



Updates on Immigration Enforcement in the Agricultural Sector: What Employers Should Know

The Trump administration issued statements late last week (Thursday June 12th) that suggested a pause on immigration raids targeting the agricultural industry, including meat packing plants. **In a rapid reversal, the Department of Homeland Security (DHS) has stated that immigration raids would be continuing in the agricultural industry.** Based on reports, the prior pause instructions were reversed in a conference call (Monday, June 16th) with the DHS and field office supervisors.

What Does This Mean? Compliance as Usual

While ambiguities remain as to the government's exact, current enforcement posture toward agriculture, the best approach is to continue to **maintain all immigration compliance measures previously adopted and planned for** to ensure your company's immigration enforcement readiness.

Employers should remain vigilant and in compliance despite possible changes in requirements and policies. Besides worksite enforcement actions, the following actions are also likely to continue:

- Serving Notices of Inspection.
- Conducting enforcement actions directed at stopping labor and human trafficking.
- Investigations of employers or managers who may be actively participating in helping employees defeat E-Verify using stolen identities.

Changing Vectors of Risk

The overall risk of immigration scrutiny and enforcement remains high in many areas, but some recent changes may potentially shift the nature of your company's risks.

- **Whistleblower Risks:** In addition, employers should be aware that the Department of Justice has added "immigration violations" to the list of crimes for which an individual can receive a whistleblower award. This change could lead to scrutiny based on local or employee tips, regardless of the validity of such tips.
- **Increased Focus on Enforcement in Cities:** The administration's intention to increase its enforcement focus on larger cities could potentially shift or elevate risk to other company sites or supply chains depending on company footprint and workforce composition.

Continued Compliance and Monitoring

There has been **no notice of any relief from legal liability** created by immigration noncompliance. As such, employers must **continue to maintain compliance with immigration rules and regulations to avoid legal liability.** This includes compliance with the termination of Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) parole-based employment authorization documents (EADs). Employers should promptly reverify employees with C11 EADs who may fall under the CHNV parole category.

We continue to seek further clarity on administration policy and DHS directives regarding worksite enforcement, including any specific directives applicable to the meat packing plants. We will provide additional updates as details emerge.



If you have specific questions related to your workforce, please reach out to schedule an individualized legal consultation.