

Your Rights as a Worker:

Federal Minimum Wage

\$7.25 • Paid on Time • Detailed Wage Statement

12 Weeks Unpaid Leave

After being employed for 12 months by the same company, you are entitled to 12 weeks of unpaid leave for sickness, pregnancy, or to care for family.

*Leave Without Pay affects eligibility for certain federal benefits

Overtime

1.5x regular wages for all hours over 40 in a week

Age Limits

Must be 14 years old to work on a farm and hours worked must not exceed:

- 3 hours per school day
- 8 hours on non-school days
- 18 hours during a school week
- 40 hours/week during non-school week

**16 years old
non-farm & non-
hazardous jobs**

**18 years old
hazardous non-
farm jobs**

Safety

You have a right to safe working conditions and safe housing, if provided. You can report unsafe working conditions without losing your job.

Equal Opportunity

You have a right to work regardless of race, color, sex, national origin, age, disability or pregnancy.

*** You hold these rights regardless of employment verification ***



The following is information is specifically for undocumented workers

Wage and Hour Laws

Undocumented workers are protected by Federal Wage and Hour laws that determine their right to minimum wage, overtime pay, tips, and breaks. Therefore, an employer cannot use your legal status as a reason to not pay you.

Compensation Benefits

Workers' Compensation are the benefits laborers are entitled to if they are injured while working.

In many states like California, Texas, and Colorado undocumented workers can receive workers' compensation benefits. This means that their medical treatment is paid for by the company and on some occasions, so are their wages.

[Check here](#) if you qualify for your state's compensation benefits as an undocumented worker. <https://www.maggianolaw.com/can-undocumented-immigrants-get-workers-comp/>

It is important to note that undocumented workers do not qualify for job retraining benefits.

Unemployment Insurance

Unemployment insurance does not apply to undocumented workers. In order to receive unemployment insurance, workers must meet two qualifications: the first being "able to work" and the second being "available for work". Since undocumented workers are not legally allowed to work, they are not "available for work" and therefore they don't fulfill both requirements.

Anti- discrimination Law

Undocumented workers are protected under anti-discrimination laws that apply to other workers. Under federal law, an employer cannot discriminate against an employee because of his or her race, color, sex, pregnancy, national origin, religion, age, or disability.

File a Claim and Resources

It is important to note that recovering income after being fired due to discrimination as an undocumented worker is not guaranteed.

If you have further questions regarding your rights, visit the [Catholic Legal Immigration Network, Inc.](#) for more tools and resources.