



Solidarity Resources

Know Your Rights

*Protect Yourself, Your Family
and Your Coworkers*



The Culinary Union is Nevada's largest immigrant organization with 57,000 members who come from 167 countries and speak 40 different languages.

The Culinary Union has been fighting for fair wages, job security, and good health benefits for working men and women in Nevada for over 82 years.

Legal Disclaimer: The information in this booklet is not intended as legal advice. For more information, contact an attorney or immigrant support organization in your area.

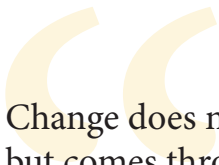


We have the opportunity to significantly advance the struggles for equality for women, immigrants and African Americans. Women, immigrants, and African Americans have built our union and our industries, but remain overrepresented among the unorganized. There can be no freedom for workers in general until those specific battles are won.

—UNITE HERE Constitution (As ratified in 2014)

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Change does not roll in on the wheels of inevitability, but comes through continuous struggle. And so we must straighten our backs and work for our freedom. A man can't ride you unless your back is bent.”

—*Martin Luther King, Jr.*



Know Your Rights

Know Your Rights

A Union: Your Best Protection on the Job

If you have a union in your workplace, you have rights.

- Speak with your UNITE HERE rep or shop steward to learn about your collective bargaining agreement and how your union contract protects you and your coworkers.
 - For example, many UNITE HERE collective bargaining agreements require employers to notify workers and the union immediately if they receive a warrant from Department of Homeland Security or a letter requiring them to e-Verify workers' Social Security numbers.
- When your contract is being negotiated, work with your coworkers to make sure your new contract includes the strongest protections for all workers regardless of their race and immigration status.
- Make a plan with your coworkers of what to do if ICE comes to your workplace, so everyone knows to stay calm, stand united, and exercise their rights.

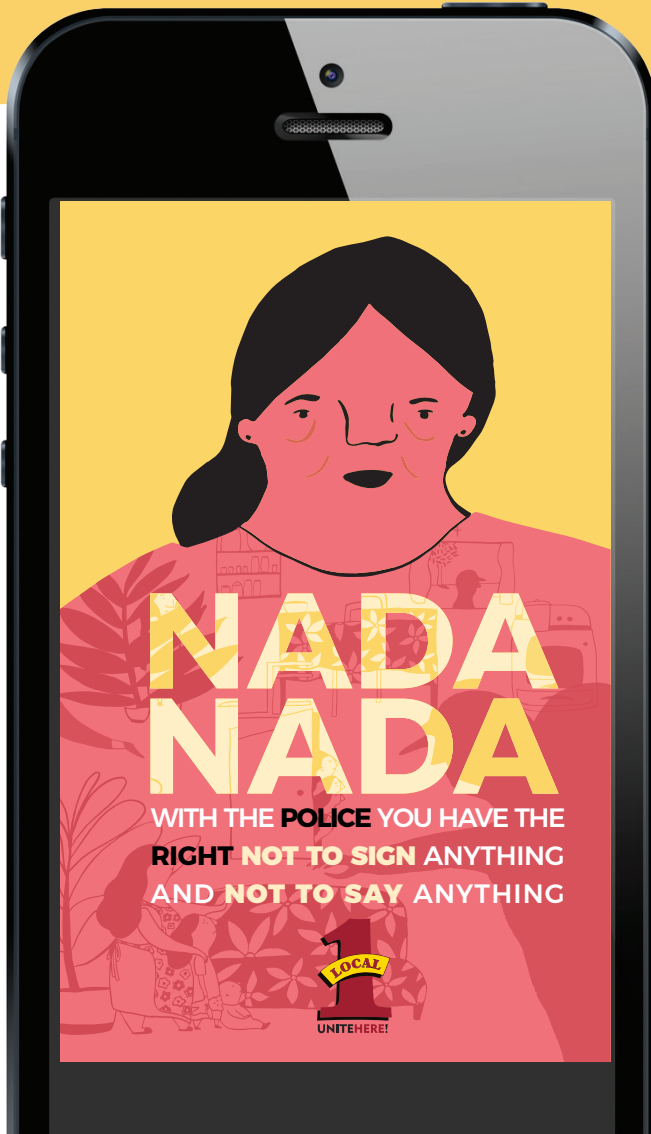


Learn more about how your UNITE HERE union contract can protect all workers:

www.unitehereimmigration.org/about-unite-here/workplace-protections-for-immigrant-workers/

UNITE HERE Local 1 in Chicago created the free #NadaNada ringtone to help us all remember our right to say nothing and sign nothing when interacting with immigration agents.

In stressful moments, it can be hard to remember your right to #NadaNada—say nothing and sign nothing. Download and share our ringtone at www.unitehere1.org/ringtone/.



If ICE comes to your workplace or stops you in public

You have the right to:

- **Remain silent and not provide information that can be used against you.** Lying or providing false information can have very serious consequences.
- **Speak to an attorney.** By speaking to an attorney before you answer questions, you can make informed decisions about what to say and what information to provide.
- **Not sign any document ICE presents to you.** You have the right to speak with an attorney before signing anything.
- **Leave if you are not being detained.** You have the right to ask the ICE officer if you are being detained or are free to go. If you are not being detained, you have the right to walk away. Stay calm and do not run.

NOTE: In case of an ICE raid in your workplace, contact your union rep or shop steward immediately.



If ICE comes to your home

You have the right to:

- **See a warrant BEFORE you open the door.** You have the right to refuse to allow ICE or police to enter your home unless the officers show a court warrant **signed by a judicial officer** (usually a judge).
- A warrant from the U.S. Department of Homeland Security is never enough! You have the right to ask ICE to slide the warrant under the door so you can inspect it. You do not have to open the door until they do. If it is an arrest warrant, it must be signed by a judicial officer and have your name on it. If it is a search warrant, it must be signed by a judicial officer and have the exact address of your home. If you open the door to ICE without a court warrant, this may be seen as giving “consent” to have your home entered and searched.
- **Remain silent.** Present the Rights Card at the end of this booklet to officers. If you talk about your immigration status, your country of origin or how you got to the U.S., this information could be used against you.

NOTE: ICE agents can and do lie in order to gain entrance to your home.



If you are stopped in your car

- You have the right to remain silent, to speak to your attorney, to leave if you are not being arrested or detained, and to not sign anything without speaking to your attorney.
- If you are the driver of the vehicle, you may be required to show your license, registration and proof of insurance.
- Take note of which kind of law enforcement agent has stopped you (sheriff, city or county police, state trooper, or immigration officer), and the name and badge number of the agent.

Remember: Presenting false documents or false identification can lead to serious legal consequences.





Make a Plan

Prepare a family plan

- 1** Find an attorney and consult with them on your immigration status.
- 2** Carry your attorney's phone number and the Rights Card on page 22 with you at all times.
- 3** Make sure your family has your attorney's phone number, your full name and date of birth, and your immigration number if you have one. This number begins with an "A" and can be found on your work permission or residency card.
- 4** Keep important documents, like birth certificates, marriage certificates, passports, and alien number, in a safe location that your family can access easily.
- 5** Make a plan to care for your family if you are detained.
 - Get a notarized letter giving a trusted family member or friend legal power to care for your children.
 - Start an emergency fund and make sure someone you trust can access this fund if you are detained to cover legal fees or pay your mortgage, for example.

Help for families

Catholic Legal Immigration Network's "Emergency Planning for Immigrant Families: A 50-State Resource" can be found here <https://cliniclegal.org/emergency-planning-for-immigrant-families>. It includes an English and Spanish guide to help immigrant parents form their plan.



Additional Resources

Apply for citizenship

Even if you are a permanent legal U.S. resident, you may not be safe from detention or deportation. The best way to protect yourself and your family is to apply to become a U.S. citizen. Many people are eligible for citizenship but have not yet applied.

Determine if you are eligible and begin the process of applying for U.S. citizenship today!

Am I eligible for citizenship?

In most cases, to apply for citizenship, you must:

- **Be 18 years old**
- **Have been a legal permanent resident for 5 years (or 3 years if you have been married to a U.S. citizen)**
- **Have resided in the state or United States Citizenship and Immigration Services (USCIS) district where you're applying for the last 3 months**
- **Have been in the United States for at least 30 months in the five years before you apply**

- **Be able to read, write, and speak basic English***
- **Have a basic knowledge of U.S. history & government**
- **Demonstrate good moral character. (Note: If you have committed certain crimes or engaged in other conduct, you may not be able to establish good moral character and may even be subject to removal. You should consult an attorney or legal support organization before applying for citizenship.)**
- **Demonstrate an attachment to the principles of the U.S. Constitution**

*You are exempt from taking the English test if you are over age 50 at the time of your application and you have lived as a permanent resident in the United States for 20 years, OR if you are over 55 at the time of your application and you have lived as a permanent resident in the country for 15 years. If you are exempt from the English test, you will still need to take the civics test, but you can take it in your native language.

Apply for Citizenship continued

What documents are required?

To apply for citizenship, you will need to submit a N-400 form (remember to keep a copy for your USCIS interview!), along with a number of documents. For details, visit <http://www.uscis.gov/us-citizenship>.

How much does It cost?

Currently, the cost is \$725. You may pay with personal check or a money order, to be included with your application. You may be eligible for a fee waiver. Learn more at <https://www.uscis.gov/feewaiver>.

How long will it take?

Once you submit your materials, USCIS will send you an appointment letter to arrange an interview, which is usually scheduled within six months of your application. Prior to your interview, USCIS will also send you a letter with the date, time, and location for the required biometrics appointment.

Where can I find a citizenship class near me?

Organizations in your community may offer English and citizenship classes that meet on evenings and weekends. For more information, visit: <http://www.uscis.gov/citizenship/learners/find-help-your-community>.

How will the interview be conducted?

Arrive 15 or 20 minutes early. Bring a copy of your N-400 form, your green card, official photo identification, and your interview appointment letter. The interviewer will ask you about your background, your application, and test your knowledge of English and civics.

At the end of your interview, you will be told whether you receive citizenship. If you don't pass the English or civics test, or if you don't provide all of the required documents, your application may be continued (placed on hold) and you will be scheduled for a second interview.

**For more information and sample tests visit
the Citizenship Resource Center:
www.uscis.gov/citizenship**

**For information on upcoming citizenship
workshops visit:
www.naturalizenow.us**

Temporary Protective Status (TPS)

More than 322,000 immigrants have permission to live and work in our country due to a form of humanitarian relief called Temporary Protective Status. Since 1990, TPS has been granted to people from countries facing violent conflict or national disaster. Only people from the following countries have TPS status now: El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, and Yemen.

President Trump and the Department of Homeland Security are now threatening to end this program in the next year, which would eliminate work permits for over 322,000 people, including many UNITE HERE members.

What can I do to help protect TPS and DACA?

- Educate your coworkers, friends and family, and urge all TPS and DACA recipients to consult an attorney about other forms of immigration relief.
- Make a plan with your local union and join forces with other organizations to fight to extend and protect TPS and DACA;
- Call on employers, elected officials, and clergy to contact the U.S. Department of Homeland Security to publicly oppose ending TPS and DACA, and provide a path to permanent legal status for people who have put down roots and are contributing to our country.

Deferred Action for Childhood Arrivals (DACA)

In 2012, President Obama established DACA to offer temporary protection to undocumented immigrants who came to the U.S. before the age of 16, have no lawful status, and meet other requirements. DACA is renewable and gives recipients certain benefits, such as an employment authorization document (EAD card), protection from deportation, and a social security number. Nearly 800,000 young adults have benefited from this program.

On September 5, 2017, U.S. Attorney General Jeff Sessions, on behalf of the entire Trump Administration, announced an end to the DACA program. Here are the top 5 things to know about his announcement*:

1. Your DACA is valid until its expiration date.

DACA and work permits (Employment Authorization Documents) will remain valid until its expiration date. To determine when your DACA and work permit expires, look at your I-795 Approval Notice and the bottom of your Employment Authorization Document (EAD).

2. No new DACA applications will be accepted.

United States Citizenship and Immigration Services (USCIS) no longer will accept or process first-time applications after September 5, 2017.

*With thanks to United We Dream, www.unitedwedream.org.

3. Applications to renew DACA status and work permits expiring between now and March 5, 2018 must be submitted and accepted by October 5, 2017.

If you have DACA and a work permit that will expire between now and March 5, 2018, you can apply to renew your DACA status and work permit for two years, but you must submit your applications, and USCIS must accept them, by October 5, 2017. Acceptance means that USCIS has reviewed your application to make sure it is complete and notified you that it has accepted your application. So don't wait until the deadline to submit your application!

4. Advance Parole to travel abroad is no longer available.

The Department of Homeland Security (DHS) will no longer grant DACA recipients permission to travel abroad through Advance Parole. Any pending applications for advance parole will not be processed and DHS will refund any associated fees.

5. We are united in this fight.

You are not alone. We mobilized, organized, and marched five years ago for DACA, and we will continue to do everything in our power to protect immigrant youth and their families across the country. Visit www.weareheretostay.org for resources to help you and your loved ones take care of yourselves in this difficult time as well as information on what you can do to take action now.

UNITE HERE will continue to work with our partner organizations to make sure that our members and their communities are well-informed and protected.

Finding Legal Help

Where can I find free or low-cost legal help?

The immigration courts have a list of lawyers and organizations that provide free legal services: www.justice.gov/eoir/list-pro-bono-legal-service-providers-map.

Nonprofit organizations that provide low-cost help can be found at www.immigrationlawhelp.org.

Carry A Rights Card

Keep this card (and the phone number of an immigration attorney) with you at all times.

These rights apply to everyone in the United States—carrying this card is an important reminder of those rights, especially for those of us in communities that face racial profiling by police or ICE.



I am exercising my constitutional right to remain silent and refuse to answer your questions. If I'm detained, I request to contact my attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney.

I do not give you permission to enter my home based on my 4th Amendment rights under the U.S. Constitution unless you have a valid judicial warrant to enter, signed by a judge.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.