

Preparing for increased immigration enforcement

KELLY Fortier, an immigration attorney who serves as a general counsel for the American Dairy Coalition, expects that President Donald Trump will deliver on his efforts to increase the number of immigration enforcement officers in the year ahead.

More enforcement officers will mean more arrests and day-to-day warrants, which will likely bring more attention to the immigrant population and, eventually, more deportations.

It is safe to expect more work-type enforcement and investigations into employment situations. "A big arm of the President's office wants to see not just apprehension of individuals who are overstaying their stay but also the employees who hired them," Fortier said.

Fortier suggested that employers talk with the business owners, staff, employees and managers on how to best handle

an Immigration & Customs Enforcement (ICE) visit.

First, she recommended putting together a one-page, concisely written protocol to detail who will meet with the ICE agent and numbers for priority contacts such as an attorney, the owner and managers. Whoever is expected to greet the visitor first should know that protocol and enforce it immediately.

Fortier offered these further recommendations:

- Keep calm. The ICE agent is not looking for the employer or manager but instead is looking for a specific individual.
- Ask agents why they are at the business, whether it is to see an individual or documents.
- Ask agents for identification, badge numbers and business cards.
- Ask if they can wait for the owner, manager or attorney to arrive or to be

present via phone.

- Have the agents stay in a waiting area or other non-production space. You don't want them in an area where other employees, livestock and/or equipment are present.

- Immediately contact the owner, manager and/or attorney.

- Since the business is also private property, the ICE agents will need a warrant or subpoena to say what they're looking for upon arrival.

If you're dealing with an ICE officer who is arriving to examine I-9 forms or conduct an I-9 audit, they should provide a "notice of inspection" within three days after receiving a written request. Fortier suggests that employers contact legal counsel immediately to discuss the timing and location of turning over I-9s for review and to make any corrections as needed.



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