EMPLOYERS MUST POST THIS NOTICE WHERE WORKERS CAN READ IT

WORKERS' RIGHTS WHEN FEDERAL IMMIGRATION AGENTS CONDUCT AN I-9 INSPECTION OF THE WORKPLACE

The Immigrant Worker Protection Act (IWPA) is a Washington state law that requires your employer to notify you when federal immigration agents conduct an I-9 inspection of the business or worksite. An I-9 inspection is when federal immigration agents, including ICE, inspect whether an employer has properly completed I-9s.

ANY PERSON CAN EMAIL OR CALL THE WASHINGTON STATE ATTORNEY GENERAL'S OFFICE TO LEARN MORE, SHARE CONCERNS, OR REPORT POTENTIAL VIOLATIONS.

IWPA@atg.wa.gov

(206) 254-4270

The IWPA requires employers to do two things:

1. Within five business days of receiving notification from a federal agency of any inspection of I-9s and related worker records, employers must directly notify their workers (and their union or collective bargaining representative, if any) of the inspection and post notice of the inspection in an area where all workers can see it.

IWPA

2. Within five business days of receiving the I-9 inspection results from a federal agency, notify any affected worker (and their union or collective bargaining representative, if any) if the inspection identified errors in their work authorization forms or identified the worker as lacking work authorization, explain the time period for correcting the error, and offer to meet with workers and their union or collective bargaining representatives.

The full notice requirements under the law can be found in RCW 49.97.050 and 49.97.060

In the event of an I-9 inspection, this employer will notify each worker of the I-9 inspection via (☐ text / ☐ email / ☐ hand delivery / ☒ other) and post notices of any I-9 inspection at the following location(s):

Corporate Headquarters

If the I-9 inspection identifies deficiencies, this employer will notify each affected worker identified with an error via (☐ text / ☐ email / ☐ hand delivery / ☒ other) and provide the worker an opportunity to meet with the employer and make any corrections.

This poster is provided by the Washington State Attorney General's Office in compliance with RCW 49.97
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FREQUENTLY ASKED QUESTIONS

What is an I-9 inspection?

An I-9 is a federal government form. Employers and new workers must fill it out to prove the worker's identity and that they are allowed to work in the United States. The I-9 form instructions list the documents workers can use to show they are allowed to work. Employers cannot make workers show particular documents to fill out an I-9. Employers must keep I-9s for every current worker. After a worker leaves, the employer must keep the I-9 for 3 years after hiring or 1 year after the worker's last day, whichever is later. Employers should decide whether to keep copies of the particular documents that workers use to fill out an I-9. Use the same rule every time for keeping copies of workers' ID or work authorization documents. Employers who use E-Verify should follow E-Verify's rules for keeping records.

Federal immigration agents can start an I-9 inspection by sending a Notice of Inspection. It asks employers for each worker's I-9. It may also ask for other records, such as payroll documents.

After an employer gets a Notice of Inspection, they have 3 business days to turn in the I-9s and any other documents.

What can a worker do if the employer does not notify them that an I-9 inspection was conducted?

In some situations, if an employer does not tell a worker about an I-9 inspection, the worker may sue. They can sue to stop it from happening again, get money for harm done, cover lawyer fees, or to ask for other help.

The Washington State Attorney General can also investigate violations and enforce the Immigrant Worker Protection Act. If a worker thinks their employer broke the law, they can report it to the Attorney General's Office by emailing: IWPA@atg.wa.gov.

Can an employer retaliate against me for reporting a violation of the Immigrant Worker Protection Act?

An employer cannot punish a worker for using their rights under the Immigrant Worker Protection Act. Examples of these rights include reporting a violation or helping with an investigation. If a worker uses their rights, the employer cannot use that fact against them in reviews, promotions, firing, or discipline. But the employer may still take action if state or federal law requires it, for example, if the worker is not authorized to work under federal law, they may be terminated.

If workers have any legal questions about their own status, they should talk with a lawyer. If you want advice or have questions about the I-9 inspection process, the information below may help:

- **Washington Immigrant Solidarity Network (WAISN) Deportation Defense Hotline:** 1-844-724-3737. Hours: Monday to Friday, 6am to 6pm. Interpretation available in nearly 300 languages. Know Your Rights information, legal referrals and resources, accompaniment. https://waisn.org/what-we-do/deportation-defense/hotline/
- **The Northwest Immigrant Rights Project (NWIRP)** offers legal services and advocacy for immigrants in Washington state. They can be reached by email at: info@nwirp.org. For more help from NWIRP, please go to: https://www.nwirp.org/get-help/
- **More organizations and resources** can be found at: https://atg.wa.gov/iwpa