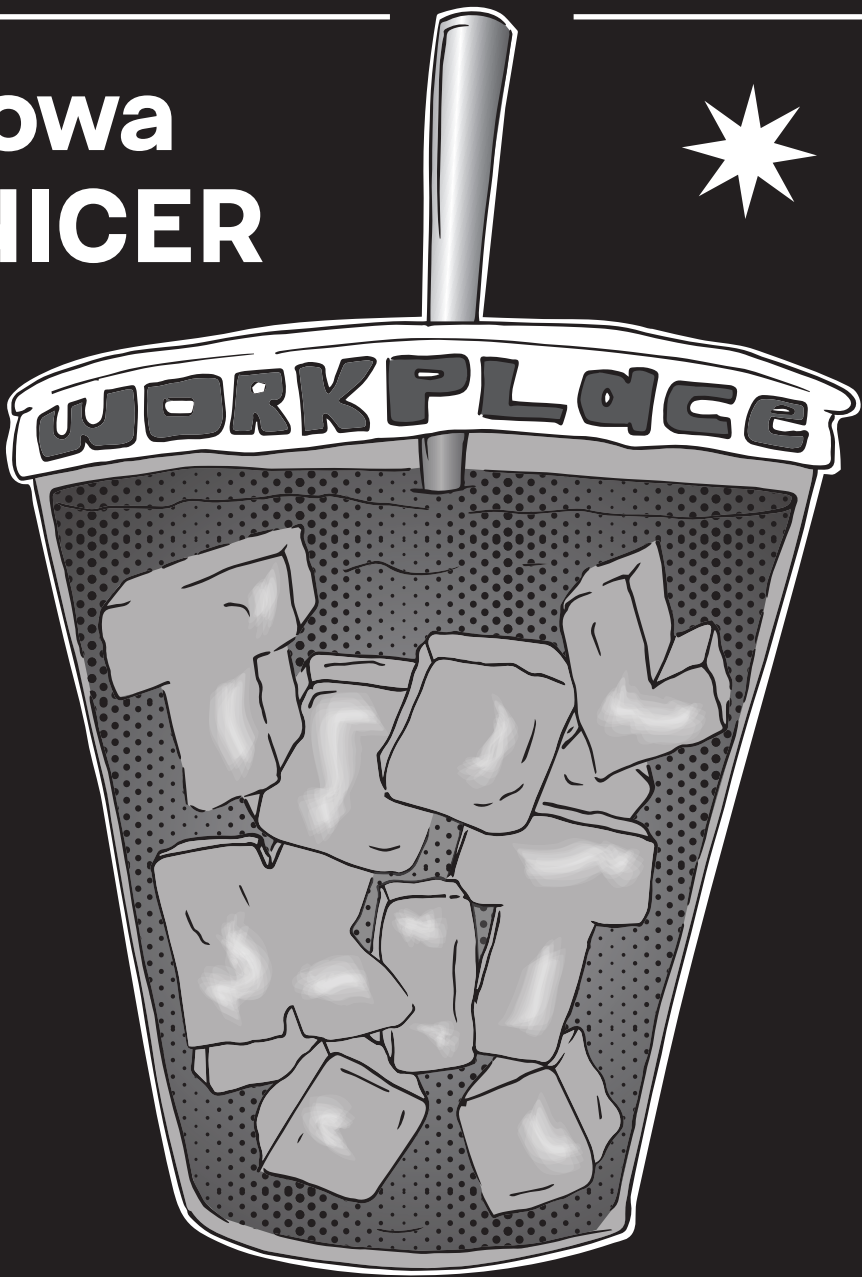


**Iowa
NICER**



**Workplace
Toolkit**



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Attacks on our immigrant population affect **immigrant workers, employers** and our **whole community**. This Iowa NICER toolkit helps local businesses know how they can best prepare for interactions with ICE and protect their team. It covers the most common immigration actions affecting employers, employers' rights and responsibilities, recommendations for how employers can prepare, and what employers can do after an Immigration and Customs Enforcement (ICE) action.

Important!

This guide is general information. It is not legal advice. Talk to an immigration lawyer or contact Iowa Migrant Movement for Justice (Iowa MMJ) for specific advice in your case.

For a digital copy of this toolkit with active links, or for a printable pdf to share – use the QR code below or visit: www.iowaNICER.com.



Common

Immigration

Enforcement

Actions:

Immigration agents may come to your workplace for a **Form I-9 audit**; a **raid**; or to **detain specific people**.

What is a Form I-9 Audit?



A Form I-9 audit is when ICE comes to your business to check if you followed the rules for Form I-9.



Form I-9 confirms a worker's identity and authorization to work in the U.S.

Employer I-9 Requirements:

- Form I-9 is required for all new employees
- Iowa legislation calls for employers to E-verify, implementing strict I-9 compliance at the state level
- You must keep I-9 forms on file for 3 years after hiring or 1 year after the worker's last day of work, whichever is later
- Do not ask a worker to fill out Form I-9 more than once unless their work permit is about to expire or you have another valid, legal reason

Note: You do not have to keep copies of a worker's ID or work authorization documents.

If the Audit Does Not Go Well...

If ICE decides you did not follow the Form I-9 rules, you may face:



An order to stop hiring people without valid work permits.



Civil and criminal fines and penalties.
Learn more about Form I-9 in the [Handbook for Employers](#)

What Is an ICE Raid?



ICE agents go to a worksite without warning as part of an investigation into an employer.



ICE agents are **not** police officers. But their uniforms may say “Police” or “Federal Agent.” They may carry guns. Sometimes, local police officers go with ICE agents on ICE raids.

If ICE Wants to Detain a Specific Worker...

ICE agents may come to your business to try to find a particular person (or people). While they are there, they may try to question, detain, and even arrest other people.

Employer

& Employee Rights:

Business owners & employees have federally protected legal rights during a ICE actions. Most importantly:

Fifth Amendment:
Right to remain silent
and due process

Fourth Amendment:
Protection against
unreasonable search
and seizure

Creating Fourth Amendment Protected Spaces

Designate certain spaces within your workplace as private, and therefore protected by the Fourth Amendment.

A private space is a space where only staff are permitted and that is physically separate from areas open to the general public. To enter a private space, ICE needs a **judicial warrant** or **permission from the employer**.

Note:

Employers can require ICE to show a valid judicial warrant before providing information about employees or access to private spaces.

Plan, Implement & Practice Protocols

Ensure employees know their legal rights as well as specific workplace policies and emergency protocols so they can be prepared for any ICE encounters. (If you do not already have a workplace policy around ICE – you should make one! See our sample ICE Raid Protocol Checklist.)

ICE Raid Protocol To-Do List

- Designate a workplace Rapid Response Team to help draft and implement a plan
- Identify approved ICE Liaisons (preferably a manager or business owner)
- Actively & regularly train employees on the protocol – run mock scenarios like you would run fire drills!
- Make sure employees can see or access the protocol easily, and that it includes important contact information (how to reach ICE liaisons if they are not present, legal counsel, union contact, Iowa MMJ)
- Designate and clearly identify private spaces

Identifying Valid Search Warrants:

Access to search and seizure by ICE in designated private spaces requires a judicial warrant. Administrative warrants can be used to detain or arrest an individual – but do **NOT** allow access to private spaces uninvited.

Judicial Warrant

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

UNITED STATES DISTRICT COURT
for the District of Rhode Island

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)
The person of Sarah Jane Cavanaugh (YOB:1991), 26 Corey Avenue, Warwick, RI 02818, and any vehicles parked at the residence, and further described below.

Check if name is correct **Court is identifiable**

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

of the District of Rhode Island

Check if name is correct **Clearly stated search warrant**

I find that the affidavit(s), or any recorded testimony, establish probable cause to believe that the person or property described above, and that such search will reveal *(Identify the person or describe the property)* **Check if date is correct**
See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before February 17, 2022 *(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, shall return this warrant and inventory as required by law and promptly return this warrant and inventory to _____

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have been required under 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notification of the owner of the 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: 10:15 AM, Feb 3, 2022

City and state: Providence, Rhode Island

Must be signed by a judge

Lincoln D. Almond, U.S. Magistrate Judge
Printed name and title

ICE (Administrative) Warrant

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

File No. _____
Date: _____

To: Any individual identified pursuant to sections 236 and 287 of the
Immigration and Nationality Act and part 287 of title 8, Code of Federal
Regulations who is subject to arrest for immigration violations

Dept. of Homeland Security

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 review of the subject's records in the databases that affirmatively indicate, by themselves or in combination with other 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 _____
on _____ on _____ 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)

Check if name is correct

Will be signed by an ICE agent

Form I-200 (Rev. 09/16)

Some things to look for to **confirm** ICE has a valid judicial warrant:

Judicial warrants require a full name of the targeted individual, specific location address and description of the individual.

A judicial warrant will be issued by a District Court – not by Homeland Security

Judicial warrants must be executed within a specific timeframe to be valid.

Judicial warrants require the signature of a judge from that district (if it is signed by an ICE officer, it is likely an administrative warrant)

Can ICE legally detain employees not specified in the judicial warrant?



In 2025 the Supreme Court allowed ICE to resume stopping individuals based on factors including race, language spoken, and type of work. This means even employees with legal documentation are at risk of arrest or detention during an ICE raid **if ICE is provided access.**



ICE agents can legally detain employees without a warrant (in public spaces or in private spaces they have entered with a warrant or invitation) if they have “reasonable suspicion”.

Sample ICE Raid Protocol Checklist

Below is an example of steps you can incorporate in a workplace policy and practice as a team.

In Case of ICE Audit

Person responsible: Business Owner

- Contact legal team immediately
- Gather and verify key documentation
- Review ICE findings and correct minor errors
- Work with legal counsel to handle serious issues

In Case of ICE Raid

Immediate Steps (While waiting for Liason)

- Notify Rapid Response Team and have ICE agents wait to speak with Designated Liason
- ★ Do NOT answer any questions or allow ICE beyond public spaces while they wait.
- ★ Employees can say: "I can't give you permission to enter or answer any questions. You must speak with my employer."

On-site Protocol for Valid Warrant (Designated Liason):

- Follow ICE throughout the site (no interference)
- ★ Do not hide workers, destroy documents or give false information (you could be held criminally liable for these actions)
- Actively inform present employees of their rights when ICE is on-site
- ★ Do not talk to or help ICE when you don't have to
- Object to search or seizure of places or documents not specified in the judicial warrant

Sample ICE Raid Protocol Checklist

In Case of ICE Raid (cont.)

Documentation Protocol (Designated Liason)



A member of the Rapid Response Team can legally record photos and video of the ICE agents if there are not cameras at the business.

Rapid Reponse Team should track and record:

- How many ICE agents were present (inside and outside)?
- What agency did they represent (what identifying information was on their uniforms)?
- Did the agents make you or workers believe you could not move or leave?
- Did the agents mistreat anyone?
- Request and record the agent badge numbers.
- If ICE arrests anyone, ask where they are being taken.
- Create an inventory list of all documents, files, or devices taken
- Preserve internal communication

Guidance During a Raid

For Additional Employees

- ✦ Stay calm and stay silent: Remind each other that you do not have to talk to ICE agents
- ✦ Wait in private areas
- ✦ No one should run away! Running gives ICE agents the justification to detain, arrest, and enter private areas

Contacts:

Iowa MMJ ICE Hotline: 515-505-8805

Business Owner:

Name: _____

Email: _____

Phone: _____

Legal Contact/Counsel:

Name: _____

Email: _____

Phone: _____

Union Contact:

Name: _____

Email: _____

Phone: _____

Tips to Support Employees After:

As the employer, you can make a big difference in supporting your employees after ICE action. Some things you can do:

- Record all facts about the raid immediately after
 - This includes saving copies of security footage of raid
- Notify family members about any detained employee
- Notify the employees' union
- Help secure legal assistance for employees
 - Contact an immigration attorney or an immigrant rights organization such as Iowa MMJ for help
- Offer leave to affected employees
 - Grant workers leave to get their affairs in order
- Pay owed and separation wages
- Take time to process as a team together

Local

Resources:

Iowa Migrant Movement for Justice (Iowa MMJ)

ICE Hotline: 515-505-8805

Iowa MMJ Phone Number: 515-255-9809

Website: www.iowammj.org

Email: info@iowammj.org

American Civil Liberties Union (ACLU) of Iowa

Phone: 515-243-3988

Website: www.aclu-ia.org

Email: info@aclu-ia.org

Email for legal questions: legal.program@aclu-ia.org

A primary source of information provided in this toolkit is the National Immigration Law Center – A Guide for Employers: What to Do if Immigration Comes to Your Workplace. Visit their site for more details and resources about your rights and what you can do.

Protect Our Rights



And Eachother