



UNITE HERE IMMIGRATION UPDATE

As the union of hospitality workers, we know that the industry couldn't function without immigrant labor. Millions of immigrant workers serve our country and the hospitality industry everyday as housekeepers, cooks, food preparers and servers, airport workers, dishwashers and beyond.

The COVID pandemic has hit our industry hard:

- Immigrants, many of whom are essential workers, have experienced a higher rate of infection and death due to COVID.
- Undocumented immigrants were denied unemployment and stimulus checks.
- COVID has exposed the systematic racism and inequality inherent in our nation's economy and health care system.

We worked hard to TAKE BACK 2020 and elect Joe Biden and Kamala Harris to win justice for all workers, including immigrant workers.

Here is a summary of some of the immigration changes and improvements that the Biden Administration has delivered already.

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1. President Biden signed a number of Executive Actions regarding immigration on his first day in office, including preserving DACA.
2. He announced the U.S. Citizenship Act of 2021, legislation that would provide legal status for 11 million undocumented immigrants, including those with TPS and DACA. It would also strengthen labor protections and create a more humane immigration system.
3. The designations of those with Temporary Protected Status (TPS) expire at various times over the next year (see below). UNITE HERE and other unions are fighting for permanent residency and a path to citizenship for those with TPS, and they are also protected in the Biden immigration bill.
4. Meanwhile, we urge all who are eligible to apply for U.S. citizenship (<https://www.uscis.gov/citizenship>). We fought back Trump's efforts to raise the fees and eliminate fee waivers. The fee remains \$725 and fee waivers and reduced fees are available. The Biden administration plans to step up processing citizenship applications.

DACA (Deferred Action for Childhood Arrivals)

The United States Citizenship and Immigration Service is now accepting new DACA applications, renewal requests, and advance parole applications. (<https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca>)

Those with DACA issued as of July 28, 2020 and approved for a one-year period should be informed that their current period of deferred action and their employment authorization document (EAD) have been automatically extended from one year to two.

TPS (Temporary Protected Status)

Temporary Protected Status, or TPS, is a life-saving immigration status that allows foreign nationals from designated countries to remain in the U.S. if during the time they were in the U.S. something catastrophic happened in their country of origin preventing their safe return – for example war, famine, natural disaster, or epidemic. TPS allows people to work legally and be protected from deportation. **Deferred Enforced Departure**, or DED, like TPS, allows foreign nationals to be protected from deportation and have the opportunity to work. DED is granted through the President's foreign relations power.

The 12 countries of origin and the TPS or DED expiration dates for those countries can be found below, but keep in mind that to take advantage of these extensions, individuals must remain eligible for TPS or DED.

Country	Current TPS or DED Expiration Date*	Country	Current TPS or DED Expiration Date*
El Salvador	10/04/21	Somalia	09/17/21
Haiti	10/04/21	South Sudan	05/02/22
Honduras	10/04/21	Sudan	10/04/21
Liberia	06/30/22	Syria	09/30/22
Nepal	10/04/21	Venezuela (DED)	07/20/22
Nicaragua	10/04/21	Venezuela (TPS)	09/09/22
		Yemen	09/03/21

*The Biden administration can choose to extend these designations. UNITE HERE and other unions are fighting for Green cards and a path to citizenship for qualified TPS and DED holders.

Congress and Immigration Reform

Only Congress can change the rules about who is eligible for legal permanent residency and citizenship. While President Biden is eager to fix our immigration system and provide legal status and citizenship to 11 million undocumented people, he cannot act alone. Congress must pass the Biden immigration bill, or other legislation, to provide permanent protections to those with DACA, TPS, or who are undocumented. To date, Congress has NOT passed this bill.

UNITE HERE is actively pursuing legislation in Washington DC to protect our immigrant brothers and sisters and secure full citizenship for those who have worked so hard in our country. Please check with your local leadership for more information on how you can help.

UNION CONTRACTS PROTECT ALL WORKERS

Regardless of your legal status, you have protections in this country when you are covered by a union contract. Many of the contracts that our locals and International Union have negotiated contain safeguards for our immigrant members. Here are some examples, but be sure to check your union contract to know what protections you have.

- Employers can't discriminate against a worker because of their national origin, immigration status, or in the event their work authorization changes, so long as the worker is authorized to work in the U.S.
- Workers get a paid holiday to attend their citizenship swearing-in ceremony without losing compensation for that time off.
- Employers contribute to a joint fund with workers for legal assistance on immigration and naturalization proceedings.
- Workers are protected from employers using an authorization check like E-Verify, unless required by law.
- If a worker is fired or resigns because of an issue in their work authorization, they get 12 months to provide proof of work authorization for immediate rehire without loss of seniority.
- Employers must contact the Union immediately in the event of an inquiry into a worker from the Department of Homeland Security.
- The employers are also expected to refuse ICE agents entrance to the workplace or inspection of worker documents without a valid judicial warrant, granting workers relief from fear of surprise raids.

For more information, talk to your local leadership.