicial Warrant vs. Administrative Warrant

Ask ICE to slide the warrant under the door or show it through a window to look at it

## JUDICIAL WARRANT – Page 1 – Verify

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):

er present during the execution of the warrant, must prepare an inventory and inventory to \_\_\_\_\_

(United States Magistrate Judge)

Immediate notification may have an adverse result listed in 18 U.S.C. \_\_\_\_\_  
ficer executing this warrant to delay notice to the person who, or whose \_\_\_\_\_  
(e box)

facts justifying, the later specific date of \_\_\_\_\_

Judge's signature


Printed name and title

# Judicial Warrant vs. Administrative Warrant

*Ask ICE to slide the warrant under the door or show it through a window to look at it*

## JUDICIAL WARRANT – Page 2 – Limit access to areas/items/people described

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

Return		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized: 		

# Judicial Warrant vs. Administrative Warrant

*Ask ICE to slide the warrant under the door or show it through a window to look at it*

## ADMINISTRATIVE WARRANT

DHS is Not  
a Court



**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

# Judicial Warrant vs. Administrative Warrant

Ask ICE to slide the warrant under the door or show it through a window to look at it

## ADMINISTRATIVE WARRANT

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 \_\_\_\_\_ on \_\_\_\_\_, and the contents of this  
(Name of Alien) (Date of Service)

notice were read to him or her in the \_\_\_\_\_ language.  
(Language)

\_\_\_\_\_  
Name and Signature of Officer

\_\_\_\_\_  
Name or Number of Interpreter (if applicable)

SAN



Immigration  
Officers are  
Not Judges

SECTION 5

# I-9 Inspection vs. Worksite Raid

*Understanding the difference protects both workers and employers*

# I-9 Inspection vs. Worksite Enforcement Raid

*Not just paperwork review – ICE can use it as the first step toward a raid*

## I-9 INSPECTION (AUDIT)

- ICE/HSI gives employer a written Notice of Inspection (NOI) and often a subpoena for additional documents
  - Employer has 3 business days to produce I-9 forms
  - Employers should consult legal counsel and correct errors in documentation
  - If forms are missing, incomplete, or have errors, employers will likely be required to pay a fine.
- Workers ARE NOT immediately arrested — this is a paper review
  - Employer MUST notify workers within 5 business days under the Immigrant Worker Protection Act
    - Use the time wisely, consult an immigration attorney
  - ICE **may** use this audit to identify workers to target in a future raid
    - Weeks or months later

# I-9 Inspection vs. Worksite Enforcement Raid

## WORKSITE ENFORCEMENT RAID

- An ICE raid is an immigration enforcement operation in which officers may enter a workplace or other location to detain individuals, gather evidence, or execute warrants related to immigration or criminal investigations.
- ICE agents arrive in force
  - often unannounced
  - sometimes in plain clothes
- ICE will try to control the scene and question workers
- ICE needs a JUDICIAL warrant to enter non-public areas
- Employers who consented to ICE entry without a judicial warrant may face legal liability

# Outline of an ICE Raid

- Investigation Begins
- ICE Arrives – often multiple vehicles
- Review the Warrant
- Agents Conduct Search/Questioning
- Possible Detentions or Arrests
- Document What Happened
- Contact Counsel and Respond



# Pre-Enforcement Investigation (Before Agents Arrive)

*Step One: An ICE raid often begins long before agents arrive*

- ICE may investigate before any on-site action, including:
- Reviewing tips or complaints
- Conducting surveillance
- Auditing employment records (such as I-9s)
- Coordinating with other agencies
- Obtaining a judicial warrant, administrative warrant, or search authorization



# Arrival of ICE Agents at the Business

*Step Two: Stay calm. Ask to see documentation*

Agents will arrive unannounced and:

- Identify themselves as federal officers
- Seek entry into the workplace
- Present a warrant or other document
- Attempt to speak with management or the owner
- Secure entrances or restrict movement
- Key Objectives:
  - Determine what kind of document they have.
  - Alert your supervisor or designated ICE response point of contact



# Review of Warrant / Assertion of Rights

## *Step Three: Review Warrant or Refuse Consent*

At this stage, your **employer** should:

- Ask for a copy of any warrants
- Review scope (areas covered, items sought, named individuals)
- Contact legal counsel immediately
- Designate / Activate the point person to interact with agents
- Refuse consent to searches beyond what is authorized

You can also calmly assert your individual rights if confronted!



# Enforcement Activity Inside the Worksite

## *Step Four: Search – Interviews – Seizures – Detentions*

ICE Agents can:

- Search specified areas
- Request records
- Seize documents or electronic devices
- Photograph or inventory evidence
- Interview workers
- Agents may separate employees
- Management may be instructed not to interfere
- Some individuals may be detained or arrested
- Key Objective: Stay calm, do not physically resist

SECTION 6

# What To Do During a Worksite Raid

*Spread power, not panic*

# Employee Action Items

## What if they Have a Judicial Warrant?

- First, slowly and calmly make your way to a private space in the workplace and shut the door.
  - *Unless* ICE has already instructed otherwise.
- When confronted by ICE, ask if you are free to leave.
- Remain silent – Do not engage with ICE. Only speak to say “I am exercising my right to remain silent. I want to speak with an attorney.”
- Then stop talking. *Really.*

## Employees' Responsibilities in an ICE Raid

**REMAIN SILENT**

**DO NOT LIE ABOUT STATUS**

**DO NOT SIGN DOCUMENTS**



# Employee Action Items

## *What if they Have an Actual Warrant?*

- Do not carry or present fake documentation
- Make sure your electronic devices are locked with a non-biometric password.
  - No face or fingerprint ID
  - Use a passcode you must enter manually
- DO NOT SIGN ANYTHING.
- Document what you observe.
- Once in a private space, contact an attorney or local organization if the point of contact has not already done so.

## Employees' Responsibilities in an ICE Raid

REMAIN SILENT

DO NOT LIE ABOUT STATUS

DO NOT SIGN DOCUMENTS



# COMMON COERCIVE TACTICS

*ICE is not your friend. They may:*

- Threaten to bring I-9 Audits
- Claim you are not entitled to see the warrant
- Present a warrant that does not describe the area to be searched and claim they can search everywhere
- Tell you if you cooperate or sign papers, they will be lenient
- Tell everyone of a certain nationality to go stand in a specified area
- Ask everyone with TPS to raise their hand



# How to Be a Bystander to an ICE Raid

*Your role is crucial: safely document the scene.*

## What you **SHOULD** do:

- Stay calm and keep a safe distance
- Observe and document: names, badges, arrests
- Record, if safe to do so, and narrate your recording.
- You have a First Amendment right to record law enforcement actions in public spaces.
- Contact legal support or rapid response networks

## What you should **NOT** do:

- Do NOT interfere or escalate the situation
- Do NOT touch, push, or hit an officer.
- Do NOT run away; if you leave the situation, walk calmly.
- Remember: ICE agent misconduct should not be challenged in the workplace.



SECTION 7

# Talking To Your Employer About an ICE Response Plan

*How to have this important conversation professionally and effectively*

# How to Raise the Topic with Your Employer

*Frame it as protecting the business, workers, AND compliance with Washington law*

- Lead with the law: “Are you aware of the newly passed state law (the Immigrant Workers Protection Act) which requires employers to provide employees with notice and information about I-9 audits once they occur?”
- Avoid any implication about the immigration status of current workers — frame it as general workplace preparedness
  - "I'd like to discuss our company's plan for responding to a government workplace inspection"
- Describe it as a way to maintain business operations: A raid or inspection disrupts operations, creates legal exposure, and affects all employees
- Reference what other responsible WA employers are doing: consulting legal counsel, conducting internal I-9 audits, and training managers
- If you feel retaliation risk is high (even though it is illegal), raise the issue through a union representative, HR, or an anonymous suggestion channel

# What a Good Employer ICE Response Plan Includes

*Share this checklist with HR or management. Washington law requires action on these items.*

- ❑ Designate a trained manager(s) as the ICE point of contact for all workplace inspections
- ❑ Know the warrant rule: ALWAYS ask for a judicial warrant before allowing access to private areas
- ❑ Consult an immigration attorney to review your plan in advance
- ❑ Conduct an internal I-9 audit to identify and correct any documentation errors before a federal inspection
- ❑ Create a written protocol for notifying all employees within 5 business days of receiving a Notice of Inspection

# What a Good Employer ICE Response Plan Includes

*Share this checklist with HR or management. Washington law requires action on these items.*

- ❑ Post a multilingual rapid response contacts list in all employee common areas
- ❑ Train ALL managers to never reference immigration status in disciplinary or wage discussions
- ❑ Distribute worker rights wallet cards in workers' languages to all employees
- ❑ Review and update all employee handbook language to ensure no terms could constitute immigration-based coercion
- ❑ Establish a confidential worker complaint channel with clear anti-retaliation protections

SECTION 8

# Individual Safety Planning

*Personal steps every worker can take — with or without employer support*

# Safety Planning as an Individual Worker

*Prepare before a crisis — these steps can make a critical difference*

- Consult an immigration attorney now — before any enforcement action — to review your options and documents
- Memorize the phone number of a trusted attorney or legal organization — you may not have access to your phone after arrest
- Carry a “know your rights” wallet card with your rights in English and your home language
- Know your local rapid response network — WAISN (WA Immigrant Solidarity Network) at 1-844-RAID-REP (724-3737)

# Safety Planning as an Individual Worker

*Prepare before a crisis — these steps can make a critical difference*

- Create a family communication plan: Who to call, where children will go, who holds power of attorney
- Prepare a "family preparedness packet": Copies of important documents, power of attorney, emergency contact list — kept with a trusted friend
- If you have children, establish a childcare plan and consider signing a Caregiver Authorization Affidavit
- Identify 2–3 trusted people (at work, home, community) who know your plan and can take action if you are detained

# Documents to Prepare NOW

## Identity & Status

- Passport or consular ID card
- Visa, work permit (EAD), or green card (if applicable)
- Birth certificates

## Family & Legal

- Marriage or domestic partnership certificate
- Power of attorney for trusted adult
- Caregiver authorization

## Financial & Housing

- Bank account information and access for trusted person
- Lease or mortgage documents
- Health records & insurance cards

## Emergency Contacts

- Immigration attorney
- Trusted family member, friend, and coworker
- Rapid response hotlines

SECTION 9

# Who To Call: Resources And Emergency Contacts

*Keep these numbers saved — share them with family and trusted co-workers*

# Washington State Resources for Immigrant Workers

*Save these numbers NOW — before you need them*

## **WAISN Rapid Response Hotline**

**1-844-724-3737**

WA Immigrant Solidarity Network — rapid response to ICE enforcement actions

## **Northwest Immigrant Rights Project**

**206-587-4009**

NWIRP — free & low-cost legal representation for immigrants statewide

## **WA Labor & Industries (L&I) Worker Hotline**

**1-866-219-7321**

File wage theft, safety, or SSB 5104 coercion complaints

## **WA State Attorney General's Office**

**1-800-551-4636**

Report employer violations of HB 2105, SSB 5104, and Keep Washington Working Act

## **Casa Latina (Seattle)**

**206-956-0779**

Domestic worker support, day laborer rights, know-your-rights education

# Take-Home Reminders

1

You have the right to remain silent — always. Say: "I am exercising my right to remain silent. I want an attorney."

2

ICE CANNOT enter private spaces without a JUDICIAL warrant signed by a judge.

3

Washington has strong worker protection laws. Your employer cannot retaliate based on immigration status.

4

Your employer MUST notify you within 5 days of an I-9 inspection (effective October 2026).

5

You may use paid sick leave to prepare for or attend immigration proceedings for yourself or family members.

6

Create family & workplace preparedness plans – designate emergency contact, memorize attorney's number.

ALL QUESTIONS ANSWERED

# Questions & Open Discussion

*No question is too small. Your safety and your rights matter.*