



ASSEMBLY MEMBER

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(I)

Governor Brown Signs Bill to Provide Labor Protections Against ICE Worksite Raids



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AB 450 -- The Immigrant Worker Protection Act -- continues CA's challenge to Trump's deportation machine and goes further than any state to put worker protections into law

SACRAMENTO--Governor Brown today signed Assembly Bill 450 by Assemblymember David Chiu (D-San Francisco), the Immigrant Worker Protection Act, that affirmatively protects workers from immigration enforcement through disruptive workplace raids. AB 450 comes as arrests of immigrants with no criminal record have more than doubled so far in 2017, and many advocates for immigrants fear that worksite raids are next. The Act will take effect on January 1, 2018.

"Governor Brown understands that in an environment of division and fear, California must continue to defend its workers, to guard its values, and to ensure that its laws protect all of our residents," said Assemblymember Chiu, a son of immigrants and a former civil rights attorney. "AB 450 demonstrates California's determination to protect our economy and the people who are working hard to contribute to our communities and raise their families in dignity. At the same time, we are offering employers clarity about what to do when ICE agents target their places of business with indiscriminate raids."

California has not had a good history with worksite raids. Past raids occurred under the auspices of narrow individual arrest warrants that ICE used to question and detain every single worker at a worksite, including U.S. citizens and workers lawfully present - violating their basic constitutional rights.

"California has the chance to lead the nation and demonstrate that the answer to mindless hate and indiscriminate targeting of immigrants is respect for every individual's legal rights and due process," said David Huerta, SEIU USWW President. "By signing AB 450, the Governor stood up for fairness and the rule of law. This measure not only protects workers from unfair detention, it also helps workers know their rights and offers employers important clarity about appropriate action to take when ICE agents target their businesses with indiscriminate raids. One in every 10 workers in California is an undocumented immigrant. Immigrants

pick our crops, prepare our meals, care for our children and elders, clean our buildings, and are woven into the fabric of our workplaces, our economy, and our lives. California must take every step it can to ensure that our workplaces do not become the site of illegal detention and wanton violations of workers' rights."

"Immigrant workers shouldn't have to live in fear on the job," said California Labor Federation Executive Secretary-Treasurer Art Pulaski. "AB 450 builds on California's proud tradition of protecting all workers. Given the threats immigrants face, this law is critical to California's efforts to keep workers safe and families from being ripped apart."

Specific provisions of AB 450 include:

- Protecting workers from being wrongfully detained in their workplace by requiring employers to ask for a judicial warrant before granting ICE access to a worksite.
- Preventing employers from sharing confidential employee information, such as a social security number, without at least a subpoena.
- Requiring employers to notify employees both before an audit of employee records takes place and also providing the employee with results of those audits.
- Prohibiting employers from reverifying the information on employment verification forms unless specifically compelled to by federal law.

Nationwide, there are **reports** (<http://www.usatoday.com/story/news/nation-now/2017/02/24/restaurant-immigration-raids/98360024/>) of ICE agents descending on worksites for mass roundups of immigrants. The Trump administration has called for hiring **10,000 more ICE agents** (https://www.nytimes.com/2017/02/25/us/ice-immigrant-deportations-trump.html?_r=0) to expedite deportations. In California, workers have reported employers threatening to call immigration authorities when workers attempt to exercise their rights to minimum wages, meal breaks, or organizing activity that are protected by California law regardless of status.

As the **Los Angeles Times** (<http://www.latimes.com/business/la-fi-immigrants-economic-impact-20170223-story.html>) has reported, ICE raids and Trump's threats of mass deportation have sparked fear among employers as well as immigrant communities. According to the **Public Policy Institute of California** (http://www.ppic.org/main/publication_show.asp?i=818), over 2.6 million undocumented immigrants reside in California. Undocumented workers make up 45 percent of California's agricultural workforce and 21 percent of construction. In fact, almost 1 in every 10 workers in California is undocumented.

The Immigrant Worker Protection Act is sponsored by SEIU California and the California Labor Federation and co-authored by State Senator Scott Wiener (D-San Francisco) and Assemblymembers Phil Ting (D-San Francisco), Rob Bonta (D-Oakland), Lorena Gonzalez Fletcher (D-San Diego), and Miguel Santiago (D-Los Angeles).

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Assemblymember David Chiu (D-San Francisco) is the Chair of the Housing & Community Development Committee of the California State Assembly. He represents the 17th Assembly District, which encompasses eastern San Francisco. Learn more at: <https://a17.asmdc.org/> (<https://a17.asmdc.org/>)

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Contact

Capitol Office:

State Capitol

P.O. Box 942849

Sacramento, CA 94249-0017

Tel: (916) 319-2017

Fax: (916) 319-2117

District Office:

455 Golden Gate Avenue

Suite 14300

San Francisco, CA 94102

Tel: (415) 557-3013

Fax: (415) 557-3015

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