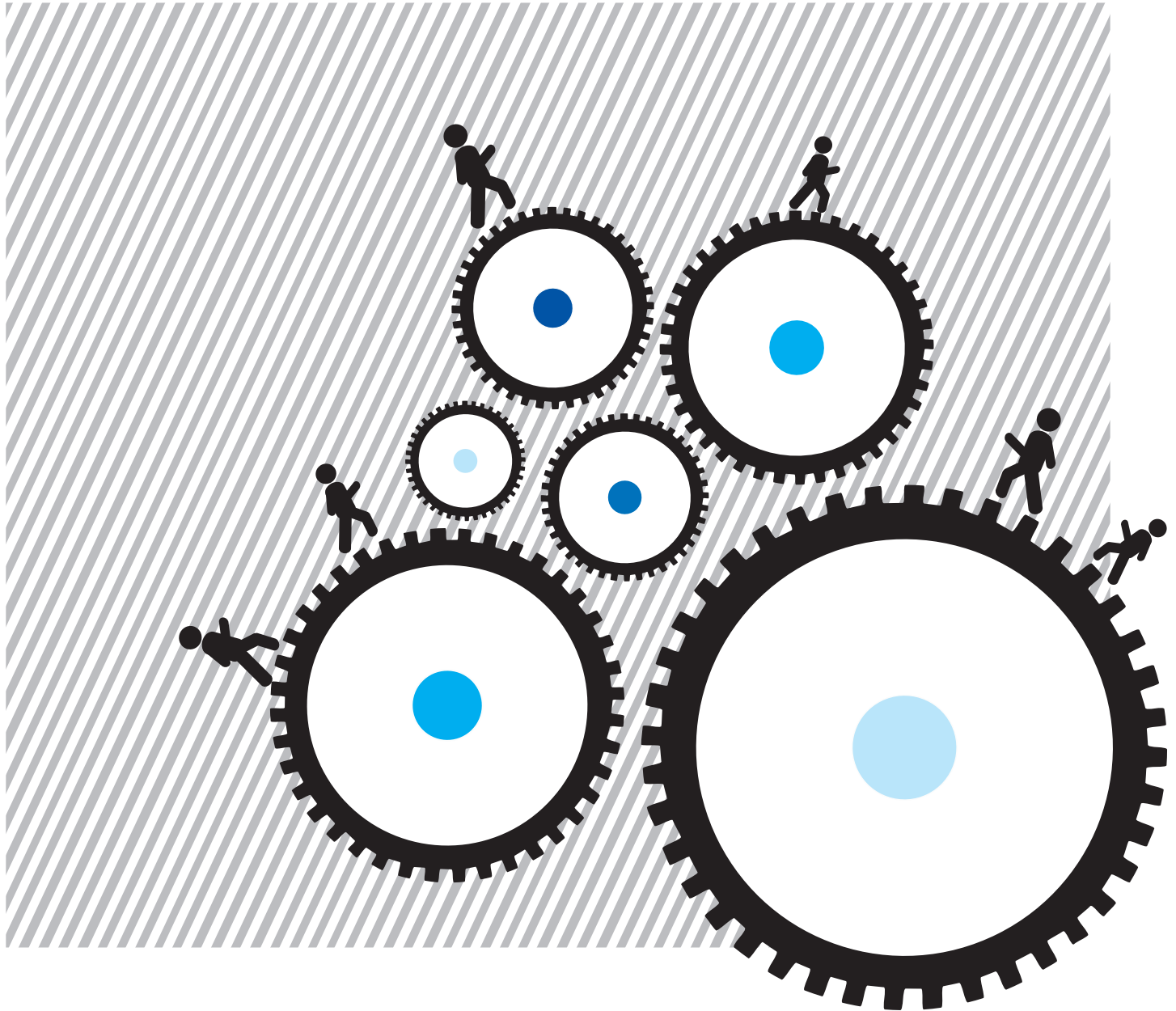


THE RIGHT TO WORK

Understanding Immigrant Employment Rights

A Workbook for ESOL Classes



NYC COMMISSION ON HUMAN RIGHTS

MICHAEL R. BLOOMBERG, Mayor | PATRICIA L. GATLING, Commissioner / Chair

NEW YORK IMMIGRATION COALITION

THE CITY UNIVERSITY OF NEW YORK ADULT LITERACY / GED / ESL PROGRAM

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US Department of Justice.

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The Right to Work

Understanding Immigrant Employment Rights

A Workbook for ESOL Classes | Beginner/Intermediate Level

Introduction

These lessons will educate immigrant workers about their protections against discrimination under the Immigration and Nationality Act (INA) and NYC Human Rights Law. It also provides resources to contact if discrimination occurs.

The Immigration and Nationality Act (INA) protects U.S. citizens and certain work-authorized individuals from employment discrimination based upon citizenship or immigration status. The INA protects all work-authorized individuals from national origin discrimination, unfair documentary practices relating to the employment eligibility verification process, and from retaliation.

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Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice is responsible for enforcing the anti-discrimination provisions of the Immigration and Nationality Act (INA), 8 U.S.C. § 1324b. OSC conducts an outreach and education program aimed at educating employers, potential victims of discrimination, and the general public about their rights and responsibilities under the INA's anti-discrimination and employer sanctions provisions.

The City University of New York Adult Literacy/GED/ESL Program operates on 14 campuses of The City University of New York (CUNY) and has been in existence for over 30 years. With an average enrollment of 10,000 students a year, hundreds of thousands of New York City adults have learned to speak English, read and write and do math with greater facility, and prepare for high school credentialing through the GED Exam. Many students have also made strengthened transitions to college through the CUNY college transition programs. In addition to classes in reading/writing, math, ESOL and GED preparation, different CUNY campus programs offer instruction in a variety of special topics courses in such areas as health, family literacy, or work and college-going preparation.

www.cuny.edu

The Literacy Assistance Center has provided services for adult education programs since 1983. Its data management support, professional development programs, and technical assistance enable these programs to improve the quality of their instruction and the efficiency of their organization. The LAC also works with a wide range of other cultural, educational, financial, health, and legal agencies and institutions. It assists these groups in improving their communication skills so that their clients with limited literacy can seize opportunities available to them and become full participants in the broader community.

www.lacnyc.org

New York City Commission On Human Rights (CCHR) enforces the NYC Human Rights Law, one of the most comprehensive civil rights laws in the nation. The Law prohibits discrimination in employment, housing and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, marital status, or partnership status. In addition, the Law affords protection against discrimination in employment based on arrest or conviction record and status as victim of domestic violence, stalking or sex offenses. In housing, the Law affords additional protections based on lawful occupation, any lawful source of income, and family status. The City Human Rights Law also prohibits retaliation and bias-related harassment. The Commission also conducts extensive education about the law for the general public.

www.nyc.gov/cchr

New York Immigration Coalition is an umbrella policy organization for approximately 200 groups in New York State that work with "newcomers" to the US. The NYCIC was founded in 1987 and has evolved into a powerful advocacy voice, analyzing the impact of immigration policy proposals, promoting and protecting the rights of immigrants and their family members, improving newcomers' access to services, resolving problems with public agencies, and mobilizing member groups to respond to public issues and community needs.

www.thenycic.org

Table of Contents

Part I

Working in the United States

LESSON PLAN	LP 1.1
VIDEO 1: Tomás needs a job.	1
• Watch Video 1.	
• Talk about the Video.	
• What is the problem?	
I-9 FORM	3
• Know the Law: Document Abuse	
• Reporting a Problem	
• New Word Practice	
VIDEO 2: A New Job	10
• Watch Video 2.	
• Talk about the Video.	
• Listen and Practice	
• Complete the Sentences.	
VOCABULARY: Finding a Job	12
• Dialogue: Job Interview	
• Write	

Part II

Discrimination

LESSON PLAN	LP 2.1
VIDEO 3: A deli needs a dishwasher.	14
• Watch Video 3.	
• Talk about the Video.	
• What is the problem?	
KNOW THE LAW: National Origin Discrimination.	16
• Vocabulary: Finding a Job	
• New Word Practice	
• Discrimination	
• Vocabulary: On the Job	
FOR MORE INFORMATION: National Origin Discrimination	21
• Discuss: Do you have experience with discrimination?	
• Dialogues	

Part III

Problems and Solutions

WHO CAN HELP?	24
REPORTING A PROBLEM	25
• Listen and Practice.	
• Keep a Record.	
THE OFFICE OF SPECIAL COUNSEL (OSC)	27
WAGES	28
E-VERIFY	29
VIDEO 4: María's employer uses E-Verify.	30
• Watch Video 4.	
• Talk about the Video.	
• Know the Law: Tentative Nonconfirmation (TNC)	
• E-Verify Questions	
• E-Verify Self Check	

Part IV

Activities

KNOW YOUR ACRONYMS	34
WHAT'S MY WEB ADDRESS?	35
WHAT'S YOUR JOB? Tell me about yourself.	36
WHAT'S YOUR JOB? Ask a classmate.	37
PRONUNCIATION PRACTICE	38

APPENDIX

I-9 FORM	40
Documents	44

MATERIALS	54
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WORKING IN THE UNITED STATES

Immigrant Employment Rights Part I

Lesson Plan

Working in the United States

Immigrant Employment Rights Part I

LESSON PLAN

Duration

2-3 hours

Materials

- DVD player and *The Right to Work* DVD
- *The Right to Work Beginner Student Edition Workbook*
- Supplementary Materials
 - 8½ x 11" vocabulary flashcards (see appendix)
 - tape to hang flashcards on the board
 - Yes/No vocabulary word handout (1 per student)
 - 1 set of 8 target vocabulary word cards for every pair of students

Objectives

By the end of this session, students will be able to:

- Identify the I-9 form and its purpose
- Name at least two documents accepted when completing the I-9 form
- Name at least one place to call in case of document abuse
- Demonstrate their ability to address problems with document abuse in oral dialogues

Pre-Workshop Homework

To prepare students to introduce themselves in session 1, assign the writing activity on page 13 as homework.

Steps:

1. Introductions and Learning Goals (30 minutes)
2. Video 1 (30 minutes)
3. Understanding the I-9 Form and Document Abuse (30 minutes)
4. Follow-Up and Next Steps (30-60 minutes)

In-Class Activities

Step 1: Introductions and Learning Goals

A) Introduce yourself and where you are from.

Ask students to introduce themselves. You can write these sentence starters on the board:

- My name is...
- I am from...
- My family is from...

Make sure each student has the opportunity to speak.

B) Introduce the purpose of your visit.

Say, "I am here today to talk about national origin discrimination. *National origin* is *where you are from*." You can write *national origin=where you are from* on the board.

Tell students that you are going to talk with them about discrimination. Say, "Discrimination is different and unfair treatment of people. Discrimination is illegal." You can write *illegal=against the law* on the board.

To get a sense of students' speaking ability, you can ask them at this point if anyone has experience with discrimination, or, continue to the next activity.

C) Introduce learning goals.

Say, "My job is to help you understand the law. Here are some words we are going to learn." Make one vocabulary flashcard for each of the following words:

- discrimination
- I-9 form
- OSC
- interpreter
- documents
- wages
- 311
- E-Verify



Post the flashcards of the 8 new words on the board. Use tape to hang the words so you will be able move the words later on in the lesson.

Ask students to decide whether they know these words or not. Distribute one Yes/No vocabulary word handout to each student. Say, "If you know this word, write it in the 'yes' column. If you don't know the word, write it in the 'no' column." Circulate and help students complete the task.

For low-level classes in which copying can be difficult, prepare one set of vocabulary words for every pair of students. Students can work with a partner to sort the words to the 'yes' or 'no' column. Use the chart in the appendix to tally their responses.

Note: This set of eight words includes a mix of familiar words to activate students' background knowledge and challenging terms to inspire their curiosity for learning. Don't worry about teaching the meaning words at this point in the lesson. If students ask, say only, "Today we are going to learn more about these words."

Step 2: Watch Video 2

Say, "We are going to watch a video. But, there is no sound. After you watch, tell me who you see and what is the problem. Then we will watch the video again with sound."

Play the video to the end without audio or subtitles. Ask students:

- Who do you see?
- Who is the boss?
- Who is the job applicant?
- What's the problem?

At this point, do not indicate to students if their guesses are correct or incorrect but

instead encourage their participation. Try to help them describe the two men. You can help them with new words they might need, such as *ladder, bandana, hat, wallet, employer*.

Say, "Let's watch the video again and see if you were right." Watch video with sound and subtitles. Review what students understood using the sound and subtitles. See if students can name the problem and who is right. Review these questions with them:

- Who do you see?
- Who is the boss?
- Who is the job applicant?
- What's the problem?
- Who is right? The boss or the man who wants the job?

Say, "Let's talk about who is right under the law." Ask students to open their workbooks to page 1 and complete the Yes/No activity about the video with a partner. Students who work faster can continue to the exercises on page 2. If students have trouble completing the dialogue, repeat that section of the video.

Note: In some beginner classes, writing exercises will slow the pace of the lesson. Use this time to see how well the class completes the writing activities. If you see that the class struggles with writing, consider working just with the video for the rest of your visit and asking the teacher to help students with the writing exercises at a later point.

Step 3: Understanding the I-9 Form and Document Abuse

Ask students to look at the I-9 form on pages 4-5. Read them the information on page 3. Help them use the "Lists of Acceptable



Documents” on page 5 to answer the questions from page 3:

• Which documents does Tomás have?	B2 and C1
• Which document proves his identity?	B2
• Which document proves his work authorization?	C1
• Does Tomás have the right documents?	Yes

Clarify the problem Tomás had when looking for a job. Ask students what Tomás can do to solve this problem. Without giving them the answer, have students read page 6 and try to complete page 7 with a partner. Students who finish quickly can continue with the exercises on pages 8-9.

Note: The exercises on page 9 are designed for literacy level students. If you find a student struggling with the other exercises, you may want to refer the student to this page to work on word recognition skills.

After students have worked on the exercises, ask a couple of partners to share their dialogues out loud. Point to the 8 vocabulary words you hung on the board at the start of the lesson. Review what students learned. For example, say, “We talked about documents.” Ask if anyone has questions. Move the card to the one side of the board. Repeat with *I-9 form, OSC, 311, interpreter*.

Point out the appendix of the book. Say, “If you want to learn more about the I-9 form and acceptable documents, you can see more examples here.”

Step 4: Follow-Up and Next Steps

Choose from the following activities based on time and interest.

Ask students if they want to watch another video. Time permitting, watch video 2. Repeat procedure above, trying to get students to talk about the people and the problem in the video. You can skip the written exercises and just discuss the video. Students can complete the exercises on pages 10-11 for homework.

Ask students to look at page 12. Help them think of dialogues they might have when looking for a job. If the class is low level, model a dialogue with the teacher. Consider modeling a “good” job interview and a “bad” job interview to see if students can identify when employers ask questions that are not in compliance with the law.

Ask students to talk about what they wrote on page 13. Model how to complete this exercise with these sentence starters:

- My name is...
- I am from...
- I live in...
- I work for...
- I am a...
- My dream job is to be a...

Complete these sentences with examples from your own life. Write the sentence starters on the board. Have students check their examples about themselves and share with a partner.

Collect examples of Yes/No vocabulary word handouts from students. Ask students to read page 20 and prepare the vocabulary for the next session.

Teacher Resource: <http://www.uscis.gov/I-9Central>



Working in the United States

Immigrant Employment Rights Part I

VIDEO 1 | *Tomás needs a job.*



1. Watch Video 1.

- Who do you see?
- What **documents** do you see?
- What is the problem?

2. Talk about the Video.

Circle **YES** or **NO**.

A man needs a job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man goes to a deli.	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO
The man talks to the boss.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The boss asks the man for his documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man shows the boss his documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man gets the job.	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO



3. What is the problem?

Complete the dialogue.



Sr. Santos



Tomás

Sr. Santos:

Do you have your green card with you?

Tomás:

No, but I have my state ID and Social Security Card.

Sr. Santos:

That's good but I need to see your green card.

Complete the sentences.

Tomás is the _____.	employer	job applicant
Sr. Santos is the _____.	employer	job applicant
Sr. Santos _____ Tomás for his documents.	asks	shows
Tomás _____ Sr. Santos his documents.	asks	shows
Sr. Santos _____ Tomás's documents.	accepts	refuses
Tomás _____ the job.	gets	does not get



Working in the United States

Immigrant Employment Rights Part I

I-9 FORM

1. Look at an I-9 form.
2. The Immigration and Nationality Act (INA) says that employers must use the I-9 form.
3. Employers use the I-9 form to check every new employee's **identity** and **work authorization**.
4. Employees must have the right documents.
5. You need one document that proves *both* **identity** and **work authorization**.
6. Or, you need one document that proves **identity** *and* one document that proves **work authorization**.
7. Look at the **lists of acceptable documents**.
 - a. Which documents does Tomás have?
 - b. Which document proves his **identity**?
 - c. Which document proves his **work authorization**?
 - d. Does Tomás have the right documents?



Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-9, Employment Eligibility Verification

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification *(To be completed and signed by employee at the time employment begins.)*

Print Name: Last		First	Middle Initial	Maiden Name
Address (Street Name and Number)			Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #	

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

☐ A citizen of the United States

☐ A noncitizen national of the United States (see instructions)

☐ A lawful permanent resident (Alien #) _____

☐ An alien authorized to work (Alien # or Admission #) _____ until (expiration date, if applicable - month/day/year)

Employee's Signature

Date (month/day/year)

Preparer and/or Translator Certification *(To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.*

Preparer's/Translator's Signature

Print Name

Address (Street Name and Number, City, State, Zip Code)

Date (month/day/year)

Section 2. Employer Review and Verification *(To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)*

List A	OR	List B	AND	List C
Document title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) _____ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

Section 3. Updating and Reverification *(To be completed and signed by employer.)*

A. New Name (if applicable)	B. Date of Rehire (month/day/year) (if applicable)
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.	
Document Title: _____	Document #: _____
Expiration Date (if any): _____	
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.	
Signature of Employer or Authorized Representative	Date (month/day/year)



LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record		5. Native American tribal document
		6. Military dependent's ID card		6. U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		8. Employment authorization document issued by the Department of Homeland Security
		9. Driver's license issued by a Canadian government authority		
		For persons under age 18 who are unable to present a document listed above:		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Form I-9 (Rev. 08/07/09) Y Page 5



KNOW THE LAW | Document Abuse

Document abuse is against the law. The law says an employee can choose which documents to show an employer. The I-9 form says, "Employers cannot specify which document(s) they will accept from an employee."

These are possible examples of **document abuse**.

- The employer asks for your documents **before** they offer you the job.
- The employer asks you for **different** documents.
- The employer asks you for **more** documents.
- The employer asks you for **specific** documents.

If you have questions about document abuse, you can contact:




**THE OFFICE OF SPECIAL COUNSEL
FOR IMMIGRATION RELATED UNFAIR
EMPLOYMENT PRACTICES (OSC)**

*The OSC is a part of the
U.S. Department of Justice (DOJ).*

Call **1-800-255-7688**. The call is free.

TDD: 1-800-237-2515



**THE NEW YORK CITY COMMISSION
ON HUMAN RIGHTS (CCHR)**

There is an office in every borough.

Call **311**.

Or, call the Central Office at **1-212-306-7450**.

The New York City Commission on Human Rights helps residents of the five boroughs of New York City.

You can get help in your language from OSC and CCHR. If you need an interpreter, say:

"I need an interpreter. I speak _____."

REPORTING A PROBLEM

Complete the dialogue. Practice the dialogue with a partner.

Tomás:

I have a problem.

Friend:

What's the matter?

Tomás:

I have two documents, but my boss only wants to see my green card.

Friend:

Call the OSC/311. They can help you, for free!

Tomás:

But my English is not very good.

Friend:

If you want to speak your language, you can ask for an interpreter.



NEW WORD PRACTICE

What's another word for...?

against the law	illegal
documents	papers, identification
employer	boss
employee	worker
green card	permanent residence card
refuse	reject
valid	OK, acceptable

Complete the sentences. Use the words in the box.

documents	green card	employee	employer
job	law	valid	

1. Tomás needs a job.
2. Tomás has valid documents.
3. Sr. Santos refuses Tomás's documents.
4. Sr. Santos asks Tomás for his green card.
5. Document abuse is against the law.
6. An employee can choose which documents to show employers.
7. An employer cannot refuse valid documents.



Circle the same word:

job documents valid employer employee law refuse	jab document <u>valid</u> employ employ lawyer refusal	jib <u>documents</u> invalid employee <u>employee</u> lab <u>refuse</u>	<u>job</u> documentation valued employed employed <u>law</u> fuse	jot documented value <u>employer</u> employer low refuge
---	--	---	---	--

Write the missing letter:

J O B

D O C U M E N T S

V A L I D

E M P L O Y E R

E M P L O Y E E

L A W

R E F U S E



Working in the United States

Immigrant Employment Rights Part I

❖ VIDEO 2 | A new job.



1. Watch Video 2.

- Who do you see?
- Do you see **document abuse**?



Employee



Employer

2. Talk about the Video.

Circle **YES** or **NO**.

A woman has a new job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
This is a temporary job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Her employer asks for her documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Her documents are permanent.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Her employer asks for different documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
This is an example of document abuse.	<input checked="" type="radio"/> YES	<input type="radio"/> NO

3. Listen and Practice

Employer:

What's this Temporary Proof of Permanent Residence?

Employee:

It's all I have.

Employer:

But this is a permanent job, not temporary. I need something permanent.

Employee:

Well, I'm here permanently. It's just the card that expires, like a driver's license.

Employer:

I don't know. I need your green card. Your Permanent Resident Card. Why don't you reapply when you get your permanent card? Okay?

4. Complete the sentences. Use the words in the box below.



Employee

documents
job
law
I-9 Form

Office of Special Counsel (OSC)
Permanent Resident Card
Temporary Proof of Permanent Residence

- a. This woman has a new job.
- b. Today, her employer is checking her I-9 Form.
- c. At the interview, she shows the employer her Temporary Proof of Permanent Residence.
- d. The employer asks to see her Permanent Resident Card.
- e. She can call the Office of Special Counsel (OSC) for help.
- f. Document abuse is against the law.
- g. Her employer can call the OSC to ask about her documents.



Working in the United States

Immigrant Employment Rights Part I

VOCABULARY | Finding a Job

	TO LOOK FOR A JOB: <ul style="list-style-type: none">• a job advertisement• classified ads• "help wanted"
	TO APPLY FOR A JOB: <ul style="list-style-type: none">• a job application
	TO INTERVIEW FOR A JOB: <ul style="list-style-type: none">• a job interview

DIALOGUE

Complete the dialogue. Practice the dialogue with a partner.

Applicant: _____ *Hello, I'm looking for a job.*

Interviewer: _____

Applicant: _____

Interviewer: _____

Applicant: _____

Interviewer: _____

Write

- What is your name?
- Where are you from?
- Where do you live?
- Do you work? Where do you work?
- What is your job?
- What is your dream job?

[illegible]

WORKING IN THE UNITED STATES

Immigrant Employment Rights Part II

Lesson Plan

Working in the United States

Immigrant Employment Rights Part II LESSON PLAN

Duration

2-3 hours

Materials

- DVD player and *The Right to Work* DVD
- *The Right to Work Beginner Student Edition Workbook*
- Supplementary Materials
 - 8½ x 11" vocabulary flashcards (see appendix)
 - 8½ x 11" Yes/No flashcards (see appendix)
 - tape to hang flashcards on the board
 - Workshop evaluation (1 per student)

Objectives

By the end of this session, students will be able to:

- Identify examples of national origin discrimination on the job
- Name at least one place to call in case of national origin discrimination
- Demonstrate their ability to address problems with national origin discrimination in oral dialogues
- Talk about how they might solve problems on the job by using the resource information in Part III of their workbooks

Pre-Workshop Homework

- Completion of *The Right to Work Immigrant Employment Rights Part I*.
- Ask students to read and review the vocabulary on page 20 prior to this workshop.

Steps:

1. Introductions: Where do you work? (15 minutes)
2. Video 3 (30 minutes)
3. Understanding Examples of Discrimination (30 minutes)
4. Problems on the Job and Possible Solutions (30-60 minutes)
5. Follow-Up and Next Steps (15 minutes)

In-Class Activities

Step 1: Introductions

Ask if students remember your name and where you work. Ask a few students to talk about where they work. You can write these sentence starters on the board:

- I'm a...
- I work at...

See if a couple of students want to volunteer their answers to page 20 or if students have questions about the vocabulary on page 20.

Hang the 8 vocabulary word flashcards on the board. Say, "Last time we talked about these words. Who can tell me something about discrimination?" See if students can say that discrimination is different and unfair treatment of people.

Say, "Last session we talked about discrimination because of documents. Who remembers what documents we talked about?" See if students can provide definitions for I-9 form, OSC, 311, and interpreter. As you review these terms, move them to one side of the board.

Say, "Today we are going to talk about other kinds of discrimination and problems on the job, for example, problems with wages and E-Verify." Point to the remaining two vocabulary cards.

Step 2: Watch Video 3

Say, "We are going to watch a video. Remember, there is no sound. After you watch, tell me who you see and what is the problem. Then we will watch the video again with sound."

Play the video to the end without audio or subtitles. Ask students:



- Who do you see?
- Who is the boss?
- Who is the job applicant?
- What's the problem?

At this point, do not indicate to students if their guesses are correct or incorrect but instead encourage their participation. Try to use the same language to discuss the video as you used in the first session.

Say, "Let's watch the video again and see if you were right." Watch video with sound and subtitles. Review what students understood using the sound and subtitles. See if students can name the problem and who is right. Review these questions with them:

- Who do you see?
- Who is the boss?
- Who is the job applicant?
- What's the problem?
- Who is right? The boss or the man who wants the job?

Say, "Let's talk about who is right under the law." Ask students to open their workbooks to page 14 and complete the Yes/No activity about the video with a partner. Students who work faster can continue to the exercises on page 15.

Step 3: Understanding Examples of Discrimination

Review students' answers on pages 14-15 and clarify the problem the job applicant had with the employer. Read page 16 to students and clarify the terms in sentence 9 with students. You can refer them to page 17 for definitions of these terms. For example, say, "Look at page 17. What is another way to say 'place of birth'?" Elicit the definition on page

17: "where you were born." Review the other terms with them in this way.

Say, "Some jobs are different. Let's look at page 18 and 19 and talk more about the law." Ask students to complete the exercises on pages 18-19 with a partner. Circulate to make sure they understand the instructions. Refer students to the vocabulary on page 20 if they have trouble with the sentences on page 19.

As students are completing page 19, hang the 'Yes' sign on one side of the room and the 'No' sign on the other side of the room. This will help students to play the "Barometer Game" using their answers on page 19. The "Barometer Game" is a kinesthetic activity in which students stand and move to the side of the room that reflects their answer (to the 'Yes' sign if they answered 'Yes' and to the 'No' sign if they answered 'No').

Ask students to stand and bring their workbooks with them. Explain that one side of the room is 'Yes' and the other side is 'No.' In the middle is 'Not sure/I don't know.'

Give students an example to make sure they understand how to participate in the activity. Say, for example, "I live in Queens." Have students move to one side of the room, 'Yes' or 'No.' Clarify students' answers; for example, ask a few to name where they live. Try a few other examples from students' lives, such as: "I speak Spanish," "I like New York City," or "I work in New York City."

Say, "Now we are going to review your answers on page 19." Make sure students have their workbooks with them. Read the first sentence aloud to them. Have students move to the side of the room that represents their answer.

Note: It's best if you don't participate in this activity, otherwise students will follow you knowing that you have the right answer.



Clarify the best answer for students. Make sure that before you move on to the next sentence, all students have moved to the correct location.

Ask, "What can you do if you have a problem with discrimination?" Remind students what they learned about the OSC and the NYCCHR on page 21.

Ask students to work with a partner to complete a dialogue about discrimination (either page 22 or page 23). Page 22 is open-ended for students with more fluency. Page 23 are two sample dialogues for them to complete and then practice with a partner. Ask a couple of students to share their dialogues out loud.

Step 4: Problems on the Job and Possible Solutions

Ask student to look at the chart on page 24. Say, "Here is some information about other possible problems on the job." Check with students to see if there are problems not on this list that they want help with and discuss their questions.

Remind students that there are federal, state, and local agencies that can help immigrants and employees. Time permitting, make a three-column chart on the board and complete it with students (see if they can add more examples at each level):

Federal	State	Local
OSC	<i>NYS Dept of Labor</i>	<i>NYC Commission on Human Rights</i>
OSHA	<i>NY Immigration Coalition</i> <i>NY State Immigration Hotline</i>	<i>CUNY Citizenship Now!</i>

Say to students, "The rest of the pages of this book are resources for you to use in case you have problems with discrimination or want to talk more about discrimination with your teacher." Choose from the activities based on time and interest.

Refer to pages 25-27 for more information about reporting a problem to the OSC.

Ask students to look at page 25. Model this conversation with the teacher. Ask the teacher to read the operator's lines. Time permitting, have students write sample answers and practice the dialogue with a partner.

Ask students to look at page 26. Explain to students that this is the information they need if they have a problem on the job. Remind students that they can report a problem and this information in any language.

Ask students to look at page 27. Say, "This is some information about reporting a problem to the OSC. Here you can see an address where you can find information in different languages online. What languages?" Ask students to read this page at home.

Refer to page 28 for more discussion about problems with wages.

Ask students to read page 28 and define "wages." Ask if they can explain understand "promised wages" and "unpaid wages." Ask if they have any other questions about wages. Move the "wages" vocabulary card on the board to the group of words learned.

Time permitting, ask students to practice saying the phone numbers of the agencies that can help them. For example, ask, "What is the phone number for The New York State Department of Labor?"



Step 5: Watch Video 4

Ask, “Is anyone familiar with E-Verify?” Read page 29 with students. Explain that employees can have a problem with E-Verify if their personal information is not accurate. Watch Video 4 with students, first without sound. Play the video up to when María’s employer receives the TNC. Review what students understood. Watch the video again with sound. Have students answer the questions on p. 30. See if students can identify that one of María’s documents uses her maiden name. If needed, clarify the term “maiden name.”

Ask, “What do you think María will do? Who will María call?” Review p. 31 with students. Explain that *tentative=temporary* and *nonconfirmation=not confirmed or not sure*. Say, “María’s status is not confirmed for now, and she has some questions.” Review p. 32 with students. See if students can guess the correct answers then provide the answers to clarify the law. Watch the E-Verify video to the end when María talks about how she found the solution to her problem. Confirm that student understand who they can call if they have problem with “E-Verify.” Move the “E-Verify” vocabulary card on the board to the group of words learned.

Refer to pages 29-32 for more discussion about problems with E-Verify.

Refer to the Activities section on pages 33-37 if students want more practice with new words. This section is included in case the instructor wants to use these activities as follow-up to the video presentations.

Page 33 (Know Your Acronyms)

Read the instructions to students. Ask students to read the acronyms in the box for practice pronouncing letters of the alphabet. Have students find the answers with a

partner and review their answers on the board.

Page 34 (What’s My Web Address? Computer Lab)

Say, “You can use acronyms to find information on the computer. For example, notice the web address for DHS. What is DHS? What is the web address?” Review the remaining acronyms with students. Clarify with the teacher beforehand whether the class has access to computer lab. If so, say, “Next time you go to computer lab, see if you can find the web address for these agencies. See if you can find information in your language online.” If not, say, “If you have a computer at home, try this exercise at home.”

Page 35 (What’s Your Job?)

Students can use this optional graphic organizer to record information about their job.

Page 36 (What’s Your Job? Ask a classmate.)

Make sure all students know how to say and spell their job title. Students should stand and practice asking “What’s your job?” to their classmates until they have the names and job titles of seven classmates.

Page 37 (Pronunciation Practice)

Students can use this page to practice saying new words. They can listen and repeat after the teacher then practice with a partner. Bold indicates the stressed syllable.

Step 6: Follow-Up and Next Steps

Ask students to complete a workshop evaluation. Remind them to share what they learned with people in their communities.



Discrimination

Immigrant Employment Rights Part II

VIDEO 3 | *A deli needs a dishwasher.*



Deli Boss



Applicant

1. Watch Video 3.

- Who do you see?
- What is the problem?

2. Talk about the Video.

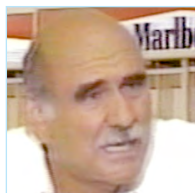
Circle **YES** or **NO**.

A man needs a job.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man goes to a deli.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man talks to the boss.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The boss needs a painter.	<input type="radio"/> YES	<input checked="" type="radio"/> NO
The boss asks the man for his documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man shows the boss his documents.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
The man gets the job.	<input type="radio"/> YES	<input checked="" type="radio"/> NO



3. What is the problem?

Read the dialogue.



Deli Boss



Applicant

Deli Boss:

Are you legal? Green card?

Applicant:

Sí. Yes.

Deli Boss:

Listen, I'm sorry. I just can't hire you. You have to speak better English to work here.

Complete the sentences.

A man wants a job as a _____.	dishwasher	painter
He _____ experience as a dishwasher.	has	does not have
The man _____ his green card.	has	does not have
The man _____ a little English.	speaks	does not speak
The deli boss _____ a little Spanish.	speaks	does not speak
English _____ necessary to do the job.	is	is not
The man _____ the job.	gets	does not get



Discrimination

Immigrant Employment Rights Part II

❖ *KNOW THE LAW | National Origin and Citizenship Status Discrimination*

1. A man wants a job as a dishwasher.
2. He has valid documents to work in the U.S.
3. The employer does not like his **accent**.
4. The employer says he needs better English.
5. English is not necessary to do the job.
6. But, the employer does not want to hire him.
7. This is an example of **national origin discrimination**.
8. **Discrimination** is different and unfair treatment of people.
9. An employer cannot treat you differently because of:
 - a. your **place of birth**
 - b. **native language**
 - c. **accent**
 - d. **appearance**
 - e. **citizenship status**

VOCABULARY | Finding a Job

	<p>PLACE OF BIRTH</p> <ul style="list-style-type: none"> • where you were born
	<p>NATIVE LANGUAGE</p> <ul style="list-style-type: none"> • your first language • the language of your home country
	<p>ACCENT</p> <ul style="list-style-type: none"> • how you speak
	<p>APPEARANCE</p> <ul style="list-style-type: none"> • how you dress • how you look
	<p>CITIZENSHIP STATUS</p> <ul style="list-style-type: none"> • if you are a citizen or not

NEW WORD PRACTICE

Write the correct word under the picture. Use the words below.

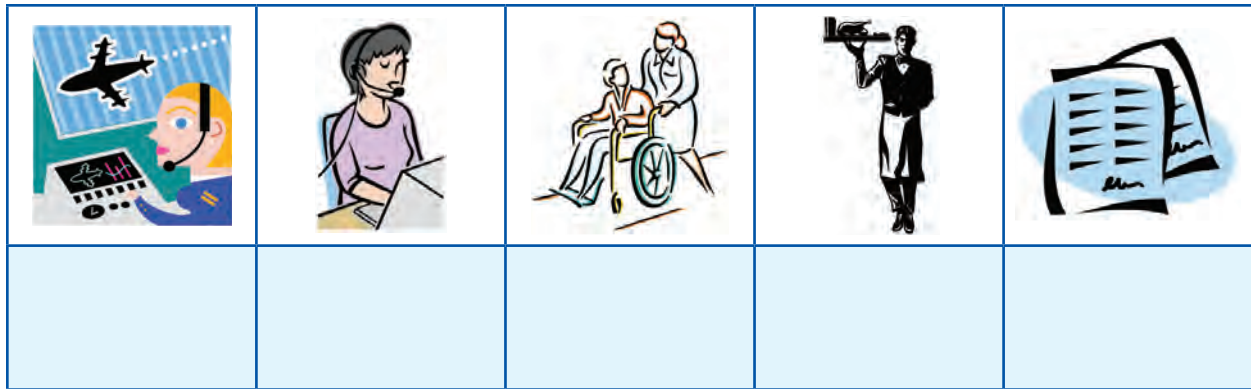
911 operator

air traffic controller

contract

nurse

waiter



The laws says some jobs can require English. For example:

- *air traffic controller*
- *911 operator*

The laws says some jobs can require uniforms or dress codes. For example:

- *waiter*
- *nurse*

The laws says some jobs can require citizenship status. For example:

- *when required by government contract*






DISCRIMINATION

Can you find examples of discrimination? Read the sentences and choose **YES** or **NO**.

- **YES** = that's OK
- **NO** = that's against the law

1. An employer can write a job advertisement that says, "Women only."	YES	<input type="radio"/> NO
2. An employer can say, "We don't interview people from your country."	YES	<input type="radio"/> NO
3. An employer can ask employees to wear a uniform.	<input checked="" type="radio"/> YES	NO
4. An employer can pay some employees more because they are not immigrants.	YES	<input type="radio"/> NO
5. A manager at a department store can say, "Only citizens get promotions."	YES	<input type="radio"/> NO
6. An employer can ask employees to speak only English all the time at work.	YES	<input type="radio"/> NO
7. An employer can fire employees who complain about discrimination.	YES	<input type="radio"/> NO
8. An employee can wear a turban or scarf at work for religious reasons.	<input checked="" type="radio"/> YES	NO

VOCABULARY | *On the Job*

	<ul style="list-style-type: none"> • Employers hire employees. • Employees get hired.
	<ul style="list-style-type: none"> • Employers pay employees. • Employees get paid.
	<ul style="list-style-type: none"> • Employers train employees. • Employees get trained.
	<ul style="list-style-type: none"> • Employers promote employees. • Employees get promoted.
	<ul style="list-style-type: none"> • Employers fire employees. • Employees get fired.

Talk with a partner:

- Do you work?
- When did you **get hired**?
- How do you **get paid**? Do you **get paid** in cash or by check?
- How often do you **get paid**?

Discrimination

Immigrant Employment Rights Part II

❖ FOR MORE INFORMATION | *National Origin Discrimination*

The Immigration and Nationality Act and the New York City Human Rights Law protect employees against discrimination based on national origin or citizenship status.

If you have questions about discrimination, you can contact:



THE OFFICE OF SPECIAL COUNSEL FOR IMMIGRATION RELATED UNFAIR EMPLOYMENT PRACTICES (OSC)

*The OSC is a part of the
U.S. Department of Justice (DOJ).*

Call 1-800-255-7688. The call is free.

TDD: 1-800-237-2515

The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) helps employees and employers anywhere in the United States.

You can find information about discrimination online in these languages: Arabic, Cambodian, Chinese, Farsi, French, Haitian Creole, Hindi, Hmong, Korean, Laotian, Punjabi, Russian, Spanish, Tagalog, Urdu, and Vietnamese.

Visit: www.justice.gov/crt/osc/htm/CRTNatorigin.htm.



THE NEW YORK CITY COMMISSION ON HUMAN RIGHTS (CCHR)

There is an office in every borough.

Call 311.

Or, call the Central Office at 1-212-306-7450.

The New York City Commission on Human Rights helps residents of the five boroughs of New York City.

Visit: www.nyc.gov/cchr



DISCUSS | Do you have experience with discrimination?

The Office of Special Counsel (OSC) and The New York City Commission on Human Rights want to stop national origin discrimination. The Office of Special Counsel (OSC) and The New York City Commission on Human Rights teach employers and employees about how to stop discrimination.

- Do you have experience with discrimination?
- What happened?
- What did you do?

- Find a partner and create a dialogue about discrimination for the class.
- What is the problem?
- Who can help you?

DIALOGUES

Complete these dialogues. Find solutions to the problems. Practice the dialogues with a partner.

- Employee:** I have a problem.
- Friend:** What's the matter?
- Employee:** My employer says I cannot speak Spanish at work. But I only speak Spanish during breaks.
- Friend:** Call the OSC/311. They can help you, for free!
- Employee:** But my English is not very good.
- Friend:** You can ask for an interpreter.

- Husband:** How was your day?
- Wife:** Not good. My manager says I can't get a promotion because I wasn't born in the U.S.
- Husband:** I don't think that's legal. Let's call the OSC/311.
- Wife:** I don't want any problems.
- Husband:** Don't worry. The law protects you against discrimination/retaliation.

Problems and Solutions

Immigrant Employment Rights Part III



PROBLEM	WHO CAN HELP?
BENEFITS	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
BREAKS	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
DISCRIMINATION	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC).</i> Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515. <i>NYC Commission on Human Rights (CCHR)</i> Call 1-212-306-7450.
DOCUMENT ABUSE	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC).</i> Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515.
E-VERIFY GENERAL QUESTIONS	<i>U.S. Citizenship and Immigration Services E-Verify Worker Hotline.</i> Call 1-888-897-7781.
E-VERIFY DISCRIMINATION	<i>Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC).</i> Call 1-800-255-7688. The call is free. TDD: 1-800-237-2515.
IMMIGRATION STATUS OR CITIZENSHIP QUESTIONS	<i>New York Immigration Coalition (NYIC)</i> Call 1-212-627-2227. <i>New York State Immigration Hotline</i> Call 1-212-419-3737 or 1-800-566-7636. <i>CUNY Citizenship Now! Immigration Centers</i> Call 1-646-344-7245.
MINIMUM WAGE	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
OVERTIME	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.
SAFETY PROBLEMS ON THE JOB	<i>U.S. Office of Occupational Safety and Health Administration</i> Call 1-800-321-OSHA.
UNPAID WAGES	<i>New York State Department of Labor (DOL)</i> Call 1-800-447-3992.



Problems and Solutions

Immigrant Employment Rights Part III

REPORTING A PROBLEM | *Listen and Practice.*

Tomás calls the Office of Special Counsel for advice. Listen and practice.

<i>Tomás:</i>	Hello. Is this the OSC?
<i>Operator:</i>	Yes. How can I help you?
<i>Tomás:</i>	I have a problem with an employer.
<i>Operator:</i>	What is your problem?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Do you have the employer's name and address?
<i>Tomás:</i>	_____.
<i>Operator:</i>	When did this happen?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Where did this happen?
<i>Tomás:</i>	_____.
<i>Operator:</i>	Do you want help in your language?
<i>Tomás:</i>	_____.
<i>Operator:</i>	What is your native language?
<i>Tomás:</i>	_____.
<i>Operator:</i>	One minute, please.



KEEP A RECORD

If you have a problem on the job, you need to keep a record of the problem.

Employee Name	
Employee Contact Information	
Employer Name and Names of People Involved	
Employer Address or Location	
Date of Problem	
Time	
What happened?	

Problems and Solutions

Immigrant Employment Rights Part III

THE OFFICE OF SPECIAL COUNSEL (OSC)

What happens if I report a problem to the OSC?

If there is a problem, the OSC will ask you to complete a **charge form**.

On the **charge form** you provide:

- your name, address, and telephone
- the name, address and telephone of the employer where you had the problem
- a description of what happened, when and where

You must make a complaint *within 180 days*.

Find a **charge form** online in English, Spanish, Chinese or Vietnamese at:

<http://www.justice.gov/crt/osc/htm/charge.php>

What happens next? Here are some possibilities:

- The OSC contacts the employer.
- The OSC informs the employer about the law.
- The employee gets the job or gets hired back.
- The employee gets back pay.
- The employer pays fines or damages.
- The employer attends training.

Investigations typically take no longer than 7 months.

Vocabulary

What is...?

CHARGE FORM	<i>the document you complete when you have a problem with discrimination and want to report it to the OSC</i>
BACK PAY	<i>money you were not paid when you worked</i>
FINES OR DAMAGES	<i>money an employer pays the government as a penalty</i>



Problems and Solutions

Immigrant Employment Rights Part III

WAGES



1. When you work, you must get paid.
2. Another word for the money you get paid is **wages**.
3. The law says all workers must get **promised wages**.
4. **Undocumented workers** must get **promised wages**.
5. If you work, an employer must pay you for your work.
6. If an employer doesn't pay you after you have done the work, you can call the **New York State Department of Labor** at 1-800-447-3992.
7. The **New York State Department of Labor** can help workers who have problems with **promised wages**.
8. If you have questions about your **immigration status**, you can call:
 - The New York Immigration Coalition at 1-212-627-2227.
 - The New York Immigration Hotline at 1-212-419-3737 or 1-800-566-7636.
 - The City University of New York Citizenship Now! Immigration Centers at 1-646-344-7245.



Problems and Solutions

Immigrant Employment Rights Part III

E-VERIFY



1. Some employers use a computer system to check an employee's information on the I-9 form.
2. This system is called **E-Verify**.
3. E-Verify checks an employee's information on the I-9 form:
 - with the **Social Security Administration**
 - with the **Department of Homeland Security** (non-citizens)
4. You can have problems with E-Verify if there are changes in your personal information. For example:
 - your name changes because you get married or divorced
 - your citizenship status changes
5. Always report changes in your personal information to the **Social Security Administration** or the **Department of Homeland Security**.

Social Security Administration	www.socialsecurity.gov 1-800-772-1213
Department of Homeland Security	www.dhs.gov/E-Verify 1-888-897-7781

VIDEO 4 | *María's employer uses E-Verify.*



1. Watch Video 4.

- Who do you see?
- What **documents** do you see?

2. Talk about the Video.

Circle **YES** or **NO**.

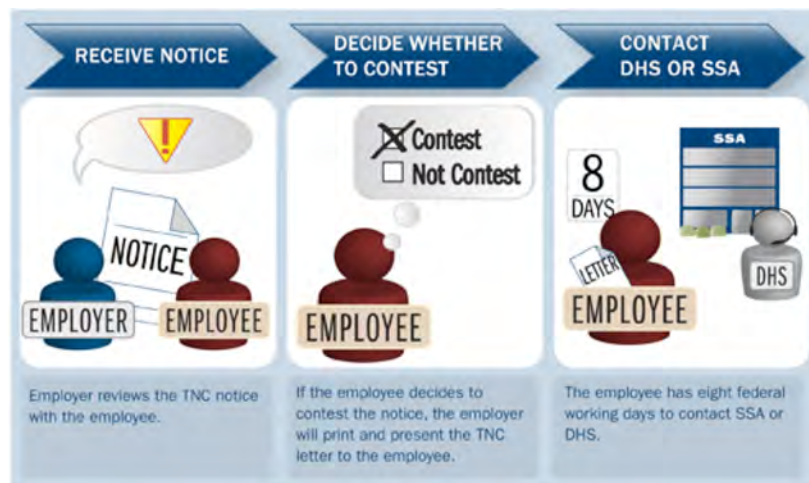
Does María have a new job?	<input type="radio"/> YES	<input type="radio"/> NO
Does her employer check her I-9 form?	<input type="radio"/> YES	<input type="radio"/> NO
Does María have the right documents?	<input type="radio"/> YES	<input type="radio"/> NO
Does María have a new name?	<input type="radio"/> YES	<input type="radio"/> NO
Does María have a problem when her employer uses E-Verify?	<input type="radio"/> YES	<input type="radio"/> NO



KNOW THE LAW | Tentative Nonconfirmation (TNC)

1. Problems with E-Verify are called **Tentative Nonconfirmation (TNC)**.
2. María's employer receives a **TNC** from E-Verify.
3. What can María do?
4. María can **not contest the TNC** and lose her job.
5. Or, María can **contest the TNC** and try to fix the problem.
6. She has 8 or fewer work days to begin to fix the problem.*

***Note:** The 8 days start from the moment the employer presses a "refer case" button, which triggers the time period. If the employer then tells the worker about the TNC 6 days later, the worker only has one or two days left. The date on the TNC notice is the critical date.



If you have problems with E-Verify, you can contact:

- The Department of Homeland Security E-Verify employee hotline at **1-888-897-7781** or **www.dhs.gov/E-Verify**.
- The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) at **1-800-225-7688** or **www.usdoj.gov/crt/osc** if your employer discriminates against you because of a problem with E-Verify.

E-Verify Questions

Maria receives a tentative nonconfirmation (TNC) from her employer. What can she do?
Read Maria's questions and choose **YES** or **NO**.



1. Will I get fired?	YES	<input type="radio"/> NO
2. Will I get paid?	<input checked="" type="radio"/> YES	NO
3. Can I go to training?	<input checked="" type="radio"/> YES	NO
4. Will my schedule change?	YES	<input type="radio"/> NO
5. Will you tell my supervisor?	YES	<input type="radio"/> NO
6. Can I have time to fix the problem?	<input checked="" type="radio"/> YES	NO
7. Can you tell me what to do to fix the problem?	<input checked="" type="radio"/> YES	NO

KNOW THE LAW | E-Verify Self Check

1. If you want to review your personal information before a job interview, you can use **E-Verify Self Check**.
2. E-Verify Self Check is **optional**. No employer can require you to use E-Verify Self Check.
3. It is available in English and Spanish
4. It is only **online**, not on paper.
5. It is **free**. There is **no fee**.
6. Personal information on E-Verify Self Check is **confidential**.
7. There are four steps to use E-Verify Self Check:



To learn more about E-Verify Self-Check, go to: www.uscis.gov/EVerifySelfCheck.

If an employer requires you to use E-Verify Self Check, contact The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) at **1-800-225-7688** or www.usdoj.gov/crt/osc. No one can require you to use E-Verify Self Check.

Activities

Immigrant Employment Rights Part IV

KNOW YOUR ACRONYMS

Acronyms are words made from the first letters in a name. Find the correct acronym for each name. Choose from the box below:

DHS	DOJ	DOL	OSHA	ICE	INA
CCHR	NYIC	OSC	SSN	USCIS	SSA

NAME	ACRONYM
1. Department of Homeland Security	DHS
2. US Citizenship and Immigration Services	USCIS
3. Immigration and Customs Enforcement	ICE
4. Department of Justice	DOJ
5. Office of Special Counsel for Immigration-Related Unfair Employment Practices	OSC
6. Department of Labor	DOL
7. Social Security Administration	SSA
8. Social Security Number	SSN
9. Immigration and Nationality Act	INA
10. Occupational Safety and Health Administration	OSHA
11. New York City Commission on Human Rights	CCHR
12. New York Immigration Coalition	NYIC



Activities

Immigrant Employment Rights Part IV

WHAT'S MY WEB ADDRESS?



1. Go to www.google.com
2. Enter the acronym in the search box.
3. Write down the web address.
4. Check your answers with your teacher or a classmate.

AGENCY	WEB ADDRESS
1. DHS	www.dhs.gov
2. USCIS	www.uscis.gov
3. DOJ	www.justice.gov
4. DOL	www.dol.gov
5. OSHA	www.osha.gov
6. New York State DOL	www.labor.ny.gov
7. CCHR	www.nyc.gov/cchr
8. NYIC	www.thenyic.org

Activities

Immigrant Employment Rights Part IV

WHAT'S YOUR JOB? | Tell me about yourself.

WHERE I WORK

DAYS I WORK

MY JOB TITLE

HOURS I WORK

MY BOSS'S NAME



Activities

Immigrant Employment Rights Part IV

WHAT'S YOUR JOB? | Ask a classmate.

Here is a list of jobs in the workbook:

painter	air traffic controller	nurse
dishwasher	911 operator	manager
deli owner	waiter	interpreter

What are the jobs in your class? Ask your classmates.

Write the names and jobs below:

NAME	JOB

Activities

Immigrant Employment Rights Part IV

PRONUNCIATION PRACTICE

Practice saying these new words. How many syllables? Where is the stress?

1. **job**
2. **law**
3. **val** • id
4. **ac** • cent
5. **lan** • guage
6. **pay** • check
7. **doc** • u • ment
8. **im** • mi • grant
9. **ap** • pli • cant
10. **in** • ter • view
11. **cit** • i • zen
12. em • **ploy** • er
13. em • **ploy** • ee
14. ap • **pear** • ance
15. **cit** • i • zen • ship
16. ad • ver • **tise** • ment
17. ap • pli • **ca** • tion
18. dis • crim • i • **na** • tion

APPENDIX



Appendix

I-9 Form

OMB No. 1615-0047; Expires 08/31/12

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-9, Employment Eligibility Verification

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification (To be completed and signed by employee at the time employment begins.)

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

- ☐ A citizen of the United States
☐ A noncitizen national of the United States (see instructions)
☐ A lawful permanent resident (Alien #) _____
☐ An alien authorized to work (Alien # or Admission #) _____
until (expiration date, if applicable - month/day/year)

Employee's Signature

Date (month/day/year)

Preparer and/or Translator Certification (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature

Print Name

Address (Street Name and Number, City, State, Zip Code)

Date (month/day/year)

Section 2. Employer Review and Verification (To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)

List A	OR	List B	AND	List C
Document title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) _____ and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name and Address (Street Name and Number, City, State, Zip Code)		Date (month/day/year)

Section 3. Updating and Reverification (To be completed and signed by employer.)

A. New Name (if applicable)	B. Date of Rehire (month/day/year) (if applicable)	
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment authorization.		
Document Title: _____	Document #: _____	Expiration Date (if any): _____
I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.		
Signature of Employer or Authorized Representative		Date (month/day/year)

Form I-9 (Rev. 08/07/09) Y Page 4



LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization		LIST B Documents that Establish Identity	LIST C Documents that Establish Employment Authorization
OR		AND	
1. U.S. Passport or U.S. Passport Card	2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
			2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		3. School ID card with a photograph	4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
		4. Voter's registration card	
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record	5. Native American tribal document
		6. Military dependent's ID card	
		7. U.S. Coast Guard Merchant Mariner Card	6. U.S. Citizen ID Card (Form I-197)
		8. Native American tribal document	
		9. Driver's license issued by a Canadian government authority	7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		For persons under age 18 who are unable to present a document listed above:	
		10. School record or report card	8. Employment authorization document issued by the Department of Homeland Security
		11. Clinic, doctor, or hospital record	
		12. Day-care or nursery school record	

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Form I-9 (Rev. 08/07/09) Y Page 5



I-9 Form Summary

Appendix

Form I-9 Employment Eligibility Verification

The I-9 Form can look confusing, but it is actually very simple. These three sections are important to understand.

Read instructions carefully before completing this form. The instructions must be available during completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

The anti-discrimination law is printed on the top of every I-9 form. It states that it is illegal for your employer to discriminate against you if you have work authorization. Your employer cannot tell you which documents to show them or ask you for more or different documents than the form requires.

In this section, you must fill out your information. You can ask someone to help you translate or complete this section.

- ① Employee enters full name and maiden name, if applicable.
- ② Employee enters current address and date of birth.
- ③ Employee enters his or her city, state, ZIP Code, and Social Security number. Entering the Social Security number is optional unless the employer verifies employment authorization through the USCIS E-Verify Program.
- ④ Employee reads warning and attests to his or her citizenship or immigration status.
- ⑤ Employee signs and dates the form.
- ⑥ If the employee uses a preparer or translator to fill out the form, that person must certify that he or she assisted the employee by completing this signature block.



Form I-9

Employment Eligibility Verification

The I-9 Form can look confusing, but it is actually very simple. These three sections are important to understand.

Section 2. Employer Review and Verification (To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number, and expiration date, if any, of the document(s).)

List A	OR	List B	AND	List C
Document title:				
Issuing authority:				
Document #:				
Expiration Date (if any):				
Document #:				
Expiration Date (if any):				

CERTIFICATION: I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) and that to the best of my knowledge the employee is authorized to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative _____ Title _____

Business or Organization Name and Address (Street Name and Number, City, State, Zip Code) _____ Date (month/day/year) _____

Your employer will fill out this section. This is where you must show your employer your documents to prove your identity and work authorization. You only need to show your employer one document from List A, OR, one document from List B and one from List C. The lists of documents are listed on the back of the I-9 Form.

- ① Employer records document title(s), issuing authority, document number, and the expiration date from original documents supplied by employee. See Part Eight for the Lists of Acceptable Documents.
- NOTE:** You may use abbreviations for commonly used documents, e.g., DL for driver's license and SS for Social Security.
- ② Employer enters date employment began.
- ③ Employer attests to examining the documents provided by filling out the signature block.



Appendix

Documents that Establish Both Identity and Employment Eligibility

The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.

The U.S. Department of State issues the U.S. passport to U.S. citizens and noncitizen nationals. There are a small number of versions still in circulation that may differ from the main versions shown here.



US Passport Card

The U.S. Department of State began producing the passport card in July 2008. The passport card is a walletsize card that can only be used for land and sea travel between the United States and Canada, Mexico, the Caribbean, and Bermuda.



Passport Card front and back

Permanent Resident Card (Form I-551)

On May 11, 2010, USCIS began issuing the newly redesigned Permanent Resident Card, also known as the Green Card, which is now green in keeping with its long-standing nickname. The card is personalized with the bearer's photo, name, USCIS number, alien registration number, date of birth, and laser-engraved fingerprint, as well as the card expiration date.

Note that on the new card, shown below, the lawful permanent resident's alien registration number, commonly known as the A number, is found under the USCIS # heading. The A number is also located on the back of the card.



Current Permanent Resident Card (Form I-551) front and back

This most recent older version of the Permanent Resident Card shows the DHS seal and contains a detailed hologram on the front of the card. Each card is personalized with an etching showing the bearer's photo, name, fingerprint, date of birth, alien registration number, card expiration date, and card number.

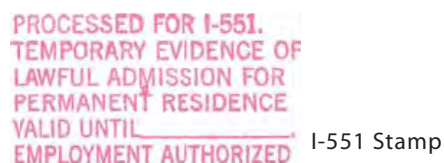
Also in circulation are older Resident Alien cards, issued by the U.S. Department of Justice, Immigration and Naturalization Service, which do not have expiration dates and are valid indefinitely. These cards are peach in color and contain the bearer's fingerprint and photograph.



Older version Permanent Resident Card (Form I-551) front and back



Unexpired Foreign Passport with I-551 Stamp



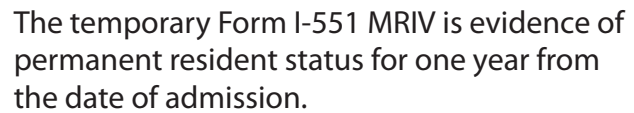
Unexpired Foreign Passport with I-551 Stamp or MRIV

USCIS uses either an I-551 stamp or a temporary I-551 printed notation on a machine-readable immigrant visa (MRIV) to denote temporary evidence of lawful permanent residence. Sometimes, if no foreign passport is available, USCIS will place the I-551 stamp on a Form I-94 and affix a photograph of the bearer to the form. This document is considered a receipt.

Reverify the employee in Section 3 of Form I-9 when the stamp in the passport expires, or one year after the issuance date if the stamp does not include an expiration date. For temporary I-551 receipts, at the end of the receipt validity period, the individual must present the Permanent Resident Card (Form I-551) for Section 2 of Form I-9.

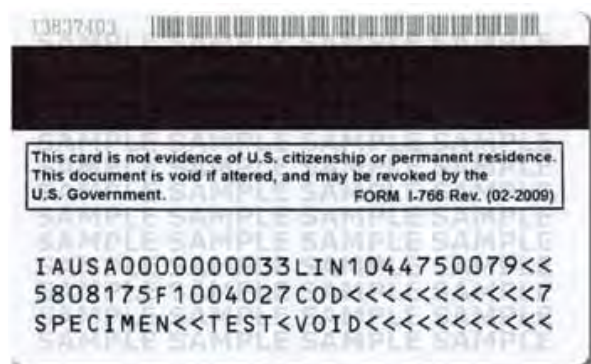
The MRIV demonstrates permanent resident status for one year from the date of admission found in the foreign passport that contains the MRIV.





- Temporary I-551 printed notation on a machine-readable immigrant visa (MRIV)

USCIS issues the Employment Authorization Document to aliens granted temporary employment authorization in the United States. The card contains the bearer's photograph, fingerprint, card number, Alien number, birth date, and signature, along with a holographic film and the DHS seal. The expiration date is located at the bottom of the card.



Employment Authorization Document (Form I-766) front and back



Form I-20 Accompanied by Form I-94 or Form I-94A

Form I-94 or Form I-94A for F-1 nonimmigrant students must be accompanied by a Form I-20, Certificate of Eligibility for Nonimmigrant Students, endorsed with employment authorization by the designated school official for off-campus employment or curricular practical training. USCIS will issue an Employment Authorization Document (Form I-766) to all students (F-1 and M-1) authorized for a post-completion OPT period.

Form I-20 Accompanied by
Form I-94 or I-94A

Form I-20, Certificate of Eligibility for Nonimmigrant Students (F-1) is a document issued by the U.S. Department of Education. It is used to certify the eligibility of nonimmigrant students (F-1) for admission to the United States. The form includes sections for student information, school information, and a statement of financial resources. It is accompanied by Form I-94 or Form I-94A.

Form DS-2019 Accompanied by Form I-94 or Form I-94A

Nonimmigrant exchange visitors (J-1) must have a Form I-94 or Form I-94A accompanied by an unexpired Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, issued by the U.S. Department of State, that specifies the sponsor. J-1 exchange visitors working outside the program indicated on the Form DS-2019 also need a letter from their responsible officer.

Form DS-2019 Accompanied by
Form I-94 or Form I-94A

Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status is a document issued by the U.S. Department of State. It is used to certify the eligibility of exchange visitors (J-1) for admission to the United States. The form includes sections for visitor information, sponsor information, and a statement of financial resources. It is accompanied by Form I-94 or Form I-94A.



Form I-94 or Form I-94A Arrival/Departure Record

CBP and sometimes USCIS issue arrival-departure records to nonimmigrants. This document indicates the bearer's immigration status, the date that the status was granted, and when the status expires. The immigration status notation within the stamp on the card varies according to the status granted, e.g., L-1, F-1, J-1. The Form I-94 has a handwritten date and status, and the Form I-94A has a computer-generated date and status. Both may be presented with documents that Form I-9 specifies are valid only when Form I-94 or Form I-94A also is presented, such as the foreign passport, Form DS-2019, or Form I-20.

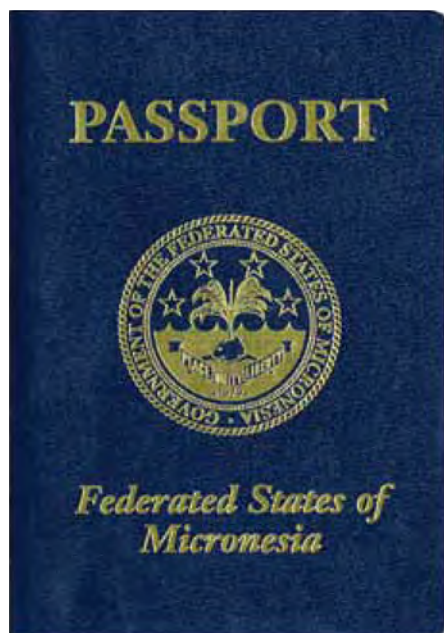
Form I-9 provides space for you to record the document number and expiration date for both the passport and Form I-94 or Form I-94A.

Form I-94 Arrival/Departure Record sample. The form includes fields for Departure Number (626633123 12), Family Name (SAMPLE), First (Given) Name (JANE), Birth Date (23, 03, 68), and Country of Citizenship (NEW ZEALAND). A handwritten date and status stamp reads: JUN 25 2006, L-1, April 23, 2009. The form is labeled "I-94 Departure Record" and "CBP Form I-94 (10/04) STAPLE HERE".

Form I-94
Arrival/
Departure
Record

Form I-94A Arrival/Departure Record sample. The form includes fields for Departure Number (813106636 11), Family Name (SAMPLE), First (Given) Name (AHMET), Birth Date (22, 12, 50), and Country of Citizenship (PAKISTAN). A computer-generated date and status stamp reads: L1, 12345, 09/17/2007. The form is labeled "Form I-94A Arrival/Departure Record" and "CBP Form I-94A (1/04) STAPLE HERE".

Form I-94A
Arrival/
Departure
Record



Passport from the Federated States of Micronesia.

Passports of the Federated States of Micronesia and the Republic of the Marshall Islands

In 2003, Compacts of Free Association (CFA) between the United States and the Federated States of Micronesia (FSM) and Republic of the Marshall Islands (RMI) were amended to allow citizens of these countries to work in the United States without obtaining an Employment Authorization Document (Form I-766).

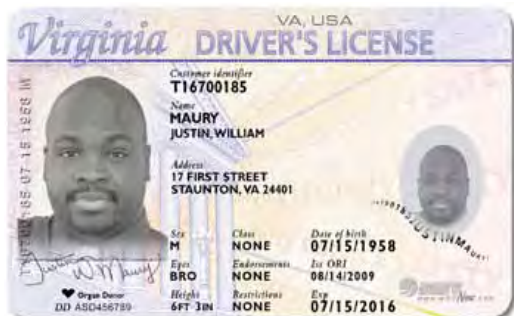
For Form I-9 purposes, citizens of these countries may present FSM or RMI passports accompanied by a Form I-94 or Form I-94A indicating nonimmigrant admission under the CFA, which are acceptable documents under List A. The exact notation on Form I-94 or Form I-94A may vary and is subject to change. As of early 2009, the notation on Form I-94 or Form I-94A typically states "CFA/FSM" for an FSM citizen and "CFA/MIS" for an RMI citizen.

List B

Appendix

Documents that Establish Identity Only

The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.



Driver's License from the Commonwealth of Virginia front

State-issued Driver's License

A driver's license can be issued by any state or territory of the United States (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a Canadian government authority, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their drivers' licenses that state the card does not confirm employment authorization. For Form I-9 purposes, these drivers' licenses, along with every other state's, establish the identity of an employee. When presenting any driver's license, the employee must also present a List C document that establishes employment authorization.



Identification Card from the Commonwealth of Virginia front

Sample State Identification Card

An ID card can be issued by any state (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) or by a local government, and is acceptable if it contains a photograph or other identifying information such as name, date of birth, gender, height, eye color, and address.

Some states may place notations on their ID cards that state the card does not confirm employment authorization. For Form I-9 purposes, these cards, along with every other state's, establish the identity of an employee. When presenting any state-issued ID card, the employee must also present a List C document that establishes employment authorization.



List C

Appendix

Documents That Establish Employment Eligibility Only

The following illustrations in this Handbook do not necessarily reflect the actual size of the documents.

U.S. Social Security Account Number Card

The U.S. Social Security account number card is issued by the Social Security Administration (older versions were issued by the U.S. Department of Health and Human Services), and can be presented as a List C document unless the card specifies that it does not authorize employment in the United States. Metal or plastic reproductions are not acceptable.



U.S. Social Security Card

Certifications of Birth Issued by the U.S. Department of State

These documents may vary in color and paper used. All will include a raised seal of the office that issued the document, and may contain a watermark and raised printing.



Certification of Birth Abroad Issued by the U.S. Department of State (FS-545)



Certification of Report of Birth Issued by the U.S. Department of State (DS-1350)

Birth Certificate

Only an original or certified copy of a birth certificate issued by a state, county, municipal authority, or outlying possession of the United States that bears an official seal is acceptable. Versions will vary by state and year of birth. Beginning October 31, 2010, only Puerto Rico birth certificates issued on or after July 1, 2010 are valid. Please check www.uscis.gov for guidance on the validity of Puerto Rico birth certificates for Form I-9 purposes.



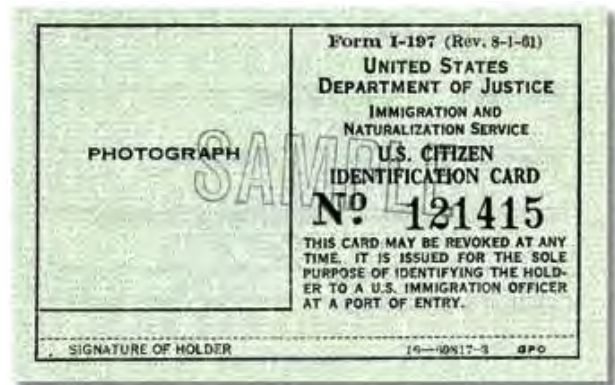
Birth Certificate



U.S. Citizen Identification Card (Form I-197)

Form I-197 was issued by the former Immigration and Naturalization Service (INS) to naturalized U.S. citizens. Although this card is no longer issued, it is valid indefinitely.

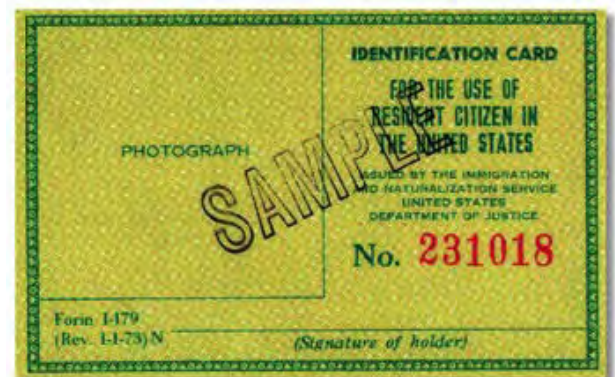
U.S. Citizen Identification Card
(Form I-197)



Identification Card for Use of Resident Citizen in the United States (Form I-179)

Form I-179 was issued by INS to U.S. citizens who are residents of the United States. Although this card is no longer issued, it is valid indefinitely.

Identification Card for Use of Resident
Citizen in the United States (Form I-179)



Photocopy Master



Photocopy Master

discrimination



documents

Photocopy Master

E-Verify

Photocopy Master

Form 9-1



Photocopy Master

interpreter



U
S
O

Photocopy Master

wages

<div><div>YES</div><div>I know these words</div></div>	
<div><div>NO</div><div>I don't know these words</div></div>	

discrimination**I-9 form****OSC****interpreter****documents****wages****311****E-Verify****discrimination****I-9 form****OSC****interpreter****documents****wages****311****E-Verify**

THE RIGHT TO WORK

Vocabulary Pre-Workshop Needs Assessment

	<i>Number of students who know about it already</i>	<i>Number of students want to know more about it</i>
311		
discrimination		
documents		
E-verify		
I-9 form		
interpreter		
OSC		
wages		

Notes:



Photocopy Master

KEY

ON



THE RIGHT TO WORK

UNDERSTANDING IMMIGRANT EMPLOYMENT RIGHTS

Evaluation

1. Discrimination is a problem in my community.	YES	NO
2. The Office of Special Counsel for Immigration-Related Unfair Employment Practices will help me with discrimination.	YES	NO
3. The New York City Commission on Human Rights will help me with discrimination.	YES	NO
4. I can get help in my native language.	YES	NO
5. It is important to learn about laws against discrimination.	YES	NO
6. I understand the I-9 form.	YES	NO

Three new words I learned are:

Questions I have:



THE RIGHT TO WORK: UNDERSTANDING IMMIGRANT EMPLOYMENT RIGHTS

