ICE Raids – Protect Your Workers



ICE, or Immigration and Customs Enforcement, is a federal law enforcement agency that has been in the news more frequently than not for its strict crack down on workers and everyday citizens alike who are allegedly residing and working in the U.S. illegally. ICE was established in 2003 under the Department of Homeland Security to reduce the amount of transnational crime and illegal immigration occurring in the states while promoting national security and public safety – but what happens when an ICE raid threatens the lives of workers?

Under the Trump administration, ICE raids have become the norm on U.S. work sites and at protests against the anti-illegal immigration regime the president has implemented. Recently, a farm worker fatally fell off of a roof while hiding from ICE agents at Glass House Farms, a cannabis farm in Ventura County, California and his place of work for the last decade. The worker – Jaime Alanís – is the first person to die during the immigration raids under the Trump administration.

Political and personal opinions aside, this incident has serious implications for workplace safety. How do you protect your workers from discrimination, harm, and harassment under a federal governance that aims to deport them by any means necessary, and how do you perform a workplace audit to ensure your employees all have valid citizenship or a similar arrangement to avoid a fate like that of Mr. Alanís?

Preparing your farming and field work employees for the possibility of an ICE raid involves both practical steps to ensure their safety and legal rights, as well as providing them with emotional support and clear communication. Here's a plan to help them stay calm and compliant:

1. **Educate Your Employees on Their Rights**
    - **Right to remain silent:** Employees should be informed that they have the right to remain silent and should not answer questions from ICE agents about their immigration status.
    - **Right to an attorney:** If detained, they should know they can ask for a lawyer.
    - **Right to refuse entry:** ICE agents cannot enter the property without a warrant signed by a judge. Employees should be taught to ask for a copy of the warrant if ICE tries to enter.

Action:

- Hold regular workshops or information sessions on workers' rights.
- Provide multilingual brochures or materials to explain these rights clearly.

2. **Create a Clear Action Plan for an ICE Raid**
    - **Designate a point of contact:** Appoint someone (like a manager or legal representative) to be the first point of contact for ICE if they show up. This person should know the legal steps to take.
    - **Ensure key personnel are trained:** Managers and supervisors should be trained to stay calm, provide support to employees, and handle the situation with authorities while protecting employees' rights.

    Action:

    - Develop a clear plan of action that outlines what employees should do if ICE arrives, including steps like staying calm, not opening the door without a warrant, and knowing how to reach legal counsel.
    - Ensure the team is familiar with emergency contacts for legal aid or support networks.
3. **Create a Supportive, Calm Environment**
    - **Stay calm:** Leading by example is key. If management remains calm and collected, employees are more likely to follow suit.
    - **Mental health resources:** Raids can be traumatic for workers. Providing access to mental health support, whether through counseling or community resources, can help employees stay mentally prepared and deal with grief related to losses of life like that of Jaime Alanís.

    Action:

    - Consider offering mental health resources or partnering with a local organization to provide counseling services.
    - Encourage open communication and emotional support amongst staff.
4. **Establish Regular Communication Channels**
    - **Updates:** Provide regular updates on the status of immigration enforcement in your area. If there is an uptick in raids near you, talk about it openly with your team and answer any questions they may have to the best of your abilities.
    - **Reassurance:** Let your employees know that you are committed to their safety and rights, which will reduce fear and confusion in case of an actual raid.

    Action:

    - Create a system for staying in contact with your employees about any legal changes that might impact them.
    - Hold regular team meetings to discuss safety measures and reassure staff that their wellbeing is a priority.
5. **Have a Written Policy**

- **Clear expectations:** A written policy that defines what steps to take in the event of an ICE raid can provide structure and clarity for all employees.
- **Legal consultation:** Work with an attorney to make sure the policy complies with the law and is in the best interest of both the employer and employees.

Action:

- Develop a formal written policy that includes steps to take in case of a raid.
- Review the policy with employees regularly.

6. **Build Trust and Unity Among Employees**

   - **Support system:** Encourage employees to support one another. Strong internal networks can help people stay calm and act collectively during a crisis.
   - **No retaliation policy:** Make it clear that no worker will be penalized for following their rights. Create a safe and supportive environment where employees feel they can report issues without fear of retaliation.

   Action:

   - Promote a team-oriented culture where workers feel comfortable discussing concerns and supporting each other.

The death of Jamie Alanís could have been prevented in many ways – a briefing from the workplace safety manager for employees on how to calmly comply with ICE orders, an understanding of safe ladder use and emergency evacuation procedures, communication between managers and workers before, during, and after such a government-enforced, frenzied workplace incursion. But instead of ruminating on how this could have been prevented, let’s take the first step in ensuring it doesn’t happen at your workplace by implementing these safety measures and clear methods of communication. ICE raids are a commonplace measure of the Trump government’s quotidian procedures, but that does not mean they have to result in workplace tragedy – while you cannot control state enforcement, you can protect yourself and your workers.

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