

Labor Laws and Rights of Immigrant Workers in the United States

There are several laws in this country that protect employees. Know your rights in the United States and the signs that your employer is abusing or exploiting you.

What Are My Rights?

- You must be paid at least **minimum wage** in the state where you work. In many states, the minimum wage is higher than the federal minimum wage (\$7.25 per hour).
 - If you work more than 40 hours a week, your employer must pay you **overtime**. This means they must pay you one and a half times your regular pay rate for each hour you work over 40 hours a week.
- Federal laws also require your employer to ensure you are working in a **safe and healthy** environment.
- **Protections for youth:** Minors under 18 cannot work in jobs that are hazardous, such as mining, using heavy machinery, working on roofs, or operating vehicles. There are also limits on the number of hours minors can work.



For immigrant youth who have recently arrived in the U.S. and do not have a work permit, it is important to understand that they do not yet have legal authorization to work in this country. To obtain a work permit, it is necessary to consult with an attorney to discuss the options for your case. There are several risks of working in the United States without legal authorization:

- It can lead to problems with immigration or other authorities.
- It may complicate your case in immigration court, especially if you are using someone else's documents to work.
- Immigrants working without a permit, especially minors, are at a higher risk of being exploited, mistreated, or taken advantage of by employers.

Labor Laws and Rights of Immigrant Workers in the United States

Ten Warning Signs That Your Employer Is Exploiting or Abusing You:

1. If your employer is not paying you the minimum wage in your state;
2. If you work more than 40 hours a week and your employer is not paying you overtime;
3. If your employer does not allow breaks for meals or the bathroom during the workday;
4. If your employer does not allow you to take a day off when you are sick;
5. If your employer threatens that you will lose your job if you take a day off;
6. If your employer has your identity documents in their possession (such as your passport, work permit, and social security card) and does not allow you to access them;
7. If your employer is taking money from your salary to pay for rent or other costs, or to repay a debt;
8. If your employer is threatening to call the police or immigration on you for working without legal authorization;
9. If your employer is harming or threatening to harm you or your family if you don't work;
10. If you feel forced to work out of fear of what may happen if you don't work.



If you find yourself in a similar situation, you can call the following numbers for help and information about resources, your rights and benefits, and to access available services.

National Human Trafficking Hotline: 1-888-373-7888

Office of Refugee Resettlement (ORR) National Call Center: 1-800-203-7001 (for unaccompanied immigrant youth)

This handout is for informational purposes only and not intended to serve as legal advice.

If you are interested in more information, visit our Unaccompanied Children Resource Center: [ucresourcecenter.org](https://www.ucresourcecenter.org).