

HANDOUT: Sample ICE Workplace Policies & Raid Preparedness Plan (2025)

These materials are based on resources from the [National Immigration Law Center](#), the [American Civil Liberties Union](#), [HIAS PA](#), union contracts, and the [AFL-CIO Frontline Solidarity Toolkit](#).

Workplace Policies: Immigration Enforcement at Work

Access

1. Access generally:
 - No one outside of employees are permitted to enter non-public areas of the workplace without specific authorization.
 - The employer will clearly mark all private areas with signs.
2. ICE restricted access:
 - ICE agents are not permitted to enter non-public areas of the workplace without a valid, signed judicial warrant issued by a court.
 - A warrant signed by a DHS supervisor (administrative warrant, such as Form I-200 or I-205) does not grant ICE agents permission to enter non-public areas.
3. ICE access to information:
 - Employee information will be kept confidential from ICE agents unless they present a subpoena issued by a court.
 - During an I-9 audit, employers may be required to share I-9 forms but should not share additional personnel information without a subpoena issued by a court.
4. Employee and management responsibilities:
 - If ICE agents come to the business, any employee should immediately notify a supervisor or the designated company representative who will demand and review the signed judicial warrant or subpoena or accept the notice of inspection for I-9 records.

Procedures

1. Procedure for handling ICE visits:
 - Any ICE agent requesting access must wait in a public area of the workplace while their request is reviewed to ensure a signed judicial warrant.
 - If a judicial warrant is presented, the designated company representative will assess its validity before granting access. Only designated personnel are authorized to review and verify the validity of any warrant presented.
 - During an ICE raid all employees are instructed to wait in the private area during an ICE raid, not to flee, and advised not to speak to ICE.
 - If ICE agents try to question anyone the designated representative will remind the workers they have a right to stay silent and to ask for a lawyer.
 - If ICE agents attempt to enter non-public areas without a valid judicial warrant, they will be informed of the company policy and politely denied access.

- If ICE does have a valid judicial warrant for a specific employee, have that employee come out to talk to ICE rather than provide ICE access to the private area(s).

Non-Retaliation and Leave

1. Non-retaliation and confidentiality:

- Employees who are affected by immigration enforcement actions will not face retaliation or discrimination.
- The company will maintain confidentiality and protect employee information in compliance with applicable laws.

2. Employee leave

- The employer will not penalize an employee for an absence related to attendance of any immigration-related appointment, interview, or proceeding and will provide paid time off as practicable for an employee's immigration related needs.
- If an extended leave of absence is necessary, the employer will reinstate any employee who is absent from work due to immigration court or agency proceedings.

Separation Pay & Procedures

1. Owed wages and separation pay

- If an employee cannot return to work due to immigration related circumstances, all owed wages and accrued benefits will be paid as soon as possible.
- Separation pay of 2 weeks pay per year of service will be provided for any employee.

2. References for future jobs

- The employer commits to provide a neutral or positive reference to future employers.

Employee Training & Support

1. Employee rights and training:

- Employees will be provided with KYR cards and advised of their right to remain silent and to ask for a lawyer in interactions with ICE and law enforcement.
- Employees will be provided with KYR training and additional legal resources.
- Employees will be provided copies of these policies and post them in the workplace.

2. Legal resources:

- For immigration organizations that provide direct representation to immigrants:
 - [HIAS Pennsylvania](http://hiaspa.org/), <http://hiaspa.org/>
 - [Esperanza Immigration Legal Services](http://www.esperanza.us/eils/), <http://www.esperanza.us/eils/>
 - [Nationalities Service Center](http://nscphila.org/), <http://nscphila.org/>

Implementation

These policies will be effective immediately. They will be included in the employee handbook or other onboarding or training materials, and covered in regular training sessions to ensure all employees and managers understand the policy and their roles.

ICE Raid Preparedness Plan

1) Do not give ICE access without a signed judicial warrant

- a) A worker can say: "I can't give you permission to enter. You must speak with my supervisor/employer." A supervisor/ employer can say "I am not authorizing you to enter without a signed judicial warrant."
- b) If ICE agents have questions or requests, workers should say nothing, or say, "You are not allowed to enter. Talk to my supervisor/employer."
- c) If ICE agents try to enter a private area, you should say: "This is a private area. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?"

2) Identifying a judicial warrant or subpoena

- a) A judicial warrant or subpoena must be signed by a judge and say "U.S. District Court" or a state court at the top. Sometimes, ICE agents try to use an administrative warrant to enter, which does NOT allow agents to enter private areas without your permission. Administrative warrants are not from a court and are from the "Department of Homeland Security" and may be on Forms I-200 or I-205.
- b) Do not help ICE agents sort people by immigration status or country of origin.
- c) Watch the agents and see if they are complying with what's written in the warrant in terms of the location or person to be "searched."

3) During the raid

- a) Stay calm and do not run.
- b) All workers should wait in the private area during an ICE raid, not to flee, and advised not to speak to ICE. Remember always your right to remain silent and speak to a lawyer.
- c) ICE agents may try to stop, question, or even arrest a worker without the proper authority. The best way for workers to protect their rights is to stay silent and ask for an attorney. Workers do not have to hand over any IDs or papers to ICE. All workers have this right.
- d) If you are able and comfortable, you can film and document the interactions.
- e) If you are able and comfortable, ask ICE agents for their badge numbers.
- f) If ICE arrests anyone, ask the ICE agents where they are being taken. This information will help the worker's family and lawyer find the person.

4) After the raid

- a) Write or record these things after ICE leaves:
 - i) How many ICE agents were present (inside and outside)?
 - ii) How were the agents dressed? Were they armed?
 - iii) Did the agents make you or your workers believe you could not move or leave?
 - iv) Did the agents mistreat anyone? If yes, how?