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# Protecting the Rights of Immigrant Workers in NJ

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New Jersey welcomes all workers including immigrants and refugees. The New Jersey Department of Labor and Workforce Development (NJDOL) protects all workers, regardless of their immigration status.

## We treat all workers equally and maintain privacy

- NJDOL serves all workers regardless of their immigration or citizenship status.
- We don't ask workers about their immigration or citizenship status.
- NJDOL is a state department. We are separate from the federal government.
- We have strong [regulations](#) to protect the personal information of workers.
- NJDOL does not voluntarily share workers' personal information with federal immigration authorities.
- If federal immigration authorities request the personal information of workers from NJDOL, they must present a valid subpoena or warrant signed by a judge.

## Overview of your work rights

### No matter your immigration status, your work rights include:

- Pay for all hours worked, and at least the State minimum wage, overtime in most circumstances, and prevailing wage on public works projects
- Paid sick time to care for yourself and loved ones for up to 40 hours per year
- Correct employment status (workers incorrectly labeled as independent contractors or paid off the books do not receive their work rights and benefits)
- Protections under the Temporary Workers' Bill of Rights, Domestic Workers' Bill of Rights, Child Labor Laws, and all other Wage and Hour Laws
- And [more](#)

### NJDOL protects workers from retaliation:

- New Jersey law protects you from [retaliation](#).
- You can ask questions, learn about your rights, and report issues.
- Your employer cannot threaten you, fire you, cut your hours, or take other negative actions for exercising your legal rights. If they do, they can face penalties.

### More protections for immigrants:

- Employers cannot disclose, or threaten to disclose, your immigration status to hide that they broke certain laws. If they do, they face bigger penalties. [Learn more about this law](#).
- NJDOL can certify U/T visa applications for victims of crimes, such as domestic violence, sexual assault, and human-trafficking. [Learn more](#).

## Report problems to NJDOL

If your employer doesn't follow the law, you can file a complaint with NJDOL. If they break the law, they may face fines and penalties, and you may be eligible for backpay and other remedies.

You don't need a Social Security Number to file a complaint.

- [File a complaint online](#) or call 609-292-2305.
- A trusted person can help file a complaint or contact NJDOL on your behalf.
- We have multilingual staff ready to assist you.

- We won't share your identity and other personally identifiable information with your employer without your permission. [Click here for more information.](#)
  - You can file an anonymous complaint, but investigations work best when we can contact you.
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### **Does not impact public charge**

Filing a complaint or getting the wages you are owed is not considered a "public charge." It should not impact your application for a visa or green card. [Learn more here.](#)

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### **NJDOL Services**

Some NJDOL programs and services require a social security number, and some do not. See our handout in [English](#) and [Spanish](#).

### **Additional support**

#### **State resources:**

- [Office of New Americans](#)
- [Office of New Americans - Know Your Rights](#)
- [Office of New Americans - Legal Services](#)
- [Immigrant Trust Directive](#) by the Attorney General of New Jersey

You can also learn about our [outreach partners](#).

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#### **Federal resources:**

[U.S. Department of Justice - List of Pro Bono Legal Service Providers](#)

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