

## Resources for working with immigrant workers

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A list of federal laws protecting workers from retaliation:

<https://www.taterenner.com/fedchart.php>

Laws of particular interest to immigrants and their advocates:

1. Affordable Care Act (ACA), 29 U.S.C. § 218c; Section 1558 of P.L. 111-148 (Section 1557 prohibits discrimination in health benefits), 29 C.F.R. Part 1984, time limit to file retaliation complaint with OSHA is 180 days.
2. Civil Rights Act of 1964 (Title VII), prohibits discrimination on the bases of race, color, religion, gender, and national origin. 42 U.S.C. § 2000e-3(a); complaints are due within 300 days (45 days for federal employees), to EEOC or state employment discrimination agencies.
3. Fair Housing Act, 24 C.F.R. § 100.70(d)(1), time limit to file is 1 year for HUD FHEO complaints and 2 years for court
4. Fair Labor Standards Act (wage & hour, child labor, minimum wage, overtime), 29 U.S.C. § 215(a)(3); time limit to file is 2 years or 3 years if “willful” violation. Complaints can be made to DOL/WHD, federal or state court
5. Food Safety Modernization Act (FSMA), 21 U.S.C. 399d, time limit to file with DOL/OSHA is 180 days
6. Immigration and Nationality Act, H-1B, H-1B1, and E-3 Visa Programs, 8 U.S.C. § 1182(n)(2)(C)(iv); 8 U.S.C. § 1182(t)(3)(C)(iv); 20 CFR § 655.801, file complaints within 1 year with DOL/WHD  
<https://www.dol.gov/agencies/whd/contact/complaints>
7. Immigration and Nationality Act, H-2A Visa Program, 8 U.S.C. § 1188; 29 CFR § 501.4, 20 CFR § 655.135(h); file complaints with DOL/WHD
8. Immigration and Nationality Act, H-2B Visa Program, 29 CFR § 503.16(n) (protecting complaints of violations of 8 U.S.C. § 1184(c)), file complaints with DOL/WHD
9. Immigration Reform and Control Act of 1986, 8 U.S. Code § 1324b; 28 CFR 68.4, file complaints within 180 days with USDOJ, Civil Rights Division, Office of Special Counsel for Immigration-Related Unfair Employment Practices:  
<https://www.justice.gov/crt/immigrant-and-employee-rights-section>
10. National Defense Authorization Act of 2013 (NDAA FY13), for employees of federal contractors. 41 U.S.C. § 4712; 48 C.F.R. § 3.900, and sequence; time limit to file a complaint with the IG of the affected federal agency is 3 years; 2 years to file in court after exhaustion.
11. National Labor Relations Act (NLRA), 29 U.S.C. § 158(a), time limit for NLRB charge is 6 months
12. Occupational Safety and Health Act (OSH Act), 29 U.S.C. § 660(c), “Part 11(c)”; 29 C.F.R. Part 1977; time limit to file with OSHA is just 30 days

## Referral options:

13. Montgomery County Bar Association Pro Bono Program,  
<https://barmont.org/general/custom.asp?page=116>
14. Public Justice Center  
<https://www.publicjustice.org/en/contact/>
15. Washington Lawyers' Committee, Workers' Rights Clinic  
<https://www.washlaw.org/clinic>
16. Metropolitan Washington Employment Lawyers Association (MWELA), find a lawyer  
<https://www.mwela.org/find-a-lawyer#/>
17. Maryland Employment Lawyers Association (MELA), find a lawyer  
<https://marylandemploymentlawyers.org/directory>
18. National Employment Lawyers Association (NELA), find a lawyer  
<https://exchange.nela.org/memberdirectory/findalawyer>
19. CASA de Maryland  
<https://wearecasa.org/legal-services-md/>
20. Women's Law Center of Maryland, Employment Law Hotline, 1-877-422-9500 (Hours: Tuesdays 9:30am – 1pm, First Thursday of the month 5pm–7:30pm)  
<http://www.wlcmd.org/how-we-help/employment-law/>
21. First Shift Justice Project  
<https://www.firstshift.org/get-legal-help>
22. Just Neighbors  
<https://www.justneighbors.org>

## Other resources

23. IRS form for substitute W-2  
<https://www.irs.gov/forms-pubs/about-form-4852>
24. See also, “Building Worker Power Through Deferred Action: A Report On The First Year” by National Immigration Law Center.  
<https://www.nilc.org/news/special-reports/deferred-action/>  
[https://www.nilc.org/wp-content/uploads/2024/01/NILC\\_WorkersRightsReport-1.12.2024\\_.pdf](https://www.nilc.org/wp-content/uploads/2024/01/NILC_WorkersRightsReport-1.12.2024_.pdf)  

On January 13, 2023, DHS announced a new guidance on labor-based deferred action. It empowers immigrant workers to file complaints with labor agencies, participate in labor investigations, and to build power together with U.S.-born workers—without the fear of potential deportation hanging over their heads.
25. Workers wanting help in organizing a union can contact the Emergency Worker Organizing Committee (EWOC) at:  
<https://workerorganizing.org/support/>

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