



DO:

1. **DO** stay informed. It is important that you have some working understanding of the Executive Action. This will enable you to make informed decisions about your workforce and understand the impact of the Executive Action on your business.
2. **DO** continue to assume all hiring information given to you by your employees is valid and complies with the existing immigration laws. Unless you have knowledge otherwise, assume each employee's Form I-9 information is correct.
3. **DO** remember that you are a trusted source of information. Employees will come to you for assistance and with questions. It is important that you not discuss an individual employee's immigration status, but you can share information with your employees that could be helpful for their friends and family. For example, remind your employees that the Executive Action roll-out will likely take time and friends and family should therefore continue to understand that immigration laws remain in place.
4. **DO** continue to complete Form I-9 for all new hires. Form I-9 practices should not be suspended or relaxed. [Click here](#) for an updated Form I-9 compliance worksheet.
5. **DO** update your policies and procedures on service letters, company loans, and NCIS.
 - **Service Letters:** Employees may ask you for a service letter to verify their employment history. If you don't have a policy, now is the time to establish a policy. Remember that a service letter can be used for a variety of reasons, not just for immigration purposes. You should therefore not assume that a service letter is being used for immigration purposes. It may be a good idea to incorporate into your policy a "no-ask" procedure. If an employee requests a service letter, simply have a standard form to fill out and do not ask the purpose of the service letter. We suggest the form featured [here](#).
 - **Company Loans:** Executive Action will come with a financial cost. Employees often look to their employer for financial help. Update your policy on employee loans, and if you do not have a policy, it is important to establish one now. Similar to your Service Letter policy, have a standard policy for all employees.
 - **NCIS:** New Changed Identity Scenarios. What do you do if your employee comes to you and wants to change their name or their social security number? It is important to establish a policy dealing with employee misrepresentation. Having a policy in place that allows you to appropriately deal with this scenario will enable you to keep your workforce and help your employees. You want to have the flexibility to keep employees who have misrepresented their identity on their



Form I-9. To help you formulate an NCIS policy, please [click here](#) for an employer NCIS checklist.

DON'T:

1. **DON'T** poll your employees. There is no need for you to find out whether your employees could benefit from Executive Action. It is important that you are careful with the type of questions you ask and answer. Current immigration laws remain in full force and you should therefore adhere to them and encourage your employees to do the same.
2. **DON'T** refer your employees to a source you have not vetted. It is inevitable that employees will ask you for guidance if they have questions about Executive Action. First, do not assume that if an employee asks for guidance that the employee is undocumented—they could be asking on behalf of a family member. In the Hispanic community, there is a widespread problem of individuals who claim to be attorneys by using the term “Notario.” These individuals are usually dishonest about their legal credentials and have caused significant harm to the Hispanic community. If you would like to ensure your employees are contacting trusted sources, contact our office for a list of accredited non-profits that help low-wage workers with immigration issues. Similarly, start the vetting process of immigration law professionals in your area, so you can be prepared to help your employees.
3. **DON'T** ignore that employees are excited about the Executive Order. Just because an employee is excited, it does not mean that they are undocumented. An employee may be excited for friends and family.

Monty & Ramirez LLP would like to be your employee's trusted source for immigration help. We have an immigration department headed by Sarah Monty, who is board certified in immigration law. Please call Monty & Ramirez LLP for specific inquiries at 1-866-427-0152.

For more information and a detailed explanation of each “DO” and “DON'T,” request a complimentary copy of “The Gringo’s Guide to Immigration Reform for Employers.”