



New York City Comptroller
Scott M. Stringer

Immigrant Rights and Services Manual

Important Information You Need to Know to Participate in the Life of New York City

2018





New York City Comptroller
Scott M. Stringer

Dear Fellow New Yorkers:

For centuries, New York City has stood as a beacon of hope and opportunity for immigrants, holding out the promise of a better future to millions of people around the world. New York City is, and must always be, a place that is welcoming to people who want to make a better life for themselves, no matter where in the world they come from. The dreams and aspirations of the 3.3 million immigrants living in New York City define our culture and help to power our economy every single day.

However, 2018 has ushered in a sense of insecurity for New York's immigrant communities. It is against this challenging backdrop that today I am presenting an updated version of my office's Immigrant Rights and Service Manual, a resource guide that my office has produced since 2015 and is now printed in ten languages (Bengali, Chinese, French, Korean, Haitian Creole, Russian, Spanish, Arabic, Urdu, and English). This updated manual includes information that I hope will be relevant to immigrant communities in the five boroughs. With changes to immigration policy at all levels of government, the 2018 guide includes new sections on the rights of undocumented immigrants, guidance on how to report hate crimes, and answers to questions about the benefits — and limitations — of being a "Sanctuary City" like New York. In addition, the manual includes materials about:

- Emergency contact resources for those fearing deportation;
- Legal and social service providers;
- Public benefit programs;
- Worker's rights;
- Small business assistance;
- Consumer rights; and
- A range of other issues relevant to immigrants living in New York.

This manual is not intended to provide answers to every question that an immigrant New Yorker may have about laws and policies. Nor does it replace the guidance that a lawyer can provide to an immigrant in need of legal services. But in these uncertain and trying times, the manual can help clarify certain issues and answer some of the questions that many immigrants, especially those who have recently arrived in New York City, may have about the laws of the City and how to obtain assistance from their government and other service providers.

While much of our nation's immigration policy is made at the federal level and therefore out of the control of City officials, as one of the leaders of City government, I will continue to do all I can to ensure that immigrants feel safe and secure in their homes and are able to realize their dreams in New York City. Where the City's laws and policies need improvement, I will stand with immigrants and community leaders to push for such changes.

If you have any questions about this manual, or any other issue, please do not hesitate to reach out to my office's Community Action Center by sending an email to action@comptroller.nyc.gov or calling 212-669-3916.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is stylized and cursive.

Scott M. Stringer

Please Note

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If you are seeking specific information or need assistance with an application, please contact the government agency directly or a not-for-profit group, if applicable. If you are seeking immigration status information, you should seek competent professional legal advice.

Please send address changes, additions, or comments to:

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Know Your Rights

Everyone has important legal rights, regardless of their immigration status. Be aware of your rights and what to do to protect yourself and your family.

WHAT IS IMMIGRATION ENFORCEMENT DOING DIFFERENTLY NOW?

Immigration and Customs Enforcement (ICE) is the main federal government agency responsible for enforcing immigration law. ICE can deport people without lawful immigration status and people with status (e.g., lawful permanent residents / “green card holders”, refugees, etc.) who have certain criminal convictions. On January 25, 2017, President Trump issued a new executive order that expands the detention and deportation priorities of ICE. This means that certain immigrants who can be deported may be at greater risk of being deported now.

ARE THERE NEW RESTRICTIONS ON TRAVEL?

On March 6, 2017, President Trump issued an executive order to try to restrict travel into the U.S. for refugees and some people from certain countries. A lawsuit was immediately filed challenging that order, and a federal court suspended the order, stopping it from taking effect until the lawsuit is resolved. You should consult an immigration attorney or call the New York Immigration Coalition at (212) 627-2227 to confirm if any travel restrictions have become effective since the publication of this guide.

If you are an immigrant, even if you have lawful immigration status, you should consult with an immigration attorney or Board of Immigrant Appeals-accredited representative before you travel outside the U.S.

If you plan to travel inside the U.S. or internationally, bring government-issued identification such as a driver’s license, your passport, and valid immigration documents such as a green card or visa papers. Do not surrender your green card or sign anything unless your attorney is with you. If you are asked to sign a form to surrender your green card, you should refuse to do so.

Airport officials are permitted to search your belongings and your person. Carefully observe any search. Keep a record of details of the search, including names and identifying information about the airport officials. Ask for receipts for confiscated property.

If you are facing deportation and need a lawyer, you may ask for a lawyer by calling the State Office of New Americans Hotline at (800) 566-7636.

AM I AT RISK OF BEING ARRESTED BY ICE?

The law allows the federal government to deport certain immigrants, including:

- 1) Any undocumented immigrant (person without lawful immigration status),
- 2) People with lawful immigration status (e.g., lawful permanent residents, refugees, and visa holders) who have certain criminal convictions.

WHAT DO I DO IF IMMIGRATION ENFORCEMENT OFFICERS APPROACH ME?

In all situations:

- You have the right to remain silent. If you wish to remain silent, you may say that out loud.
- Do not run away.
- You may use your phone to take notes and photos of what happens. You may also film or take a video of what happens. If you take photos or take a video, you should do it openly (not secretly) and not interfere with what the officers are doing. You should also decide if it is safe to reach for your phone during an encounter with enforcement officers.
- Do not lie. Do not show false or invalid documents.
- You have the right to speak to your attorney.
- Do not sign anything without speaking to your attorney.

If you are in public:

- Before you say your name or anything else, ask, “Am I free to go?” If they say yes, you may walk away. If they say no, do not walk away. Tell them you wish to remain silent and you want to speak to an attorney.
- If you have a “Know Your Rights Card” you may show that.

If you are at home:

- Be aware: ICE agents sometimes announce themselves as “police.”
- Before opening the door, ask if they are immigration agents. Politely say, “I don’t want to talk right now.”
- Without opening the door, ask whether they have a warrant signed by a judge. If they say they have a warrant signed by a judge, request they slip it under the door or put it against a window. If they do not have a warrant signed by a judge, you do not have to let them in.

For more information on your rights during encounters with ICE or to report ICE enforcement activities that happened in New York City, call the Immigrant Defense Project at (212) 752-6422.

Promoting Access to Benefits and Services for Immigrants

The City of New York is committed to making sure all residents, regardless of immigration status, feel safe seeking essential City services, such as health services, public schools, certain public benefits, emergency services, police protection, and many other services and benefits. The City prohibits its employees from asking about immigration status unless they need the information to determine eligibility for services or benefits, or unless it is required by law. The City requires that immigration status be kept confidential except in limited circumstances when required by law.

In addition, the City of New York does not assist the federal government in enforcing federal immigration law except in limited situations where it is required by law. To learn more about the City's policies to support and protect immigrants, you may visit the Mayor's Office of Immigrant Affairs website at:

<http://www1.nyc.gov/site/immigrants/programs/social-economic/immigration-enforcement.page>.

The key City policy that promotes access to City services for immigrants is Executive Order 41. Under Executive Order 41, all immigrants, including undocumented immigrants, are encouraged to seek the City's services, benefits, and programs that they are eligible to receive. In addition, Executive Order 41 generally requires City employees to protect the confidentiality of a person's immigration status and other kinds of personal information.

Some government benefits and services are available only to people with certain types of immigration status. In those cases, it is necessary for a City employee to ask about immigration status to determine a person's eligibility. However, many services, such as public health, safety, and education services are available to immigrants of any status, including undocumented immigrants. A list of services available to undocumented immigrants can be found in the "Public Benefits" section on page 14.

WHAT DOES EXECUTIVE ORDER 41 REQUIRE?

- If you are the victim or witness of a crime, or if you call or approach the police seeking assistance, police officers cannot inquire about your immigration status.
- However, if police officers suspect illegal or criminal activities, they may ask about your immigration status and/or ask you to disclose that information.
- If you go to a City agency to request certain services or benefits, City employees cannot ask you about your immigration status unless it is required by law or necessary to determine whether you are eligible to receive those services or benefits.
- If you share your immigration status or other confidential information with City employees, they will not report this information to anyone, except in limited circumstances such as when required by law.

If you have complaints about possible violations of Executive Order 41, you may complain to the City agency where you believe the violation happened. You may also contact the Mayor's Office of Immigrant Affairs by calling 311.

NYC PROTOCOL FOR PUBLIC SCHOOLS AND IMMIGRATION ENFORCEMENT

To help ensure that New York City public schools are safe places for students and families, the City announced a protocol in 2017 for how public schools should respond to requests from federal law enforcement officers, including immigration enforcement officers. Under this protocol, if a federal enforcement officer or immigration enforcement officer approaches a public school, the school will ask the officer for detailed information about the nature of the visit and whether the officer has any paperwork or warrants. The school will then instruct the officers to wait outside of the school building while school staff consult with attorneys at the New York City Department of Education (DOE). Public schools will not give any information to such officers or allow such officers to enter any schools unless it is absolutely required by law.

To see the protocol, visit this link:

<http://schools.nyc.gov/AboutUs/schools/SupportingAllStudents/Immigration+Guidance+for+Principals.htm>

Language Access Rights

A person who does not speak or read English proficiently has the right to ask government agencies, including schools, health clinics, and social service offices, for translation or interpretation services. It is generally inappropriate for children or relatives to be used as interpreters in many matters. Many government agencies are required by law to provide language access in languages other than English.

Language access includes:

- “Translation,” which means translating a document in writing. This can include translating important letters, notices, instructions, and other documents into different languages; and
- “Interpretation,” which means orally interpreting spoken information into a different language. This can include having a live interpreter present at a meeting or having an interpreter on the phone.

LOCAL LAW 73: EQUAL ACCESS TO HUMAN SERVICES

Local Law 73 requires that four major City health and human service agencies provide a certain amount of language access services. These agencies must follow Local Law 73:

- Human Resources Administration (HRA)
- Department of Health and Mental Hygiene (DOHMH)
- Administration for Children’s Services (ACS)
- Department of Homeless Services (DHS)

A person with limited English proficiency who seeks or receives benefits from one of these agencies must be provided certain kinds of free language assistance. These agencies run certain job centers, food stamp offices, medical assistance program offices, and other social service offices.

Each of these agencies has a policy stating what language assistance they provide. HRA, which can help you obtain food stamps, Medicaid, and many other benefits, is required to provide certain important documents translated into Chinese, Spanish, Arabic, Haitian Creole, Korean, and Russian. HRA must also make sure that persons who need language assistance do not have to wait significantly longer for service than others. DHS, ACS, and DOHMH are required to provide meaningful language assistance and services.

EXECUTIVE ORDER 120: LANGUAGE ACCESS

The Mayor’s Executive Order 120 requires that all City agencies providing direct public services provide a meaningful amount of free translation and interpretation services to people who need it. Every City agency was required to have a language access policy in place starting in January 2009. Agencies are required to provide assistance in the top six languages spoken by the population of New York City. These languages are determined by the NYC Department of City Planning using US Census data.

To get more information about free language services available at City agencies, you may call 311 and ask for the specific agency you are interested in, or ask for the Mayor’s Office of Immigrant Affairs.

Deportation and Detention

WHO IS AT RISK OF BEING DEPORTED?

Any non-U.S. citizen, including green card holders, could be at risk of being deported if they are convicted of a crime, have an old deportation order, or are simply undocumented. Deportation for criminal convictions is a risk even if the crimes were minor, happened a long time ago, and if the person served no time in jail or prison.

If you are at risk of deportation and feel you need an attorney, you should try to find an attorney who specializes in deportation. If you have criminal convictions, you need an attorney who understands criminal law as well as deportation. For information regarding legal services that can help with a deportation case, please refer to the Resource Directory section of this manual.

A 2010 Supreme Court decision, *Padilla v. Kentucky*, requires criminal defense attorneys to advise their clients about the potential adverse immigration consequences of their criminal charges. This means that a criminal defense attorney must advise the client on whether a conviction will make him or her deportable, subject to immigration detention, unable to obtain lawful status or citizenship, or impact his or her ability to return safely from a trip abroad. If a defense lawyer does not provide this advice, the client might be able to challenge the conviction, even if he or she pled guilty.

NEW YORK CITY RESTRICTIONS ON IMMIGRATION DETAINERS

The City's passage of Local Laws 58 and 59 in 2014 further restricted the circumstances in which the City can honor detainer requests from Immigration and Customs Enforcement (ICE). A detainer is a request sent by ICE asking a local or state government entity to detain a person whom ICE intends to take into custody. The laws generally prohibit the New York City Police Department (NYPD) and the Department of Correction (DOC) from honoring immigration detainers in most but not all cases. NYPD and DOC will only honor immigration detainers under the following circumstances:

- ICE presents a warrant issued by a federal judge establishing that there is probable cause to take the person into custody, and
- The person has been convicted of a "violent or serious crime" within five years of the arrest or is a possible match on the terrorist watch list.

The laws also prohibit ICE from keeping an office in the Rikers Island Correctional Facility.

WHAT TO DO IF AN INDIVIDUAL IS DETAINED

If you are detained in immigration custody, you are not obliged to say anything about your immigration status or sign anything giving up your right to an immigration hearing or any other rights. You have the right not to respond to questions about your status. You should not sign any document without speaking to your attorney.

If you are the family member or loved one of someone being detained, make sure you keep this person's full name and aliases, alien registration number, date of birth, the date he or she entered

the U.S., any criminal record, contact information for their past and present immigration and criminal lawyers, and all other immigration paperwork.

If you want to find your family member or loved one being detained, contact the Immigration and Customs Enforcement Office. You may also contact your Consulate. Lastly, you may contact individual detention centers. For more information you may contact the Detention Watch Network website.

Immigration and Customs Enforcement	
New York	(212) 264-4213
New Jersey	(973) 645-3666

Free Legal Assistance	
Executive Office for Immigration Review (EOIR) list of pro bono legal service providers: https://www.justice.gov/eoir/list-pro-bono-legal-service-providers	
New York Immigration Coalition List of Low Cost Immigration Service Providers: http://www.thenyic.org/sites/default/files/Low_Cost_Immigration_Service_Providers_1.10.2017.pdf	
New York State Office for New Americans/Liberty Defense Project	(800) 566-7636
Legal Aid Immigration Law Unit	(212) 577-3456 (<i>Wed & Fri afternoons</i>)
Immigrant Defense Project (information & referral on criminal immigration issues only; no direct representation)	(212) 725-6422
Bronx Defenders	(718) 838-7878
Brooklyn Defender Services	(718) 254-0700 x100

More information and non-legal support for detainees and families: Families for Freedom, (646) 290-5551.

For a listing of Consulates: <http://www.citidex.com/252.htm>.

For more information about detention, visit the website for the Detention Watch Network at www.detentionwatchnetwork.org.

To locate a detainee who is currently in custody: <https://locator.ice.gov/odls/homePage.do>.

WHAT IS THE GOVERNOR’S PARDON?

The New York State Governor is able to grant pardons to remove some of the consequences related to a criminal conviction. For immigrants who are documented (such as green card holders) or undocumented, a pardon can help to prevent mandatory deportation or bar to lawful status.

WHO CAN APPLY FOR A PARDON?

Any person who has been convicted of a criminal offense (or violation) in New York State can apply for a pardon. Learn more at <https://www.ny.gov/services/apply-clemency>.

A gubernatorial pardon does not guarantee in every case that there will no longer be any immigration consequences. Even a pardon cannot entirely eliminate certain offenses for immigration purposes. Nevertheless, a pardon may remove a criminal bar to lawful status for an undocumented person, or eliminate either the risk of deportation or mandatory deportation for a documented person with a criminal conviction.

To learn more about how a pardon could impact your immigration case, contact the Immigrant Defense Project at [212-725-6422](tel:212-725-6422) or info@immdefense.org.

HOW DO I APPLY FOR A PARDON TO PREVENT DEPORTATION?

To apply for a pardon, you must gather as much information as possible that demonstrates why a pardon should be granted. This information includes:

- Personal information including name, address, contact phone number, date of birth, and social security number or alien registration number,
- Whether immigration proceedings are pending and the status of those proceedings,
- Nature of the conviction including place of crime, sentencing date, and sentence(s) received,
- History or evidence of rehabilitation, showing good character,
- Description detailing your ties to the United States, and
- Description of the impact deportation would have on you and your family.

Applications should be sent to:

Executive Clemency Bureau
New York State Department of Corrections and Community Supervision
The Harriman State Campus – Building 2
1220 Washington Avenue
Albany, NY 12226-2050

Or scan and email your application package to the following address:

PardonsAndCommutations@doccs.ny.gov

AFTER A PARDON

If you obtain a pardon from the Governor, you must take additional steps to prevent deportation. One of the steps you should take is to file a proof of pardon to the court where your immigration proceedings are taking place.

Public Benefits

WHAT PUBLIC BENEFITS ARE AVAILABLE TO IMMIGRANTS?

Many important services and benefits are available to all people, regardless of immigration status. Some of these services are for emergency needs. The services listed below are available to all people, including undocumented immigrants.

- Children under 19 are eligible for health insurance under the State Children’s Health Insurance Program (SCHIP),
- Pregnant women, children under 5 years of age, and mothers of babies up to 6 months old (or 12 months if breastfeeding) are eligible for nutrition education, nutritious food and breastfeeding support under Women, Infants and Children Program (WIC),
- Prenatal care for pregnant women under the Prenatal Care Assistance Program (PCAP),
- Emergency medical care, including ambulance service,
- Domestic violence counseling,
- Immunizations,
- HIV testing and counseling,
- Emergency shelter,
- Poison control hotline,
- Food pantry services,
- Child welfare and foster care services,
- Public school education,
- School breakfast and lunch programs,
- Senior services and senior center programs provided by the Department for the Aging,
- Services that protect against consumer fraud provided by the Department of Consumer Affairs,
- Protection against discrimination provided by the Human Rights Commission,
- Services and facilities provided by the Department of Parks and Recreation,
- Services provided by the Department of Health and Mental Hygiene,
- Public library services and special events,
- Public transportation,
- Police protection, and
- Fire protection.

The following are some benefits that only U.S. citizens and immigrants with certain legal status that are “lawfully present” can receive:

- Supplemental Security Income (SSI),
- Food stamps,
- Cash assistance,
- Public housing,
- Section 8 Housing vouchers, and
- Medicaid (non-emergency).

WHAT IS SUPPLEMENTAL SECURITY INCOME (SSI)?

- SSI is a cash benefit for low-income elderly (65 and older), blind, or disabled individuals.
- Persons who receive SSI are automatically eligible for Medicaid.

A person can apply for SSI at any Social Security Administration (SSA) Office or by calling (800) 772-1213.

WHAT ARE FOOD STAMPS?

- Food stamps, now known as the Supplemental Nutrition Assistance Program (SNAP), are cash benefits in the form of coupons and Electronic Benefits Transfer (EBT) cards that help low-income families buy food.
- In New York City, the NYC Human Resources Administration (HRA) administers food stamps. A person can go to an HRA Job Center or Food Stamp Office to apply for food stamps.
- Even if a parent is not eligible for food stamps, the parent can still apply for food stamps for his or her children if the children are eligible.

To apply for food stamps, call 311 or visit HRA online at <http://www1.nyc.gov/site/hra/help/snap-benefits-food-program.page>.

WHAT IS CASH ASSISTANCE?

Cash Assistance is the New York City program that provides monetary assistance to eligible low-income families to help them become independent.

To find a New York City Job Center where you can apply for Cash Assistance and other public benefits, visit <http://www1.nyc.gov/site/hra/locations/job-locations.page> or call 311.

WHAT IS PUBLIC HOUSING?

Public Housing is government-owned housing that is available to certain low-income families and persons.

WHAT ARE SECTION 8 HOUSING VOUCHERS?

Section 8 Housing Vouchers are benefits that help a family pay a portion of their rent. Only certain low-income families qualify for Section 8 Housing, and only certain landlords accept Section 8 vouchers.

For more information about Public Housing and Section 8 vouchers, contact one of the following offices of the New York City Housing Authority (NYCHA) or visit <http://apply.nycha.info>.

Manhattan/Bronx	478 E. Fordham Rd., 2 nd Floor Bronx, NY 10458 (718) 707-7771
Brooklyn/Staten Island	787 Atlantic Ave., 2 nd Floor Brooklyn, NY 11238 (718) 707-7771
Queens	90-27 Sutphin Blvd., 4 th Floor Jamaica, NY 11435 (718) 707-7771

Mail Public Housing applications to:

NYCHA
Post Office Box 445
Church Street Station
New York, NY 10008

For more information about Section 8 vouchers from the New York City Housing and Preservation Department (HPD), please call (917) 286-4300.

For more information on housing, please refer to the Housing section (page 41).

WHAT IS MEDICAID?

Medicaid is a program that helps with medical costs for people with limited income and resources. You may be covered by Medicaid if you have high medical bills, receive Supplemental Security Income (SSI), and/or meet certain financial requirements. For additional information, please contact the Medicaid Helpline at (800) 541-2831.

MUNICIPAL ID: IDNYC CARD

In 2014, the City of New York passed a law creating a municipal identification card called “IDNYC” for all residents of New York City, regardless of immigration status. The IDNYC card is a photo identification that can be used for many purposes. It can be used to access programs and services from City government, to enter City government buildings (including schools), to interact with NYPD police officers, to open checking accounts at certain financial institutions, and to obtain many other benefits. Additional benefits of the IDNYC card include:

- Exclusive entertainment discounts on movie tickets, Broadway shows, sporting events, theme parks, and more.
- 10% discount on annual and six-month NYC Parks Recreation Center memberships and NYC Parks Department tennis permits for adults age 25-61.
- 20% discount on family and adult memberships at all 22 YMCA centers in NYC.
- 5% discount on all purchases at Food Bazaar supermarkets in New York City, Monday through Friday, from 7 am to 7 pm.
- 25% discount on New York Pass, a citywide pass to 83 tourist attractions in NYC.

- Open a bank account at several financial institutions in New York City.
- Free one year membership at 40 of the City's cultural institutions, including museums, performing art centers, concert halls, botanical gardens, and zoos.

For a complete description of benefits, visit: <http://www1.nyc.gov/site/idnyc/benefits/benefits.page>.

HOW DO I APPLY FOR AN IDNYC CARD?

To obtain an IDNYC card, you must complete an application form and submit it at an IDNYC Enrollment Center. Applications must be signed by hand and submitted in person. They cannot be submitted online. To make an appointment, call 311 or go to www.nyc.gov/IDNYC. All New York City residents age 14 and older can get an IDNYC card.

Applicants must provide proof of identity and proof of residency in New York City. Many different kinds of documents are accepted as proof of identity and residency. The IDNYC card is free for all New Yorkers. Cards are valid for five years from the date the application is approved. The application process is accessible to people with limited English proficiency and people with disabilities.

The City will protect the confidentiality of the information of all IDNYC applicants to the extent allowed by City, State, and Federal laws. The City will not ask applicants about immigration status in accordance with Executive Order 41.

To print an application, go to: <http://www1.nyc.gov/site/idnyc/card/application-materials.page>.

For more information about the IDNYC card and how to apply, please visit the IDNYC webpage: www.nyc.gov/IDNYC.

Health Care

HOW CAN A PERSON OBTAIN PUBLIC HEALTH INSURANCE?

The following are government health insurance programs for which many immigrants may be eligible:

- Medicaid for low-income people of all ages. Lawful immigration status is required for non-emergency Medicaid,
- Emergency Medicaid for emergency care,
- Child Health Plus for youth 18 years or younger,
- Family Health Plus for adults aged 19-64,
- Prenatal Care Assistance Program (PCAP) ,
- Family Planning Benefit Program (FPBP) ,
- Family Planning Extension Program (FPEP) , and
- AIDS Drug Assistance Program (ADAP) for HIV positive treatment.

WHO IS ELIGIBLE FOR PUBLIC HEALTH INSURANCE?

All immigrants, including undocumented immigrants, who are New York State residents are eligible for:

- Child Health Plus,
- Prenatal Care Assistance Program (PCAP),
- Family Planning Benefit Program (FPBP),
- Family Planning Extension Program (FPEP),
- AIDS Drug Assistance Program (ADAP), and
- Emergency Medicaid.

All children, regardless of immigration status, are eligible for public health insurance if their families are eligible based on income.

In general, undocumented immigrants and non-immigrants (temporary business, student, medical, and tourist visa holders) are not eligible for Family Health Plus or Medicaid, except in emergencies.

To be eligible for Medicaid and Family Health Plus, an immigrant needs to be in one of the following categories:

- Naturalized U.S. citizens,
- Immigrants in the U.S. because of persecution or other problems in their home country (including refugees, asylees, Amerasians, Cuban/Haitian entrants, conditional entrants, victims of trafficking, and those with Temporary Protected Status),
- Lawful permanent residents,
- Violence Against Women Act (VAWA) Self-Petitioners (spouses and children of U.S. citizens or lawful permanent residents who have been battered or abused),
- Immigrants who were given suspension of deportation or cancellation of removal,
- Registry immigrants (who can show they have been continuously living in the U.S. since January 1, 1972),
- People paroled in the U.S. whose parole has not expired,

- Native Americans born in Canada and people from territories with special relationships to the U.S.,
- Armed forces veterans and those on active duty, along with their immediate family, or
- Immigrants found by the New York State Department of Health to be Permanently Residing Under Color of Law (PRUCOL).

IN ADDITION...

- Any person with a medical emergency has the right to call an ambulance and receive care in an emergency room, regardless of immigration status.
- Any person, regardless of immigration status, can receive care from federally-funded health centers and from NYC Health and Hospitals Corporation hospitals, diagnostic and treatment centers, long-term care facilities, and clinics.

For more information about public health insurance, you may call the HRA Medicaid Help Line at (888) NYC-6116.

CAN A PERSON WHO SPEAKS LIMITED OR NO ENGLISH OBTAIN LANGUAGE ASSISTANCE IN HEALTH CARE?

A person who is not proficient in English has the right to meaningful language assistance in most health care settings. Federal and State law requires hospitals to take reasonable steps to ensure limited English proficient (LEP) persons receive language assistance such as skilled interpretation services and translations of significant forms, instructions, and information to ensure effective communication with all patients.

If a hospital fails to provide you with the adequate interpretation or translation services, you can file a civil rights complaint with:	
U.S. Department of Health and Human Services, Office for Civil Rights (OCR)	(212) 264-3313
NYS Division of Human Rights	(718) 741-8400
NYC Human Rights Commission	311 or (212) 306-7450

WHAT ARE HOSPITAL COMMUNITY ADVISORY BOARDS?

Hospital Community Advisory Boards (CABs) advise NYC Health + Hospitals (H+H) facilities on community views of the health care facility's decision-making processes and inform the community of the facility's goals and objectives. CAB members provide a vital perspective on the development of facility plans and programs, and interact with community groups, local officials, and facility administration. For more information on CABs, please contact the H+H Office of Intergovernmental Relations at (212) 788-3349 or visit the website at www.nyc.gov/hhc.

Education

WHO HAS THE RIGHT TO ATTEND PUBLIC SCHOOL?

Every person aged 5 to 21 living in New York City has the right to attend a public school for free until he or she graduates from high school, regardless of immigration status. Every child has the right to attend kindergarten starting in the year he or she turns 5.

Students and parents are not required to give their immigration status to a New York City public school.

CAN PARENTS RECEIVE TRANSLATIONS OF SCHOOL INFORMATION IN LANGUAGES OTHER THAN ENGLISH?

Parents have the right to receive translations of critical educational notices, letters, and forms in the parent's native language. In addition, interpreters must be available at parent meetings and orientations. If a parent does not receive required translations or interpretations, the parent may contact their parent coordinator, school, the Department of Education (DOE) Division of Family and Community Engagement, or an advocate for help. It is generally inappropriate to use children as interpreters in many education matters.

HOW DO I REGISTER MY CHILD FOR PUBLIC SCHOOL?

Parents should register their children at their "zoned" school near where they live. You may find out where a child's zoned school is by calling 311 or visiting the DOE website at: <http://schools.nyc.gov/ChoicesEnrollment/NewStudents>.

Parents who do not want their child to attend their zoned school may apply for a "variance" to transfer their child to a different school. However, parents who apply for a variance sometimes may not get the transfer. For more information on how to choose and apply for schools, visit www.insideschools.org or call (866) 427-6033.

Parents wishing to register their children for Pre-K programs in New York City may contact the DOE in order to register their child. You may find out how to enroll your child into a Pre-K program by calling (718) 935-2009 or by visiting the DOE website at: <http://schools.nyc.gov/ChoicesEnrollment/NewStudents/default.htm>.

For all high schools and some middle schools, students are not assigned to zoned schools but go through an application process and have some school choice. For more information about middle school and high school enrollment, call 311 or visit <http://schools.nyc.gov/ChoicesEnrollment/NewStudents/default.htm>.

To register, students must show the following documents:

- Proof of home address (only certain records may be accepted as proof),
- Child’s birth certificate, passport, or baptismal certificate,
- Child’s immunization records,
- Child’s transcript or latest report card (recommended, but not required),
- Parents may have foreign transcripts translated by the school the student wishes to attend, by the Department of Education, or by an outside source, and
- Child’s Individualized Education Program (IEP), only if the child receives special education services.

If a student does not have all required documents for registration, the school must still immediately allow the student to attend school. The school must then try to obtain the additional documents.

ARE THERE PUBLIC SCHOOLS DESIGNED FOR NEW IMMIGRANT STUDENTS?

Yes. For more information about such programs, you may contact the Department of Education at 311, visit www.insideschools.org, or call Advocates for Children at (212) 947-9779.

CAN A CHILD GET FREE BUS SERVICE TO SCHOOL?

Students in kindergarten through 6th grade are eligible for free bus service depending on the student’s grade level and how far they live from school. Students of all ages may also be eligible for free or reduced public transportation fare, depending on how far they live from school.

Parents may call the Office of Pupil Transportation (OPT) for more information at (718) 392-8855 or visit <http://www.optnyc.org/>.

CAN A STUDENT GET FREE BREAKFAST OR LUNCH AT SCHOOL?

Many students in public schools are eligible for free or reduced price meals. To get this benefit, families must submit the appropriate application available at each school.

Child Care

HOW CAN A PARENT OBTAIN CHILD CARE?

Parents meeting certain income requirements can obtain child care for children ages 6 weeks to 12 years old. Child care services are administered by the NYC Administration for Children’s Services (ACS) or the Human Resources Administration (HRA). Child care can be provided at group child care centers or in the homes of licensed providers. Many child care programs are available to children regardless of their immigration status. Eligible families may apply for vouchers to pay for child care through ACS or HRA. Families receiving Public Assistance or leaving Public Assistance within the last 12 months may be eligible for child care vouchers through HRA.

Call 311 for more information about child care options.

Bilingual Education and ESL

WHAT SCHOOL SERVICES ARE AVAILABLE FOR CHILDREN WHO ARE LEARNING ENGLISH AS A SECOND LANGUAGE?

Students who are learning English may be required and entitled to take bilingual education, English as a Second Language (ESL), or other programs. Students who take these programs are called “English Language Learners” or ELLs. ELL programs include:

- **Bilingual Education** involves using the student’s native language and English to teach the student all academic subjects. It is designed to help the child keep his or her native language, learn the academic subjects, and learn English.
- **English as a Second Language (ESL)** is a program that teaches a child English and other subjects using only English.
- **Dual Language/Two Way Model** of teaching places native English speakers and native speakers of another language in the same class to teach all students in the class English and a non-English language.
- **Accelerated Academic English Language Model** is a program in which English language is emphasized and ESL methods are used for instruction.

Every public school should offer an ESL program, but not all schools will offer bilingual education. If a school has a bilingual education class in the child’s language as well as an ESL class, the parent has the right to choose between bilingual education and ESL for the child.

HOW DOES A SCHOOL DECIDE IF A STUDENT MUST TAKE BILINGUAL EDUCATION OR ESL?

Every parent or guardian who registers a child for school will fill out a Home Language Identification Survey (HLIS), which asks what languages are spoken by the child and others in the home. Depending on the answers to the survey, the child may be required to take a Language Assessment Battery (LAB) test to determine whether the child should take bilingual education or ESL. If a child scores below the 41st percentile on the LAB test, he or she will be designated as an English Language Learner (ELL) and will be required to take bilingual education or ESL.

Schools are required to hold orientations for parents of new ELLs to inform them of the different ELL programs that are available. At the orientation, parents can ask questions and receive materials about ELL programs (with assistance from an interpreter if necessary).

WHAT IF A PARENT DOES NOT AGREE THAT HIS OR HER CHILD SHOULD TAKE BILINGUAL EDUCATION OR ESL?

A parent may request that the child take the LAB test again for a higher score. Not all requests for re-tests are granted.

For more information about ESL programs or other family resources, please contact the DOE Department of English Language Learners and Student Support at (212) 374-6072 or visit the website at <http://schools.nyc.gov/Academics/ELL/default.htm>.

WHAT IS SPECIAL EDUCATION?

Students from age 3 to 21 who have disabilities that interfere with their learning have the right to specialized instruction and services, called “Special Education.” Such disabilities may range from difficulty reading to more complex emotional, intellectual, and physical challenges.

Special Education services include counseling, resource rooms, paraprofessional services, physical, occupational and speech therapy, assistive technology, special curriculum, and other “related services.” Special Education students may be taught in a general education classroom with non-disabled students, or in a classroom with only Special Education students.

HOW IS A STUDENT PLACED IN SPECIAL EDUCATION?

A parent or a school may request in writing that a child be referred and evaluated for Special Education needs. No student can be referred to Special Education just because he or she does not speak English proficiently. No child can be evaluated for Special Education without the parent’s informed consent. ELL children must be given bilingual Special Education evaluations.

Parents have the right to receive translations of Special Education materials and have interpreters at meetings and hearings related to their child’s Special Education services.

If a student is found to be eligible for special education services, he or she will be given an Individualized Education Program (IEP), an important document that states the services the student will receive and the student’s educational goals and standards.

If a parent disagrees that his or her child should take special education or does not believe the child is receiving the right services, the parent can request an impartial hearing to challenge these matters. Parents may seek an advocate or attorney to assist with the impartial hearing and meetings on special education.

For more information regarding Special Education services, you may contact the Department of Education Special Education Hotline at (718) 935-2007 or visit the DOE Special Education website at <http://schools.nyc.gov/Academics/SpecialEducation/default.htm>.

Parental Involvement

HOW CAN PARENTS PARTICIPATE IN THEIR CHILDREN'S EDUCATION?

Parents can become involved in their children's schools and learning in many ways. Parents can talk to their child's teachers and school administrators on a regular basis. Parents can also talk to their school's Parent Coordinator who is responsible for helping to address parent concerns and supporting parental involvement.

Parents can also join the following organizations to get involved:

- Parent Association (PA)/Parent Teacher Association (PTA): a group that provides consultation to the school on all matters involving the school's operation, including budget and curriculum. The PA/PTA has the right to obtain information about a school's operation and achievement levels.
- School Leadership Team: a group comprised of parents, school leaders, and teachers that develops school-based educational policies and each school's Comprehensive Educational Plan (CEP).
- Community Education Councils (CECs): There are 32 Community Education Councils, which represent the needs and interests of families and students and help shape education policy in each of the City's 32 Community School Districts.
- Citywide Education Councils (CECs): There are four Citywide Education Councils representing the needs and interests of families and students in the shaping of citywide education policy in the following areas: ELLs, Special Education, District 75, and High Schools.
 - Community and Citywide Education Councils are comprised of parents and concerned community members who are elected or appointed.
 - CECs hold monthly public meetings. Their duties include approving school zoning lines, holding hearings on the DOE's Capital Plan, evaluating Community Superintendents, and providing input on other important policy issues.

For more information on CECs, contact the Department of Education's Division of Family & Community Engagement at (212) 374-4118 or visit <http://schools.nyc.gov/Offices/CEC>.

- Community Boards: Community Boards are local representative bodies composed of up to 50 unpaid members, half of which are appointed by the Borough President and half of which are nominated by City Council Members. Boards meet publicly once a month. Members of the public are allowed to speak during a part of each meeting. Boards address a wide range of issues affecting their community, including education. For more information about getting involved in Community Boards, see the "Voting and Civic Participation" section.
- The Panel for Educational Policy (PEP): The Panel for Educational Policy is an independent board consisting of 13 voting members — 8 appointed by the mayor and 5 appointed by each

of the City's Borough Presidents — as well as 2 non-voting Student Advisory Council members.

- The PEP holds a public meeting every month that includes time for public comment. Every parent can attend this meeting to learn more about DOE policies and proposals and express his or her opinion to the Chancellor and members of the PEP.
- PEP members vote on DOE proposals related to school co-locations, school closings, and school grade expansions and truncations. The PEP also reviews standards, policies, objectives, and regulations related to educational achievement and student performance, as well as DOE contracts, the estimated annual operating budget, and the Capital Plan.

***REMEMBER** that parents have the right to receive translations of critical educational notices, letters, and forms in the parent's native language. Interpreters must be available at parent meetings and orientations. If a parent does not receive required translations or interpretations, the parent may contact their parent coordinator, school, the Department of Education Division of Family and Community Engagement, or an advocate for help.*

Student Discipline

HOW IS A STUDENT DISCIPLINED FOR MISCONDUCT?

A school must follow the Citywide Discipline Code and consider the student's age, maturity, previous disciplinary record, and the circumstances of the incident among other factors to decide the right discipline for student conduct. Parents should ask for a copy of the Discipline Code and the Bill of Student Rights to make sure any discipline of their child is appropriate and legal.

WHAT RIGHTS DO STUDENTS HAVE WHEN DISCIPLINED?

Students have the right to due process to challenge a disciplinary action if the student and parent disagree with the discipline. There are two kinds of suspensions: Principal's Suspensions and Superintendent's Suspensions. Principal's Suspensions are less severe than Superintendent's suspensions. The following are important rules that schools must follow for suspensions:

- Students must receive properly delivered written notice stating the specific reasons for the suspension.
- Principal's suspensions may not be longer than five days, but Superintendent's suspensions may be longer.
- Students have the right to argue their case against the suspension and can bring an attorney or advocate.
- Parents and students have the right to translation and interpretation for all notices, meetings, and hearings.

- During a suspension, students may not be punished academically. They must be allowed to take all scheduled citywide or state examinations for which no make-up examination is permitted, and to make up any school examinations which may affect their grades.
- During a suspension, students must be provided with alternative instruction, including but not limited to, class work and homework assignments.

For more information on suspension procedures, see Chancellor’s Regulation A-443, available on the DOE website, <http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations>.

To request help with student suspensions, you may call:	
Advocates for Children	(212) 947-9779
NY Legal Assistance Group	(212) 613-5000
Legal Services for New York City	(212) 431-7200

Attending College

CAN A PERSON OF ANY IMMIGRATION STATUS ATTEND COLLEGE?

Any person may apply to college regardless of immigration status.

Public colleges and universities in New York are not required to report a student’s immigration status to the government unless he or she is an international student with a foreign visa.

In addition, all personal student information, including immigration status, at the City University of New York (CUNY) and the State University of New York (SUNY) is protected as confidential under the Federal Education Rights and Privacy Act (FERPA). This federal law prohibits the disclosure of student information to anyone except college faculty determined to have a “legitimate educational interest in the particular student’s records.” In the case of a student’s immigration status, the Bursar (financial administrator) is the only faculty considered to have a “legitimate” interest in that information. For anyone else to gain access to these records, the student must provide written authorization, or a government agent must present a court issued subpoena stating the information is necessary to an ongoing criminal investigation.

CAN IMMIGRANT STUDENTS PAY IN-STATE TUITION?

In New York, undocumented students are eligible for lower in-state tuition rates for public universities and colleges if they:

- Graduated from a New York State high school after attending for at least 2 years and applied to SUNY or CUNY within five years of receiving a high school diploma,

OR

- Have attended a New York State approved Test Assessing Secondary Completion (TASC) program, or prior to January 1, 2014, attended a General Equivalency Diploma (GED) program, received a TASC/GED issued in New York State, and applied for attendance at a SUNY, CUNY, state-operated, or community college within five years of receiving the diploma,

AND

- File a notarized affidavit with CUNY or SUNY stating they have filed an application to legalize their immigration status or will file such an application as soon as they are eligible to do so,

AND

- Prove in-state residency. Students should immediately consult with the appropriate office at CUNY or SUNY to find out how they must prove residency to obtain in-state tuition. Students should make sure their residency application is being reviewed quickly to make sure they will not have to pay more expensive out-of-state tuition.

CAN IMMIGRANT STUDENTS GET SCHOLARSHIPS OR FINANCIAL AID FOR COLLEGE?

Numerous federal and state programs provide financial assistance to individuals and families to help students attend college. Through the U.S. Department of Education, the federal government operates grant and loan programs for students and parents of students in both undergraduate and graduate programs. To determine if you or your child may be eligible for these programs you can visit the Department of Education's website at:

<https://studentloans.gov/myDirectLoan/index.action>.

New York State also operates programs to help students attend college in New York. Specifically, the New York State Tuition Assistance Program (TAP) provides grants to eligible individuals to help pay for the cost of college. In addition to TAP, some students may also be eligible for the recently enacted Excelsior Scholarship program, which offers the possibility of free tuition to certain New York State colleges and universities. Additional information about these and other New York State education programs can be found at: <https://www.hesc.ny.gov/>.

Undocumented students are not eligible for major state or federal financial aid programs, but they can apply for private scholarships and loans. Specifically, undocumented students are not eligible for the New York State Tuition Assistance Program (TAP), New York State Aid for Part-Time Study (APTS), Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), Perkins Loans, Stafford Loans, Parent Loans for Undergraduate Students (PLUS), or Federal Work Study.

CUNY and SUNY have a few scholarships available to all students regardless of their immigration status. These scholarships and financial aid options include:

- **Educational Opportunity Program (EOP):** a grant available to SUNY students who are economically and educationally disadvantaged,
- **Search for Education, Elevation, and Knowledge (SEEK):** similar to EOP, exists at CUNY four-year colleges, and
- **College Discovery (CD):** similar to EOP, exists at CUNY two-year colleges.

Students awarded one of these grants usually receive money for fees and books. Students also get tutoring and career and personal counseling services.

To apply for these programs, students must check the EOP, SEEK, or CD box on the standard admissions application of CUNY or SUNY. Students must give proof of their economic eligibility to apply for these awards. They can get help with the application from the college’s financial aid counselors.

Peter F. Vallone Academic Scholarship Program

This is a CUNY scholarship given to full-time students graduating from a NYC high school with a qualifying grade point average and course background. All CUNY applicants are automatically considered for this scholarship. Students do not need to fill out an application.

Honors College

Honors College programs are offered at the following CUNY colleges: Baruch College, Brooklyn College, City College, Hunter College, John Jay College of Criminal Justice, Lehman College, Queens College, and the College of Staten Island. As of 2007, the Honors College program offered full tuition and fees, an expense account of \$7,500, and other aid for selected applicants.

Students may apply to Honors Colleges in September of their senior year of high school. An application to an Honors College will also serve as an application to the regular CUNY program. Admission is based on academic achievement, an essay, recommendations, and in some cases, an interview.

Private Financial Aid Resources

The following websites offer information about some private scholarships available to undocumented students:	
Mexican American Legal Defense and Education Fund	http://www.maldef.org/leadership/scholarships/index.html
Students Opening Doors for Others	http://www.neighborhoodlink.com/Students_Opening_Doors_For_Others_SODO/pages/456022

School-Specific Scholarships

Students applying to private universities or colleges may be eligible for some private financial aid programs at those schools. To learn more about these aid opportunities, students can visit the financial aid offices of the colleges or universities they want to attend. Many school-sponsored merit scholarships do not require the student to be a U.S. citizen.

Loans

Many schools offer private alternatives to federal and state loans. Although most private loans require U.S. citizenship or permanent resident status, eligibility may vary depending on the type of loan and lending institution. Students that have a history with a particular bank may want to consider applying for a private student loan from that institution.

At many universities or colleges, the Dean can authorize loans on an individual basis. The loan amounts and interest rates granted are often at the discretion of the Dean and subject to individual school policy. The student may make an appointment with the Dean of the college to discuss the possibilities of this sort of loan.

Domestic Violence, Abuse & Trafficking

WHAT IS DOMESTIC VIOLENCE?

Domestic violence happens between adult intimate partners, including between a wife and husband, between family members, or between people in other intimate relationships. Domestic violence is a crime that can include physical abuse, emotional abuse, economic abuse, and sexual abuse. Many women are abused by their husbands or boyfriends. Domestic violence also affects people in same-sex relationships and male victims.

WHAT IS ELDER ABUSE?

Elder abuse can happen when a family member or caretaker mistreats an elderly or disabled person. Elder abuse can include physical, sexual, psychological, or economic abuse or neglect. It can also include denying an elderly person food and medical care.

WHAT IS CHILD ABUSE?

Child abuse can happen when a parent, caretaker, sibling, family member, or other person physically or emotionally harms a child. Causing such harm to a child can be illegal and lead to taking the child away from his or her parents.

WHAT IS HUMAN TRAFFICKING?

Each year, thousands of women, men, and children are brought to or through New York for sex trafficking or forced labor including prostitution, agriculture, domestic work, construction work, and sweatshops. New York has strong laws that protect and help victims of trafficking. For information on how to get help for victims of trafficking, see the last page of the worker's rights section of this manual.

More Information on Domestic Violence & Abuse Services	
To report possible domestic violence including elder abuse, call the Safe Horizon Domestic Violence Hotline	(800) 621-HOPE (800-621-4673) <i>24 hours a day, 7 days a week</i>
To report suspected child abuse in New York, call the New York State Child Abuse Hotline	(800) 342-3720
For information about City government services that may be able to help with domestic violence	Call 311 or visit www.nyc.gov/domesticviolence

Hate Crimes

A hate crime is a crime committed based on a victim's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation or based on a belief or perception about race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. In recent months, there has been an increase in hate crimes in New York City, including crimes targeted against immigrants.

HOW TO REPORT A HATE CRIME

If you are the victim of a hate crime or see a hate crime, you should report it immediately. All calls are confidential.

In an emergency, you should call 911.

You should report hate crimes and bias-related crimes to the local police precinct. You can contact the precinct directly or call 311. If you call 311 and state that you are reporting a hate crime, they will give you the number for your local precinct and immediately transfer your phone call to that precinct.

NYPD also has a Hate Crimes Task Force that helps oversee enforcement of hate crimes laws in New York City. If you have already reported a hate crime to the local police precinct and have questions about how your report is being handled, you may call the NYPD Hate Crimes Task Force for assistance at 646-610-5267.

In addition, the Manhattan District Attorney's Office has a Hate Crime Hotline that anyone can call to report a hate crime, even if they have not yet reported it to the police. The number is (212) 335-3100. The District Attorney's Office can also refer victims to counseling and assistance programs or service providers.

IMPORTANT NUMBERS

NYPD Hate Crimes Task Force

One Police Plaza
New York, NY 10038
646-610-5267

New York City Hate Crimes Hotline

311

New York State Division of Human Rights Hate Crimes Hotline

(888) 392-3644 from 9 a.m. to 5 p.m. Monday - Friday.

New York County District Attorney's Office Hate Crimes Unit

One Hogan Place
New York, NY 10013
212-335-3100 (main number)
212-335-9500 (TTY)

Workers' Rights

WHAT RIGHTS DO IMMIGRANT WORKERS HAVE?

Minimum Wage

All workers, regardless of immigration status, have the right to be paid for work actually performed and must be paid a minimum wage. As of January 2017, in the State of New York, the minimum wage is at least \$9.70 per hour, and is higher in New York City. However, the minimum wage in New York City will be raised to \$15 an hour for workers at large companies by the end of 2018, and for workers at companies with 10 or fewer employees by the end of 2019. A worker who earns tips may be paid a lower minimum wage depending on the industry he or she works in. Restaurant delivery workers, restaurant food servers, and laundry delivery workers are a few examples of tipped workers who may be paid a lower minimum wage. However, there are additional requirements about the tips that such workers receive. Tipped workers may be vulnerable to abuse by employers depending on how their tips are handled. Further guidance on the rights of workers to obtain tips may be obtained through the New York Department of Labor at (888) 469-7365.

Overtime Pay

In certain circumstances, when a worker works over 40 hours in a week, his or her employer must pay 1 ½ times the worker's regular hourly wage for each additional hour. (For example, if a worker normally earns \$8.00 per hour, then the worker would get \$12.00 for each hour he or she works over 40 hours in a week.) Live-in domestic workers have a right to the overtime rate after 44 hours of work in one week.

- A worker who leaves his or her job has the right to be paid all wages for all the hours he or she worked.
- Workers have the right to be paid on time. Usually, this means getting paid every week or every two weeks.

To learn more about the required minimum wage and overtime laws or to request training on these legal rights for a group or organization, you may call:

New York State Department of Labor	(212) 775-3880
Bureau of Immigrant Workers' Rights	(212) 775-3665
New York State Attorney General's Office Labor Division	(212) 416-8700
Legal Aid Society Employment Law Project	(888) 218-6974
MFY Legal Services	(212) 417-3838 <i>Mondays & Tuesdays between 2-5 p.m.</i>

To file a claim for unpaid wages or to learn more about wage laws, you may also contact:

U.S. Department of Labor, Wage & Hour Division	26 Federal Plaza, Room 3700 New York, NY 10278 (212) 264-8185 or (866) 487-9243
New York State Department of Labor, Division of Labor Standards	75 Varick Street, 7 th Fl., New York, NY 10013 (212) 775-3880

PREVAILING WAGE AND BENEFITS

Employees of contractors or subcontractors who are working on public work projects or who are performing work on certain service contracts with government agencies (city, state, or federal) are entitled to be paid the prevailing wage and benefit rate set by law. Public work projects are those involving construction, replacement, maintenance, and repair of properties that serve the public, such as public schools, streets, and parks. Examples of some of the trades that are employed to work on *public work projects* are electricians, plumbers, and laborers. Examples of some of the trades that are employed to work on *government service contracts* are building cleaners, security guards and homecare attendants.

Contractors or subcontractors who pay below the prevailing wage and benefit rate are violating the law. The prevailing wage is often higher than the minimum wage. If an employee believes that he or she is underpaid, they should file a written complaint with the relevant government agency listed below. If it has been determined that a worker has been underpaid, he or she is legally entitled to collect from their employer the money that is owed to them.

The Office of the NYC Comptroller enforces prevailing wage and works to recover funds owed to workers who were underpaid on City public works projects or service contracts.

UNCLAIMED PREVAILING WAGE AWARDS

Over the last ten years, the Office of the NYC Comptroller has collected millions of dollars in prevailing wage underpayments for hundreds of workers who have yet to claim their awards. These individuals may not even be aware that they are entitled to these awards, regardless of their immigration status.

Workers who believe that they may be entitled to these funds can call (212) 669-4443, email laborlaw@comptroller.nyc.gov, or visit <http://comptroller.nyc.gov/prevailing-wage/unclaimed-prevailing-wage/>.

For more information or to file a complaint about prevailing wage violation, call:

Office of the New York City Comptroller	Office of the New York City Comptroller Bureau of Labor Law One Centre Street, Room 1122 New York, New York 10007 (212) 669-4443
New York State Department of Labor Bureau of Public Works	New York State Department of Labor Bureau of Public Works Adam Clayton Powell Jr. SOB 163 West 125th Street, Room 1307 New York, New York 10027 (212) 932-2419
U.S. Department of Labor, Wage and Hour Division	United States Department of Labor Wage & Hour Division 26 Federal Plaza, Room 3700 New York, New York 10278 (212) 264-8185

WHAT ARE AN EMPLOYER'S OBLIGATIONS?

- Employers are required by law to keep records of how many hours their employees worked, how much they paid employees, and any deductions made from employees' paychecks.
- Employers may deduct money from an employee's paycheck for Federal and State taxes, union dues, health and pension benefits, and child support payments.
- Employers may not make deductions to pay for things the employee broke, for poor performance, as punishment for being late, or for the cost of buying and cleaning uniforms.
- Employers may not make deductions for transportation costs if the traveling is for the employer's benefit.
- Employers must give employees a wage statement with each payment.
- The statement must include any deductions or allowances taken, hours worked, rates paid, gross wages (before deductions), and net wages (after deductions).
- Employers may not ask for or accept any part of a worker's tips.

HOW CAN A WORKER PROTECT HIMSELF OR HERSELF FROM UNLAWFUL PRACTICES BY AN EMPLOYER?

Workers should keep good records of their employer's contact information, pay stubs or receipts, the number of hours worked, and how much they are paid. Having these records will help as evidence if there is an investigation or complaint filed.

Workers should talk to their co-workers, and encourage them to keep records and protect their rights. The more workers know about their rights, the more likely employers are to follow the law.

HOW IS A WORKER PROTECTED FROM DISCRIMINATION?

Workers have the right not to be discriminated against on the job or when looking for a job. The law prohibits employers from discriminating based on race, color, sex (includes pregnancy), age, disability, national origin (includes birthplace, ancestry, culture, or language), citizenship status,

religion, sexual orientation, and other categories. Workers who experience discrimination have the right to file a complaint against their employer. The employer is not allowed to retaliate or take negative action against a worker for doing so.

- Employers are required to make sure that employees have proper work papers within a few days of starting employment, and are allowed to ask only for certain immigration papers. Employers may not check an employee’s or applicant’s papers because of their national origin, or because the person looks or sounds “foreign.”
- Employers must reasonably accommodate the religious beliefs of employees or prospective employees (for example, allow them not to work on a holy day) unless it would cause an undue hardship on the employer.
- Employers may not ask people applying for a job whether they have a disability, but they may ask if the person can do essential job duties. Employers are also required to give reasonable accommodation to disabled workers unless it would be an undue burden on the business.

If a worker feels he or she has been discriminated against on the job or when looking for a job, he or she may file a complaint with one of the following offices:	
U.S. Equal Employment Opportunity Commission (EEOC)	33 Whitehall Street New York, NY 10004 (800) 669-4000
New York State Division of Human Rights – Headquarters	One Fordham Plaza, 4 th Floor Bronx, NY 10458 (718) 741-8400
NYC Commission on Human Rights	100 Gold Street, Suite 4600 New York, NY 10038 (212) 306-7450 or (212) 306-5070

For more information about how to address discrimination against immigrants in the workplace, you may also contact the New York Immigration Coalition at (212) 627-2227.

OCCUPATIONAL SAFETY

Workers have a right to a workplace free of health and safety dangers. They have the right to any information that their employer has about potential exposure to dangers like toxic chemicals or noise in the workplace. Workers also have a right to any medical records their employer has concerning them. Complaints can be made by a worker to their employer about dangerous working conditions.

Workers have a right to file complaints with the U.S. Occupational Safety and Health Administration (OSHA) and request inspections of workplaces. They have the right to answer questions from an OSHA inspector and point out hazards, including describing accidents or illnesses and explaining if the employer has temporarily removed any hazards just for the inspection. Complaints can be filed with OSHA anonymously if a worker wishes to do so, and their name will not be given to their employer.

After the inspection, workers have the right to receive the results, and to meet privately with the inspector and discuss them.

Workers who feel they have been discriminated against for complaining about occupational health and safety may file a complaint within 30 days of the adverse action by contacting:

U.S. Department of Labor OSHA Regional Office	201 Varick Street, Room 670 New York, NY 10014 (212) 337-2378 or (800) 321-6742 (emergency hotline)
OSHA New York City Office	201 Varick Street, Room 908 New York, NY 10014 (212) 620-3200
NYC Commission on Human Rights	100 Gold Street, Suite 4600 New York, NY 10038 (212) 306-7450 or (212) 306-5070
New York Committee for Occupational Safety and Health (NYCOSH)	(212) 227-6440 www.nycosh.org

Additional information about occupational health and safety is available at the New York Committee for Occupational Safety and Health (NYCOSH) at (212) 227-6440 and www.nycosh.org.

WORKERS' COMPENSATION

Workers who get sick or hurt because of their job have the right to be compensated. In New York, documented and undocumented immigrant workers may be eligible. Most full-time and part-time employees are eligible, even if they were paid in cash, paid “off the books,” or treated as an independent contractor.

Workers' Compensation benefits may include: (1) compensation for medical care and treatment of work-related injuries and illnesses; (2) cash benefits if the injury or illness prevents a worker from working; and (3) death benefits for the surviving spouse or dependent children of a worker who was killed on the job.

Workers should notify their employer of job-related injuries immediately in person or in writing. Important forms in a workers' compensation claim are the C-3 and C-4. The C-3 is the application form to be filled out by the worker. The C-4 must be filled out by the worker's doctor.

These forms may be obtained through the New York State Workers' Compensation Board (WCB) and are available on the Board's website at <http://www.wcb.ny.gov/content/main/Forms.jsp>.

The C-3 and C-4 forms in a worker's compensation claim may be submitted to the Workers' Compensation Board at:

Brooklyn	111 Livingston Street, 22 nd Floor, Brooklyn, NY 11201
Bronx/Manhattan	215 W. 125 th Street, New York, NY 10027
Queens	168-46 91 st Avenue, 3 rd Floor, Jamaica, NY 11432
Staten Island	60 Bay Street, Staten Island, NY 10301

For more information about Workers' Compensation, contact the Workers' Compensation Board at (877) 632-4996.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The FMLA applies to employers that have at least 50 employees within 75 miles. A worker who has worked for such an employer for at least one year and who has worked at least 1,250 hours for the same employer during that period may be eligible for up to 12 weeks of unpaid leave each year (leave may be intermittent) for the birth of a child, adoption of a child, to care for a child or family member with a serious health condition, or to care for their own serious health condition. A serious health condition can be any illness, injury, impairment, or physical or mental condition that requires someone to be admitted in the hospital or to receive continuing treatment by a health care provider.

Employees should give at least 30 days advance notice and must provide a medical certification if the employer requests it.

It is unlawful for an employer to take any negative action against an employee for taking or requesting leave or to interfere in any way with an employee's rights under the FMLA.

To file a complaint about FMLA violations, contact: U.S. Department of Labor, Wage & Hour Division, 26 Federal Plaza, Room 3700, New York, NY 10278, (212)264-8185 or (866) 487-9243.

UNEMPLOYMENT INSURANCE

Unemployment Insurance is temporary income for eligible workers who lose their jobs through no fault of their own and who are ready, willing, and able to work.

A person should file for unemployment insurance as soon as possible after becoming unemployed to avoid losing benefits. Persons filing for unemployment insurance should make sure to have all the documents that are required for the application so that their application is not delayed. You will need the following information:

- Your Social Security number,
- Your mailing address and zip code,
- A phone number where you can be reached during business hours,
- Complete name, address, zip code, and phone number of all employers you've worked for in the past 18 months,
- Your total gross earnings for all employers for the last 18 months (pay stubs, W-2, etc.),
- Your alien-registration card (if you have one),
- For recent members of a military service, a copy of your most recent separation form DD214,
- If you worked for the federal government, copies of forms SF8 and SF50, and
- Your New York State driver's license or Motor Vehicle ID card number (if you have one).

To file a claim for unemployment insurance, contact (888) 209-8124. Assistance in different languages is available at this phone number. You may also apply online at <http://www.labor.ny.gov/unemploymentassistance.shtm>.

WHERE CAN WORKERS GO FOR HELP FINDING A JOB OR TO GET JOB TRAINING?

NYC Workforce1 Career Centers help people find a job and prepare for a job. The centers provide information about new jobs and refer people to educational and occupational skills training classes.

The Centers are run by the New York City Department of Small Business Services, the New York State Department of Labor, and the City University of New York. You may contact the Centers by calling 311 or visiting one of the following locations:

NYC Workforce1 Career Centers	
Bronx	400 E. Fordham Rd., Bronx, NY 10458
Brooklyn	9 Bond Street, 5 th Floor, Brooklyn, NY 11201
Upper Manhattan	215 W. 125th Street, 6 th Floor, New York, NY 10027
Queens	168-25 Jamaica Ave., 2 nd Floor, Jamaica, NY 11432
Staten Island	120 Stuyvesant Pl., 3 rd Floor, Staten Island, NY 10301

WHAT IS A DAY LABOR WORKER CENTER?

Day labor worker centers are spaces developed to support and protect day laborers who otherwise would look for jobs while waiting on the street.

Instead of standing in a parking lot waiting for work, a day laborer can go to a worker center, where jobs are referred out in a more organized way and employers are subject to rules that keep them from taking advantage of workers. This helps to prevent labor and civil rights abuses and to improve working conditions and avoid unpaid wages. These centers generally monitor and enforce the minimum wage, overtime, health and safety, and other employment laws. Some also provide English as a Second Language (ESL) classes and job training.

The following day labor worker centers are located in New York City:

El Centro Del Inmigrante, 350 Port Richmond Ave and 1546 Castleton Avenue, Staten Island.
Phone: (347) 825-2086. Email: info@elcentronyc.org.

Bay Parkway Community Job Center, 8973 Bay Parkway, Brooklyn.
Phone: (718) 600-0425. Email: info@workersjustice.org.

New Immigrant Community Empowerment (NICE), 71-21 Roosevelt Avenue, Jackson Heights.
Phone: 718-205-8796. Email: info@nynice.org.

WHAT IS HUMAN TRAFFICKING?

Each year, thousands of women, men, and children are brought to or through New York for forced labor including prostitution, agriculture, domestic work, construction work, and sweatshops. New York has strong laws that protect and help victims of trafficking.

Report trafficking crimes or get help by calling:

Trafficking Person and Worker Exploitation Task Force Complaint Line	(888) 428-7581 <i>Mon-Fri: 9am-5pm</i>
Girls Educational and Mentoring Services (“GEMS”)	(212) 926-8089
New York County (Manhattan) District Attorney’s Office, Sex Crimes Unit	(212) 335-9373
Kings County (Brooklyn) District Attorney’s Office, Sex Trafficking Unit	(718) 250-2770
Bronx County District Attorney’s Office, Child Abuse/Sex Crimes Bureau	(718) 590-2195
Queens County District Attorney’s Office, Special Victims Bureau	(718) 286-6505
Richmond County (Staten Island) District Attorney’s Office, Special Victims Bureau	(718) 876-6300

Tax Returns

WHY SHOULD A PERSON FILE A TAX RETURN?

- Most people living in the U.S. are required to file income tax returns, which are due every year on April 15.
- Tax filing is important for showing eligibility for many immigration benefits.
- Low- and moderate-income families who file tax returns may be able to receive tax credits or a refund of taxes.

WHO IS REQUIRED TO FILE INCOME TAX RETURNS?

Almost all workers are required to file tax returns. People who earn below a certain income are not required to file tax returns. However, even if someone is not required to file a tax return, he or she is still allowed to file a return. You may wish to file a return even if not required 1) to establish a history of filing returns for obtaining immigration or other benefits, and 2) to possibly receive tax credits or benefits in the future.

WHAT IS AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN)?

An ITIN is a number issued by the Internal Revenue Service (IRS) to allow a person to file a tax return and pay taxes. It can be used by people who do not qualify for a Social Security Number (SSN). Because the ITIN is available to different kinds of people without Social Security numbers, including people with lawful immigration status, it does not reveal what kind of immigration status a person has.

The ITIN does not provide work authorization, eligibility for Social Security benefits, or eligibility for the Earned Income Tax Credit. It also should never be used for employment.

To apply for an ITIN:	
Download an application form	www.irs.gov/pub/irs-pdf/fw7.pdf (English) www.irs.gov/pub/irs-pdf/fw7sp.pdf (Spanish)
Call	(800) TAX FORM (829-3676)

A person can mail the applications to:

Internal Revenue Service Austin Service Center
ITIN Operation
P.O. Box 149342
Austin, TX 78714-9342

Or apply in person with an Acceptance Agent or at a Taxpayer Assistance Center.

WHAT IS THE EARNED INCOME TAX CREDIT (EITC)?

Working families that earn below a certain income level may be able to receive the Earned Income Tax Credit (EITC), which is a payment of money to the family. The EITC returns federal, state, and city tax dollars to qualifying families and individuals to help cover basic expenses. In 2017, working families earning less than \$48,340 (\$53,930 if married and filing jointly) per year could be eligible for as much as \$6,318.

The amount of the refund depends on the family's income and individuals' marital and parental status.

To claim the EITC, eligible taxpayers must have earned income and must file a tax return.

To learn more about EITC and how you can claim it, call 311 or visit www.nyc.gov/eitc.

Housing

WHAT CAN I DO IF I HAVE PROBLEMS WITH THE CONDITIONS OF MY APARTMENT?

You have the right to demand that your landlord make certain repairs to your apartment and make sure you have heat and hot water. Your landlord is required by law to keep apartments in a safe and habitable condition and provide heat and hot water.

To file a complaint about insufficient heat or hot water or about repairs to your apartment that have not been made, contact the NYC Department of Housing Preservation and Development by calling 311.

WHAT IF MY LANDLORD THREATENS TO REPORT MY IMMIGRATION STATUS?

It is illegal for a landlord to harass tenants and threaten to treat someone differently because of immigration status.

To complain about landlord harassment, contact the New York State Division of Housing and Community Renewal at (718) 739-6400 if you live in a rent regulated apartment.

If you live in a non-rent regulated apartment, contact the New York City Human Rights Commission at (718) 722-3131.

WHO CAN I CALL IF I AM HOMELESS?

Any person, regardless of immigration status, is eligible for emergency shelter.

To obtain assistance if you are homeless, contact the NYC Department of Homeless Services at (800) 994-6494.

For more information on housing, please refer to the Public Benefits section (page 14).

Citizenship

WHO IS ELIGIBLE TO APPLY FOR U.S. CITIZENSHIP?

A person is eligible to apply for U.S. citizenship if he or she:

- Is a legal permanent resident and at least 18 years old.
- Has lived in the U.S. as a legal permanent resident for at least 5 years, or has been married to and living with a U.S. citizen for 3 years.
- Can show “good moral character.”
- Is able to read, speak, and write English and has an understanding of U.S. history and government.

Certain older or disabled people may be exempt from the English requirements. A person may be exempt from the English requirement if he or she is:

- Age 50 or older and has been living in the U.S. for 20 years, or
- Age 55 or older and has been living in the U.S. for 15 years

In these cases, the person must still show knowledge of U.S. history and government, but may do so in his or her native language. Exams administered in a person’s native language are conducted orally. Reading and writing abilities are not tested.

People with certain disabilities may be exempt from the English language and U.S. history and government requirements.

Before applying for citizenship, it is important to speak with an attorney or consultant to make sure you are eligible and ready to apply for citizenship. However, you must be very careful in selecting an attorney or consultant. Getting poor or inaccurate immigration advice has risks and can result in lost time and money and, in some cases, deportation.

To find legal assistance with citizenship and immigration questions, contact the following organizations:

New York Immigration Hotline	(212) 419-3737 or (800) 566-7636
Bar Association Referral Panel:	(212) 626-7373 <i>(To find a private attorney)</i>
Northern Manhattan Coalition for Immigrants Rights (NMCIR)	(212) 781-0355 x305 <i>(for free assistance with citizenship applications)</i>

CUNY Citizenship Now! Centers:	Immigration Center at City College North Academic Center, Room 1-206 160 Convent Avenue New York, NY 10031 (212) 650-6620
	Immigration Center at Hostos Community College 427 Walton Avenue, T-501 Bronx, NY 10451 (718) 518-4395
	Medgar Evers College Immigration Center 1150 Carroll St., Rm. 226 Brooklyn, NY 11225 (718) 270-6292
	Flushing Immigration Center 39-07 Prince Street, Suite 2B Flushing, NY 11354 (718) 640-9223
	CUNY Immigration Center at York College 94-20 Guy R. Brewer Blvd. Welcome Center Atrium Jamaica, NY 11451 (718) 262-2983
New York Legal Assistance Group (NYLAG) – Immigrant Protection Unit	(212) 613-5000

HOW DOES A PERSON APPLY FOR U.S. CITIZENSHIP?

- **Application** – If a person determines he or she is eligible to apply for citizenship and also determines there is no risk in applying (legal advice is recommended on whether there is risk to apply), he or she must submit an application (Form N-400) and application fees to the U.S. Citizenship and Immigration Services (USCIS). The total application fee for most people as of 2017 is \$725 (\$640 filing fee + \$85 biometric fee). USCIS will make an appointment to take the applicant’s fingerprints and conduct a background investigation to identify any potential security risks.
- **Exceptions** – The following people, however, do not have to pay the entire \$725:
 - Applicants 75 years of age and older do not have to pay the \$85 biometric fee.
 - Military applicants filing under Section 328 and 329 of the Immigration and Nationality Act (INA) are not charged filing or biometric fees.
- **Fee Waivers** – Applicants who are unable to pay the \$725 fee can apply for a fee waiver using Form I-912, titled “Request for Fee Waiver.” To qualify for a full fee waiver, applicants must meet one of the following requirements:
 - The applicant is currently receiving a means-tested benefit.

- The applicant’s household income is at or below 150% of the Federal poverty level at the time the application is filed.
- The applicant is experiencing a financial hardship that prevents him or her from paying the filing fee, including unexpected emergencies or medical bills.
- Individuals with income between 150% and 200% of the Federal poverty level may be eligible for a partial fee waiver.
- **Interview** – After the application is submitted, USCIS will schedule an interview with the applicant. During the interview, the applicant must show English proficiency and knowledge of U.S. history and government by answering some questions and performing certain exercises.
- **Oath and swearing-in** – If an application is approved, the applicant must take an Oath of Allegiance, giving up foreign allegiances and titles, and swearing to support and defend the Constitution and laws of the U.S.

USCIS may waive the oath requirement for applicants who have a severe disability preventing him or her from understanding, or communicating an understanding of, the meaning of the oath.

For more information about USCIS	
Contact: USCIS Website/Internet Services (Naturalization interview question, news, and USCIS forms)	www.uscis.gov
USCIS National Customer Service Information about immigration benefits and services, application status, fingerprinting, local USCIS locations, and doctors approved by the USCIS to perform medical examination	(800) 375-5283
To obtain any USCIS forms by mail	(800) 870-3676
To register for selective services, contact: Selective Service (Selective Service is a requirement for Naturalization)	(888) 655-1825 www.sss.gov

WHAT ARE THE RIGHTS AND RESPONSIBILITIES OF A NEW U.S. CITIZEN?

- Vote in elections: citizens have the right to vote for elected officials who shape the laws and policies of the U.S. government.
- Travel without restrictions: citizens may leave the U.S. and live in another country for as long as they wish. Legal permanent residents who live outside the U.S. for long periods of time may risk losing their lawful status.
- Petition for more family members: citizens can petition for more family members to live in the U.S. and sponsor them to become legal permanent residents. Citizens can also bring spouses, minor unmarried children, and parents to the U.S. without long waits.
- Avoid deportation: citizens cannot be prevented from entering the U.S. and they cannot be deported from the U.S. Citizens may lose citizenship only under very limited circumstances.
- Serve on a jury: citizens have the responsibility to serve as jurors in court when called.
- Hold public office: U.S. citizenship is generally required to hold elected city, state, or federal office, and to hold certain federal and state government jobs.

WHAT ARE THE RISKS OF APPLYING FOR U.S. CITIZENSHIP?

Immigrants with criminal backgrounds should consult with an attorney before applying for U.S. citizenship. People with certain kinds of criminal background are deportable and might come to the attention of USCIS when they apply for citizenship.

WHAT IF I HAVE A CONVICTION ON MY RECORD?

A person who applies for citizenship may risk being deported if he or she has a conviction for one of the following crimes:

- Crimes involving moral turpitude (CIMT). This category of offenses is often hard to define. Examples include, but are not limited to, crimes that require an intent to steal or defraud (i.e., such as theft, larceny, or robbery), certain assault offenses, and most sex offenses.
- Firearm or destructive device offenses (e.g., criminal possession of a weapon where the weapon is a gun).
- Drug offenses, except one offense for marijuana possession of 30 grams or less.
- Domestic crimes and crimes against children, including domestic violence, stalking, child abuse, neglect, or abandonment and certain violations of orders of protection (in civil or criminal court) for those convictions, or violations of orders of protection on or after October 1, 1996.
- Aggravated felonies such as drug trafficking (which may include multiple drug possession offenses), certain violent crimes and theft or burglary offenses that have a sentence of 1 year imprisonment imposed or suspended, certain document fraud offenses, certain crimes of fraud, deceit or tax evasion in which loss to the victim exceeds \$10,000, certain prostitution business offenses, certain “alien smuggling” offenses and murder, rape, or sexual abuse of a minor.
- Certain other offenses, such as national security and immigration-related offenses.

For more information about immigration consequences for those with criminal backgrounds, contact:

Immigrant Defense Project	(212) 725-6422 or visit their website at: http://www.immdefense.org/ <i>(The Immigrant Defense Project also provides trainings on criminal/ immigration issues and other immigration enforcement-related matters. You may contact them to request training for an organization or group.)</i>
CUNY Citizenship Now!	(646) 344-7245

Lawful Permanent Residence

HOW CAN A PERSON OBTAIN LAWFUL PERMANENT RESIDENCE?

These are a few common ways of obtaining lawful permanent residence also known as a “green card”:

- A person may be sponsored by certain immediate family members who are U.S. citizens or lawful permanent residents.
- A person may be petitioned for an employment-based visa by an employer.
- A person may apply for a visa through the Diversity Visa Lottery offered for nationals from specific countries by the U.S. State Department.

Immigrants can also obtain legal status based on humanitarian reasons such as being a victim of a crime or domestic violence in the U.S., or being from a country that is dangerous or where one faces persecution.

Certain individuals who are victims of crime, have suffered abuse from such crimes, and are willing to assist government officials in investigating the crime may be eligible for a U visa. Certain individuals who face persecution in their native country may be eligible for asylum.

A person who is undocumented and living in the U.S. is very unlikely to be able to obtain lawful status. Undocumented immigrants should be very careful with people who promise they can help them obtain legal residency and charge money for immigration applications.

For more information about lawful permanent residence, call the New York Office of New Americans Hotline at (212) 419-3737 or (800) 566-7636.

If you have already applied for lawful permanent residence and are experiencing a delay with your application, you may call the offices of your U.S. Representative, U.S. Senator, or the New York City Mayor’s Office of Immigrant Affairs for help in checking the status of your application. You may find contact information for these offices by calling 311.

Executive Actions on Immigration

DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

In June 2012, President Obama announced a program called “Deferred Action for Childhood Arrivals” or “DACA”) that will allow certain people who came to the United States as children to remain in the United States temporarily. DACA allows for a type of temporary permission to stay in the U.S. called “deferred action”, and grants work permits for two-year periods. To be eligible for DACA, applicants need to have been under the age of 31 on June 15, 2012, and to have continuously resided in the U.S. since June 15, 2007.

UPDATE: On September 5, 2017, President Trump announced that he would end the DACA program and requested that the U.S. Congress consider legislation to address the status of DACA recipients within six months. As of the publication of this manual, Congress has not acted on the President’s request. For the most up to date information, contact USCIS at 1-800-375-5283.

PROVISIONAL WAIVERS OF UNLAWFUL PRESENCE

As a result of President Obama’s Executive Action, some undocumented immigrants not covered by DACA may still qualify for waivers of unlawful presence in the United States. Please check with USCIS to find out if they are accepting applications for these waivers. You may call USCIS at 1-800-375-5283 or visit their website at www.uscis.gov/immigrationaction.

To be eligible for provisional waivers of unlawful presence, undocumented immigrants will need to meet the following criteria.

- Have unlawfully resided in the U.S. for at least 180 days and who are:
 - The sons or daughters of U.S. citizens; and
 - The spouse or unmarried sons or daughters of lawful permanent residents.

If you have been arrested or have had problems with the police, be sure to talk to a lawyer before you apply.

For more information about deferred action, call USCIS at 1-800-375-5283 or the New York Office of New Americans Hotline at (212) 419-3737 or (800) 566-7636.

UNACCOMPANIED IMMIGRANT MINORS

In instances when immigrant children, who are without a parent or guardian, are placed in removal or deportation proceedings, federal law requires that they be fed, sheltered, and provided with the necessary care while they await their immigration proceedings.

WHAT SERVICES ARE PROVIDED TO UNACCOMPANIED MINORS?

The United States Department of Health and Human Service (HHS) Office of Refugee Resettlement (ORR) places unaccompanied immigrant children in the custody of sponsors who will care for them

and provide for their well-being. While in the care of sponsors and awaiting the completion of their immigration cases, unaccompanied minors are eligible to receive many services including:

- Health care
- Social service assistance
- Educational access and support

In addition to these services, many city, state, and not-for-profit agencies in New York City provide direct legal and social service assistance for unaccompanied minors.

To inquire about assistance and services for unaccompanied minor children, you may contact the Mayor's Office of Immigrant Affairs at (212) 788-7654 or the New York Immigration Coalition at (212) 627-2227.

Voting and Civic Participation

WHO CAN REGISTER TO VOTE?

You must be registered to vote before you can vote in an election. To register to vote, you must:

- Be a U.S. citizen,
- Be at least 18 years old before the election,
- Be a New York City resident for at least 30 days,
- Not be in jail or on parole for a felony conviction,
- Not be determined mentally incompetent by a court, and
- Not claim the right to vote outside of New York City.

If you are a registered voter and your address changes, New York State law requires you to notify the Board of Elections within 25 days of the address change.

HOW DO YOU REGISTER TO VOTE?

You must complete and submit a voter registration form to register to vote. This form is available in English, Spanish, Chinese, Korean, and Bengali. You can submit a completed registration form in person or by mail.

To obtain a registration form, you may download a form from http://vote.nyc.ny.us/html/voters/voters.shtml , call (866) 868-3692 or visit a NYC Board of Elections Office:	
Main Office	32 - 42 Broadway, 7 th Floor New York, NY 10004 (212) 487-5400
Manhattan	200 Varick Street, 10 th Floor New York, NY 10014 (212) 886-2100
Bronx	1780 Grand Concourse, 5 th Floor Bronx, NY 10457 (718) 299-9017
Brooklyn	345 Adams Street, 4 th Floor Brooklyn, NY 11201 (718) 797-8800
Queens	118-35 Queens Boulevard Forest Hills, NY 11375 (718) 730-6730
Staten Island	1 Edgewater Plaza, 4 th Floor Staten Island, NY 10305 (718) 876-0079

You must hand-deliver or postmark your voter registration form at least 25 days before the election.

If you cannot read, you can still register by having someone help you complete the form. If you cannot sign your name, mark an “X” in the signature box and have a witness sign the affidavit box.

After completing the voter registration form, you may mail or hand-deliver it to the Board of Elections main office at 32 – 42 Broadway, 7th Floor, New York, NY 10004. Or hand-deliver it to the Board of Elections office in the borough in which you live.

WHERE DO YOU VOTE?

After you are registered to vote, the Board of Elections will send you a notice telling you where you should vote. You may also call (212) VOTE-NYC (212-868-3692) to ask where you should vote. Polls are open from 6:00 AM to 9:00 PM on Election Day.

HOW DO YOU VOTE BY ABSENTEE BALLOT?

If you cannot go to your poll site on Election Day because of your occupation, business, studies, travel, imprisonment (other than a convicted felon), illness, disability, hospitalization, or residence in a long term care facility, you may vote by absentee ballot.

To vote by absentee ballot, you may:

- Vote in person: go to your Board of Election Borough Office beginning 32 days before an election and ending on Election Day. You can vote between 9:00 AM to 5:00 PM, and on Election Day until 9:00 PM (Monday through Friday) and on the weekend prior to Election Day.
- Vote by mail: request and submit an absentee ballot application. This application is available in English, Spanish, Chinese, Korean, and Bengali. After you submit this application, you will receive an absentee ballot that you can use to vote.

To request an absentee ballot application: Call (212) VOTE-NYC (868-3692) to request an application be mailed to you. Download the application from: <http://www.vote.nyc.ny.us/html/voters/absentee.shtml>, or visit the Board of Elections office in your borough.

- You must use only a blue or black pen to complete the absentee ballot application.
- You cannot fax the application. You must only mail or hand-deliver it.

After you complete the absentee ballot, you must either hand-deliver it to the Board of Elections by the close of polls on Election Day or mail it to the Board of Elections postmarked no later than the day before Election Day. It must be received by the Board of Elections no more than 7 days after the election.

If you are permanently ill or disabled and cannot go to the polls to vote, you can request an absentee ballot be sent to you automatically for each election.

HOW DO YOU VOTE BY EMERGENCY ABSENTEE BALLOT?

If the deadline has passed for requesting an absentee ballot by mail and you cannot go to the polls on Election Day because of an accident or sudden illness, then you may send a representative with an authorized letter to receive an Absentee Ballot Application and Absentee Ballot and return both to your Board of Elections Borough Office by 9:00 PM on Election Day.

WHAT ARE MY RIGHTS AS A VOTER?

- All registered voters have the right to request and receive translation or interpretation in Spanish, Chinese, Korean, Hindi, or Bengali at certain voting sites throughout the five boroughs. Some of the materials that may be available in Spanish, Chinese, Hindi, Bengali, or Korean are ballots, voter registration forms, voting instructions, and other voting materials. In addition, some voting sites may have poll workers who speak Russian, Haitian Creole, Bengali, or Urdu and can help translate or interpret information.
- Voters with disabilities have the right to certain accommodations to help them vote.
- You may ask for instructions on how to use the voting machine.
- You may take anyone except your employer or union representative with you into the booth to help you vote.
- If you are registered but your name does not appear on the voter registration list or your signature is missing, you can still vote by affidavit ballot at your polling place.

To obtain information about your poll site or if you have any problems voting on Election Day such as being denied a paper ballot or being prevented from voting in some way, you can call NYPIRG at (212) 349-6460 or contact the Board of Elections at (212) 487-5400.

DO I NEED TO SHOW IDENTIFICATION WHEN I VOTE?

Certain new voters may be required to show identification when they arrive at the polls. Identification will be required of first-time voters in a federal election in New York who registered by mail on or after January 1, 2003, but who did not provide ID with their registration applications. The following forms of identification are acceptable for these voters to show at the poll:

- A driver's license or Department of Motor Vehicles non-driver photo ID card or other current and valid photo identification.
- A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

If a voter does not have the required identification, they can still vote using a paper (affidavit) ballot at their polling site.

WHAT DO I NEED TO KNOW ABOUT ELECTIONS?

There are generally two different kinds of elections: Primary Elections and General Elections. In New York, Primary Elections take place before General Elections.

A Primary Election is an election where the voters who registered in a particular party choose that party's candidates for the General Election. This election usually takes place in June for Federal candidates and in September for State candidates. Only voters who are registered in the political party can vote in the Primary Election of that party.

The General Election takes place in November with the results deciding who will hold the elected office such as President, Governor, Congress Member, Mayor, Councilmember, and other elected offices. Any registered voter can vote in the General Election. Candidates from many political parties run in General Elections.

HOW CAN I GET INVOLVED IN MY COMMUNITY OR IN GOVERNMENT?

- Join a community group, such as a block association, civic association, or not-for-profit organization.
- Participate or seek appointment to your local community board, or testify before the board to voice your concerns about community issues. For more information, see below.
- Become a member of your local police precinct council to tell your concerns to the police in your neighborhood.
- Participate or seek appointment to your Neighborhood Advisory Board for the Department of Youth and Community Development to tell City officials which needs and programs are most important to your community.
- Volunteer for a political campaign, attend a demonstration, or write or call elected officials.
- Stay informed: talk with your friends and neighbors, read the newspaper, and learn about the issues most important to your community, city, state, and nation.
- Pay attention to what your elected officials are doing after they are elected; make sure they do what they promised in the campaign. Share your opinions with your representatives and ask them for help.

WHAT ARE COMMUNITY BOARDS AND HOW CAN I GET INVOLVED?

Community Boards are local representative bodies consisting of 50 unpaid members appointed by the Borough President, with half nominated by City Council Members who represent the community district. There are 59 Community Boards in the City. Community Board members must reside, work, or have some other significant interest in the community district they represent.

Community Boards meet once each month. Board meetings are open to the public, and a portion of each meeting is reserved for the Board to hear from members of the public. In addition, Boards regularly conduct public hearings on the City's budget, land use matters, and other major issues to give the community members the opportunity to express their opinions.

Community Boards are consulted on placement of most municipal facilities in the community and on other land use issues. They may also initiate their own plans for the growth and well-being of their communities. Also, any application for a change in the NYC zoning resolution must come before the Board for review, and the Board's position is considered in the final determination of these applications.

Community Boards assess the needs of their own neighborhoods, make recommendations in the City's budget process to address them, and meet with City agencies.

For more information about how to get involved or be appointed to a Community Board in your borough, please contact the office of your borough president listed below.

Contact the office of your Borough President	
Bronx Ruben Diaz Jr. Borough President	851 Grand Concourse, 3rd Floor Bronx, N.Y. 10451 (718) 590-3500 http://bronxboropres.nyc.gov/
Brooklyn Eric L. Adams Borough President	209 Joralemon Street Brooklyn, N.Y. 11201 (718) 802-3700 http://www.brooklyn-usa.org/
Manhattan Gale A. Brewer Borough President	1 Centre Street, 19th Floor New York, N.Y. 10007 (212) 669-8300 http://manhattanbp.nyc.gov/html/home/home.shtml
Queens Melinda Katz Borough President	120-55 Queens Blvd. Kew Gardens, N.Y. 11424 (718) 286-3000 http://queensbp.org/
Staten Island James S. Oddo Borough President	10 Richmond Terrace, Room 120 Staten Island, N.Y. 10301 (718) 816-2000 http://www.statenislandusa.com/

Consumer and Financial Rights

WHAT TYPE OF IDENTIFICATION IS NEEDED TO OPEN A BANK ACCOUNT?

Many banks accept different types of identification such as an ITIN, the number from a U.S. or foreign government-issued identification with a photo, or other safeguard (such as a passport or consular identification). A consular identification card is a useful tool for immigrants in the banking system because it includes a photograph, local address, birthplace, and a unique identification number, but does not disclose immigration status. Some banks in New York accept consular identification cards. IDNYC is also accepted by a growing number of New York City banks and credit unions. For a list of banks and credit unions that accept IDNYC, visit the IDNYC website at: <http://www1.nyc.gov/site/idnyc/benefits/banks-and-credit-unions.page>.

CAN UNDOCUMENTED IMMIGRANTS TAKE OUT LOANS AND USE CREDIT?

Yes. Many banks, credit unions, and other lenders accept an Individual Tax Identification Number (ITIN) to issue credit cards and make personal, business and mortgage loans. The banks, credit unions and lenders then report the loan and the borrower's repayment information to credit reporting agencies.

Building a positive credit history is important for several reasons. It helps a person qualify for loans with lower interest rates and fees. Also, credit histories are considered by employers, landlords, insurance companies, and others when they make decisions about giving a person a job, an apartment, or other financial benefits.

It is important to build good credit history. A person who takes out loans or uses credit cards must be sure to pay off his or her loans and to check his or her credit reports. It is also important to check for errors that may appear on credit reports to make sure a credit report is accurate.

WHAT ARE FINANCIAL EMPOWERMENT CENTERS?

In 2008, New York City government opened its first Financial Empowerment Center to help low-income residents achieve financial stability. Today, there are Financial Empowerment Centers throughout the five boroughs of New York City. These centers are open to New York City residents and provide the following services:

- Money management and budgeting,
- Financial planning,
- Credit and debt counseling,
- Support for dealing with creditors,
- Affordable banking services,
- Government benefit screenings, and
- Referrals to other services and organizations.

For more information about financial empowerment assistance, contact the Department of Consumer Affairs Office of Financial Empowerment at 311 or <http://www1.nyc.gov/site/dca/partners/financial-empowerment.page>.

TAKE IT TO THE BANK: A NEW YORKER'S GUIDE TO AFFORDABLE CHECKING OPTIONS

The Office of the New York City Comptroller created an online resource called *Take it to the Bank* to help individuals find and compare affordable checking accounts.

Opening a bank account can help you save and grow your money safely. New Yorkers who use check cashers often pay hundreds of dollars a year just to access their own money. In contrast, banks provide useful tools such as the ability to directly deposit a paycheck, access your money, and pay bills at little or no cost. If you have a regular income and routinely pay bills, then a bank account may be an important step to improving your financial stability.

However it's important to understand the rules and costs of a bank account before opening one, and every account is different. You may consider asking the following questions as a starting point:

- How much money do I need to open an account?
- What are the monthly fees for the account? Are there ways to avoid these fees?
- Do I have to keep a certain amount of money in the account each month?
- Will I be charged fees for using another bank's ATM?
- How many transactions can I make each month free of charge?
- What happens if I write a check for more money than I have in my account, commonly referred to as "overdrawing"?

Take it to the Bank compares the fees and rules at different banks to help you find an affordable account that meets your needs, including locating banks that provide services in specific languages and accept IDNYC. Please visit the *Take It To The Bank* website at: www.takeittothebank.nyc.

Immigration Services

Immigrants can be defrauded and put in danger by dishonest immigration service providers. Any person who seeks immigration services should carefully select an immigration consultant or attorney for help. Some immigration consultants will falsely guarantee a certain outcome, make deceptive advertisements, or charge excessive fees for services. Immigrants should beware of these practices and research the consultants they choose to work with.

Local law protects immigrants from fraud by requiring any person or business that offers immigration assistance services (other than lawyers, not for profits, and government entities) in New York City to do the following:

- Provide a written contract that lists all services, fees, and costs to be charged to the consumer. The contract must be written in English and in the language understood by the consumer.
- Allow the consumer to cancel the contract within three days and receive a full refund.
- State in advertising and signs that the provider is not an attorney or accredited by the Board of Immigration Appeals, and that the provider cannot provide legal advice. Signs must be conspicuously posted in all languages in which services are provided.
- Keep copies of all records and documents prepared or obtained for the consumer for three years.
- Maintain a \$50,000 surety bond.

In addition, immigration service providers cannot:

- Charge fees for providing or filing government forms.
- Charge fees for services that are not performed.
- Fail to give the consumer copies of documents that were filed or fail to return original documents to the consumer.
- Use the title of lawyer or attorney in English or any other language or represent any other credentials that could cause a consumer to believe that the person has special professional skills or is authorized to provide advice on an immigration matter.
- Advertise legal services or give legal advice, if not authorized.
- Imply that they have special influence with government officials or agencies or make guarantees or promises unless there is a basis in fact for the promise and the promise or guarantee is in writing.
- Disclose any information to, or file any forms or documents with, immigration or other authorities without the knowledge or consent of the consumer.

To file a complaint about immigration service providers , contact:	
NYC Department of Consumer Affairs (DCA)	311
New York State Attorney General	(800) 771-7755
Brooklyn District Attorney’s Immigrant Affairs Program	(718) 250-3333
Manhattan District Attorney’s Immigrant Affairs Program	(212) 335-3600
Queens District Attorney’s Immigrant Affairs Program	(718) 286-6690
Office of New Americans Hotline	(212) 419-3737 or (800) 566-7636

IMMIGRANT ASSISTANCE SERVICE ENFORCEMENT ACT

In 2014, the Immigrant Assistance Service Enforcement Act was signed into State law, providing new and stronger legal protections for people seeking immigration assistance services in New York State.

The Immigrant Assistance Service Enforcement Act does the following:

- Makes clear that only attorneys and persons or organizations accredited by the Board of Immigration Appeals (BIA) can provide immigrant legal services.
- Strengthens translation requirements for immigration assistance services.
- Creates additional requirements for signs and contracts that immigration assistance service providers must use.
- Creates criminal penalties and increases civil penalties for people who defraud immigrants.
- Establishes the New York State Office of New Americans as an official executive agency to help immigrants obtain legal services, ESOL and civics classes, job training, and other assistance.

If you have questions about the Immigrant Assistance Service Enforcement Act and immigrant services and protections, please contact the Office of New Americans Hotline at 1 (800)-566-7636.

MANHATTAN DISTRICT ATTORNEY'S OFFICE IMMIGRANT AFFAIRS PROGRAM

The Manhattan District Attorney's Office has an Immigrant Affairs Program that focuses on prosecuting crimes against immigrants. Immigrants seeking lawful residency, citizenship, housing, and employment can be victims of fraud. The Immigrant Affairs Program aids documented and undocumented immigrant victims and witnesses, including those who may fear cooperating with law enforcement due to immigration status. Regardless of immigration status, a victim or witness of an immigration fraud, scam, or other crime can report that offense to the Immigrants Affairs Program. Victims of fraud may be able to recover money that is owed to them. It is the policy of the Manhattan District Attorney's Office not to report the immigration status of victims and witnesses to immigration officials.

To report or provide information about a fraud or other crime to the Immigrant Affairs Program in Manhattan, call: (212) 335-3600 (Interpreters are available in many languages). Or write to: Immigrant Affairs Program, One Hogan Place, Room 753A, New York, NY 10013.

BROOKLYN DISTRICT ATTORNEY'S OFFICE IMMIGRANT FRAUD UNIT

Similar to the Immigrant Affairs program in the office of the Manhattan District Attorney, the Brooklyn District Attorney has a program that focuses on the needs of immigrant communities and seeks to protect against fraud and other crimes committed against immigrants.

To report or provide information about a fraud or other crime to the Immigrant Fraud Unit in Brooklyn, call: (718) 250-3333 (Interpreters are available in many languages).

E-mail the unit at: IIFU@BrooklynDA.org, or write to: Immigrant Fraud Unit, 350 Jay Street, 16th Floor, Brooklyn, NY 11201.

QUEENS DISTRICT ATTORNEY'S OFFICE IMMIGRANT AFFAIRS UNIT

The Queens District Attorney's Office also has an Immigrant Affairs Unit to prosecute crimes against immigrants such as fraud and violence.

To report or provide information about a fraud or other crime to the Immigrant Affairs Unit in Queens, call: (718) 286-6690 (Interpreters are available in many languages) or write to: Immigrant Affairs Unit, 125-01 Queens Boulevard, Kew Gardens, NY 11415.

EXAMPLES OF FRAUD SCHEMES OR SCAMS

- Individuals or immigration service providers who represent themselves as attorneys and who provide legal advice when they are not licensed attorneys.
- Individuals who pretend to be agents for federal immigration authorities and offer special treatment or services.
- Individuals or businesses that promise immigrants employment or work visas they cannot provide.
- Construction companies that hire immigrants to work on government funded projects but do not pay them the salary required by law.
- Individuals who provide false investment opportunities or engage in pyramid schemes.
- Individuals who produce and sell fraudulent Social Security cards, licenses, passports, and other documents.
- Individuals or business that offer housing and other services but just take your money and disappear.

WHAT TO BE CAREFUL WITH

- Immigration service providers who tell you they can get you a special deal with the immigration authorities.
- "Notarios" are not always lawyers. In this country, a "notario" is rarely an attorney.
- Service providers who will not provide or return original documents or copies of forms submitted to the immigration authorities or other government agencies.
- Service providers who threaten to report you to the immigration authorities.
- Service providers with cash-only payment policies. Make sure to get a written receipt for any funds paid.

To confirm if an organization or representative is recognized by the Board of Immigration Appeals (BIA) and can represent clients in federal immigration courts only, visit the US Department of Justice, Executive Office for Immigration Review website at <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>.

To confirm whether an individual is a licensed attorney in New York State, contact: The New York State Unified Court System, Attorney Registration Unit at (212) 428-2800 or at www.nycourts.gov.

For referrals to legal and social services providers contact: New York State Office for New Americans Hotline at (800) 566-7636.

Small Businesses

WHERE CAN SMALL BUSINESS OWNERS FIND ASSISTANCE?

NYC Department of Small Business Services

The New York City Department of Small Business Services (SBS) is a City government agency that offers direct assistance to business owners and entrepreneurs looking to start their own business. SBS also encourages neighborhood development in commercial districts and promotes opportunity among minority- and women-owned businesses.

NYC Business Solution Centers bring the services of SBS to every borough to help businesses operate and expand in New York City. Services include:

- Business courses and business planning education.
- Legal review of contracts and leases with lawyers offering pro-bono services.
- Help understanding government regulations and meeting requirements.
- Financing assistance that identifies lenders and helps package applications.
- Hiring assistance that provides access to a ready pool of pre-screened job candidates.
- Minority/Women-owned Business Enterprise Certification that provides access to government contracting opportunities.
- Training funds that improve entry-level employee skills and increases the quality of business operations.
- Incentives that can save you money as your business relocates, expands, or makes capital improvements.

To contact or learn more about the NYC Business Solutions Program, you may call 311, visit <http://www.nyc.gov/html/sbs/nycbiz/html/home/home.shtml>, or visit one of these offices:

Bronx	400 East Fordham Road, 7 th Floor, Bronx, NY 10458 (718) 960-7910 <i>Monday-Friday 9:00AM-5:00PM</i>
Brooklyn	9 Bond Street, 5 th Floor, Brooklyn, NY 11201 (347) 296-8021 <i>Monday-Friday, 9:00AM-5:00PM</i>
Manhattan (Lower)	79 John Street, 2 nd Floor, New York, NY 10038 (212) 618-8914 <i>Monday-Friday, 9:00AM-5:00PM</i>
Manhattan (Upper)	361 West 125 th Street, 2 nd Floor, New York, NY 10027 (212) 749-0900 ext. 125 <i>Monday-Friday, 9:00AM-5:00PM</i>
Queens	168-25 Jamaica Avenue, 2 nd Floor, Jamaica, NY 11432 (718) 577-2148 <i>Monday-Friday, 8:30AM-5:00PM</i>
Staten Island	120 Stuyvesant Place, 3 rd Floor, Staten Island, NY 10301 (718) 285-8400 <i>By Appointment Only</i>

BUSINESS OUTREACH CENTERS (BOCS)

Business owners can also obtain assistance from programs called Business Outreach Centers (BOCs). Located throughout New York City, BOCs have business counselors to give you advice on subjects including, but not limited to:

- Business start-up/expansion,
- Access to financing,
- Business plan development,
- Management and legal assistance,
- Licensing and permit information, and
- Product pricing.

Contact the following BOC offices at:	
Business Outreach Center Network, Inc. Central Office	85 South Oxford Street, 2 nd Floor Brooklyn, NY 11217 (718) 624-9115 info@bocnet.org
Bronx	1231 Lafayette Avenue, 2 nd Floor Bronx, NY 10474 (718) 532-2926 bronxboc@bocnet.org
Queens	96-11 40 th Road, Ground Floor Corona, NY 11368 (718) 205-3773 queens@bocnet.org
Chinatown/Lower East Side Business Outreach Center CMP (formerly Chinatown Manpower Project)	70 Mulberry Street, 3 rd Floor New York, NY 10013 (212) 571-1692 chinatown@bocnet.org
Upper Manhattan Business Outreach Center Washington Heights and Inwood Development Corporation	57 Wadsworth Avenue (corner of 176th St) New York, NY 10033-7048 (212) 795-1600 uppermanhattan@bocnet.org

BOCs also sponsor the New “Business American-Style” Refugee Microenterprise Project which:

- Helps eligible refugees and asylees develop small businesses throughout New York City.
- Offers short-term and long-term entrepreneurial training, one-on-one business counseling, and access to loans of up to \$15,000.
- Is designed for those with special immigration status, including refugees and asylees, Cuban and Haitian entrants, certain Amerasians from Vietnam, and lawful permanent residents who used to hold one of these statuses.

Contact the New “Business American-Style” Refugee Microenterprise Project at:	
BOC Network, Inc.	(718) 624-9115 (Spanish, Haitian, French)
Staten Island BOC	(718) 816-4775
South Brooklyn BOC	(718) 253-5262 (Russian)
Met Council on Jewish Poverty (Queens)	(718) 275-5316 (Russian)

QUEENS-LAGUARDIA SMALL BUSINESS DEVELOPMENT CENTER

The Queens-LaGuardia Small Business Development Center is another organization that can help small businesses with their business plans, financing, complying with licensing and regulations, and exporting goods and services.

Contact Queens-LaGuardia Small Business Development Center at: 30-20 Thomson Avenue, Suite B309, Long Island City, NY 11101, (718) 482-5303, or visit laguardia.nyssbdc.org (appointments may take place online or in person).

U.S. SMALL BUSINESS ADMINISTRATION (SBA)

The U.S. Small Business Administration (SBA) is the federal government agency that provides assistance to small businesses. It offers the following assistance:

- Technical assistance (training and counseling),
- Financial assistance,
- Contracting assistance,
- Disaster recovery assistance, and
- Help understanding laws and regulation.

Contact SBA’s New York District Office at: 26 Federal Plaza, Suite 3100, New York, NY 10278, (212) 264-4354, or www.sba.gov/offices/district/ny/new-york.

WHAT PROGRAMS ARE IN PLACE TO HELP MINORITY AND WOMEN-OWNED AND DISADVANTAGED BUSINESS ENTERPRISES DO BUSINESS WITH THE CITY?

NYC Certification Programs promote fairness and equity in City procurement processes by providing services to help minority and women-owned businesses and disadvantaged businesses. Certified businesses obtain greater access to, and information about, contracting opportunities through classes, networking events, and targeted solicitations. Certification Programs include:

- **Minority and Women-owned Business Enterprise (M/WBE) Program**
For businesses that are at least 51% owned, controlled, and operated by U.S. citizen(s) or permanent resident(s) who is/are member(s) of a designated minority group(s) including Black, Hispanic, Asian American, OR a woman or women.

- **Emerging Business Enterprise (EBE) Certification Program**

For business owners who are socially or economically disadvantaged. One must demonstrate that they have been repeatedly excluded from mainstream American society and that this exclusion has resulted in tangible social and economic disadvantages.

- **Locally-Based Business Enterprise (LBE) Certification Program**

For businesses authorized to do business in New York State that perform at least 25% of their work in an economically depressed area in New York City, or employ a workforce of which at least 25% are economically disadvantaged persons, among other eligibility requirements.

The NYC Department of Small Business Services (SBS) certifies all participants in the program.

For more information about applying for certification, contact NYC Small Business Services at (212) 513-6311, or visit their website at <http://www.nyc.gov/html/sbs/nycbiz/html/contact/contact.shtml>.

VENDOR ROADMAP

Vendor Roadmap is a comprehensive guide created by NYC Comptroller Scott M. Stringer that helps businesses as they seek to do business with City government. Vendor Roadmap provides a step-by-step guide for enrolling as a City vendor, understanding the procurement process, and growing a business. Each step contains essential requirements and information for vendors to consider as well as links to valuable resources.

To obtain a copy of the Vendor Roadmap and learn more about the procurement process, visit the Vendor Roadmap website at <http://comptroller.nyc.gov/vendorroadmap/>. If you have questions regarding the process or the roadmap, you may contact the Office of the City Comptroller at (212) 669-3916 or by e-mail at vendorroadmap@comptroller.nyc.gov.

Resource Directory

This is a compilation of organizations, government agencies, and other resources that are identified in this manual and can help immigrants with many needs. These offices and resources are grouped by types of need, and include contact information.

Citizenship	
CUNY Citizenship Now!	Main Office: (646) 344-7245
Immigration Centers	<p>York College Welcome Center Atrium 94-20 Guy R. Brewer Blvd. Jamaica, NY 11451 (718) 262-2983</p> <p>Flushing Immigration Center 39-07 Prince Street, Suite 2B Flushing, NY 11354 (718) 640-9223</p> <p>City College Immigration Center North Academic Ctr., 1-206, 160 Convent Avenue New York, NY 10031 (212) 650-6620</p> <p>CUNY Express 560 W. 181st Street New York, NY 10033 (212) 568-4692</p> <p>Hostos Community College 427 Walton Street, T-501 Bronx, NY 10451 (718) 518-4395</p> <p>College of Staten Island, El Centro and Project Hospitality Immigration Center at The Help Center 514 Bay Street Staten Island, NY 10304 (718) 448-3470</p> <p>Medgar Evers College Immigration Center 1150 Carroll Street, Room 226 Brooklyn, NY 11225 (718) 270-6292</p>

Citizenship	
MinKwon Center for Community Action Immigration Legal Services	136-19 41 st Avenue, 3 rd Fl. Flushing, NY 11355 (718) 460-5600 ** For limited language access services
New York City Bar Association Legal Referral Service	(212) 626-7373 (English) (212) 382-7374 (Spanish)
New York Immigration Hotline	(212) 419-3737 or (800) 566-7636
Immigrant Defense Project (information about impact of criminal contact).	(212) 725-6422 http://www.immdefense.org/
Northern Manhattan Coalition for Immigrants Rights, Free Assistance with Citizenship Applications and Exam Preparation	(212) 718-0355 x305
Selective Service	(888) 655-1825 www.sss.gov
USCIS Customer Service	(800) 375-5283 or (800) 870-3676 Request USCIS forms by mail www.uscis.gov

Consulates	
Listing of all NYC Consulates	http://www.citidex.com/252.htm
Consulate General of Bangladesh in NY	34-18 Northern Blvd Long Island City, NY 11101 (212) 599-6767
Consulate General of China in NY	520 12th Avenue New York, NY 10036 (212) 244-9392
Consulate General of Colombia in NY	10 East 46 Street New York, NY 10017 (212) 798-9000
Consulate General of the Dominican Republic in NY	1501 Broadway, Suite 410 New York, NY 10036 (212) 768-2480
Consulate General of Ecuador in NY	800 Second Avenue, Suite 600 New York, NY 10017 (212) 808-0170
Consulate General of Guyana in NY	308 West 38th Street New York, NY 10018 (212) 947-5110
Consulate General of Haiti in NY	815 2nd Avenue, 6th Floor New York, NY 10017

	(212) 697-9767
Consulate General of India in NY	3 East 64th Street New York, NY 10065 (212) 774-0600
Consulate General of Jamaica in NY	767 Third Avenue, 2nd & 3rd Floors New York, NY 10017 (212) 935-9000
Consulate General of Korea in NY	460 Park Avenue New York, NY 10022 (646) 674-6000
Consulate General of Mexico in NY	27 East 39th Street New York, NY 10016 (212) 217-6430
Consulate General of Philippines in NY	556 5th Avenue New York, NY 10036 (212) 764-1330
Consulate General of Russia in NY	9 East 91 Street New York, NY 10128 (212) 534-3782
Consulate General of Trinidad and Tobago in NY	125 Maiden Lane, Unit 4A, 4th Floor New York, NY 10017 (212) 682-7272
Consulate General of Ukraine in NY	240 East 49th Street New York, NY 10017 (212) 371-6965

Consumer & Financial Rights	
NYC Department of Consumer Affairs (DCA)	311 www.nyc.gov/consumers
DCA Office of Financial Empowerment	311 http://www1.nyc.gov/site/dca/partners/financial-empowerment.page
Neighborhood Economic Development Advocacy Project (NEDAP)	212-680-5100

Deportation And Detention	
Bronx Defenders	(718) 838-7878
Executive Clemency Unit New York State Division of Parole	97 Central Avenue Albany, NY 12206

Families for Freedom	(646) 290-5551
Immigrant Defense Project	(212) 725-6422
Immigration and Customs Enforcement	NY: (212) 264-4213 NJ: (973)-645-3666
Legal Aid Immigration Law Unit	(212) 577-3456 <i>Wed and Fri afternoon</i>
Northern Manhattan Coalition for Immigrant Rights	(212) 781-0355 x305

Domestic Violence	
Domestic Violence Hotline	(800) 621-HOPE (800) 621-4673
New York State Child Abuse Hotline	(800) 342-3720
NYC Services for Domestic Violence Victims	311 www.nyc.gov/domesticviolence
Safe Horizon Domestic Violence Hotline	(800) 621-HOPE (4673)

EDUCATION	
Advocates for Children	(212) 947-9779 or (866) 427-6033
Department of Education (DOE) Division of Family & Community Engagement	(212) 374-2323 http://schools.nyc.gov/Offices/FACE/default.htm
DOE Community Education Councils	(212) 374-2323 schools.nyc.gov/Offices/CEC
DOE Office of Pupil Transportation	(718) 392-8855 www.optnyc.org
DOE New Students- Choices & Enrollment	http://schools.nyc.gov/ChoicesEnrollment/default.htm
Inside Schools	(866) 427-6033 www.insideschools.org
Legal Services for New York City	(212) 431-7200
Mexican American Legal Defense and Education Fund	http://www.maldef.org/assets/pdf/1415_MALDEF_Scholarship.pdf
Students Opening Doors for Others	http://www.neighborhoodlink.com/Students_Opening_Doors_For_Others_SODO/pages/456022
NYC Administration for Children's Services (ACS) Vacancy Information	311 or (212) 853-7150
NYC Chancellor's Regulation A-443: Student Discipline	http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm

NY Legal Assistance Group	(212) 613-5000
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Mayor’s Office of Immigrant Affairs	311
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HEALTH CARE

Health & Hospitals Corporation: Community Advisory Boards (CABs)	(212) 788-3349 www.nyc.gov/hhc
HRA Medicaid Help Line	(888) NYC-6116
NYC Human Rights Commission	311 or (212) 306-7450
US Department of Health & Human Services Office for Civil Rights	(212) 264-3313

HOUSING

MinKwon Center for Community Action Homeless Prevention Services	136-19 41 st Avenue, 3 rd Floor Flushing, NY 11355 (718) 460-5600 ** for limited language access services
NYC Commission on Human Rights	(718) 722-3131
NYC Department of Homeless Services	(800) 994-6494
NYC Department of Housing Preservation and Development	311
New York State Division of Housing and Community Renewal	(718) 739-6400

IMMIGRATION CONSULTANT FRAUD

Board of Immigration Appeals (BIA)	www.usdoj.gov/eoir
Manhattan District Attorney’s Office Immigrant Affairs Program	One Hogan Place, Rm 753A New York, NY 10013 (212) 335-3600
Brooklyn District Attorney’s Office Immigrant Fraud Unit	350 Jay Street, 16th Floor Brooklyn, NY 11201 (718) 250-3333
Queens District Attorney’s Office Immigrant Affairs Unit	125-01 Queens Boulevard Kew Gardens, NY 11415 (718) 286-6690
NYC Department of Consumer Affairs (DCA)	311

	www.nyc.gov/consumers
NY Immigration Hotline	(212) 419-3737 or (800) 566-7636
New York State Attorney General's Office	(800) 771-7755
New York State Unified Court System, Attorney Registration Unit	(212) 428-2800 www.nycourts.gov

LANGUAGE ACCESS

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LAWFUL PERMANENT RESIDENCE

Mayor's Office of Immigrant Affairs and Congressional Offices	311
NY Immigration Hotline	(212) 419-3737 or (800) 566-7636

PUBLIC BENEFITS

NYC Housing Authority (NYCHA)	<p>Bronx/Manhattan 478 E. Fordham Rd., 2nd Fl. Bronx, NY 10458 (718) 707-7771</p> <p>Brooklyn/Staten Island 787 Atlantic Ave. 2nd Fl. Brooklyn, NY 11238 (718) 707-7771</p> <p>Queens 90-27 Stuphin Blvd., 4th Fl. Jamaica, NY 11435 (718) 707-7771</p> <p>Mail Public Housing and Section 8 Applications to NYCHA P.O. Box 1342 Church Street Station New York, NY 10008</p>
NYC Human Resources Administration (HRA) Food Stamp Offices	311 or http://www1.nyc.gov/site/hra/locations/sn-ap-locations.page
HRA Job Center Sites	311 or http://www1.nyc.gov/site/hra/locations/job-locations.page

HRA Temporary Cash Assistance	311 or http://www1.nyc.gov/site/hra/help/cash-assistance.page
MinKwon Center for Community Action Public Benefits Services	136-19 41 st Avenue, 3 rd Fl. Flushing, NY 11355 (718) 460-5600 ** for limited language access services
U.S. Social Security Administration (SSA)	(800) 772-1213

SMALL BUSINESSES

Business Outreach Centers

Central Office: North Brooklyn

85 South Oxford Street, 2nd Fl.

Brooklyn, NY 11217

(718) 624-9115

northbrooklyn@bocnet.org info@bocnet.org

Bronx

866 C Hunts Point Avenue

Bronx, NY 10474

(718) 842-8888

huntspoint@bocnet.org

Chinatown/LES

Chinatown Manpower Project

70 Mulberry Street, 3rd Fl.

New York, NY 10013

(212) 571-1692 Chinatown@bocnet.org

Queens

96-11 40th Road, Ground Fl.

Corona, NY 11368

(718) 205-3773 queens@bocnet.org

South Brooklyn

1546 Coney Island Avenue, Suite 2

Brooklyn, NY 11230

(718) 253-5262 southbrooklyn@bocnet.org

Staten Island

West Brighton Community Local Development Corporation

1207 Castleton Avenue

Staten Island, NY 10310

(718) 816-4775

Upper Manhattan

SMALL BUSINESSES	
	<p>Washington Heights and Inwood Development Corporation 57 Wadsworth Ave. (176th St) New York, NY 10033 (212) 795-1600 uppermanhattan@bocnet.org</p>
<p>New “Business American-Style” Refugee Microenterprise Project</p>	<p>BOC Network (Central Office) (718) 624-9115</p> <p>Staten Island BOC (718) 624-9115</p> <p>South Brooklyn BOC (718) 253-5262</p> <p>Met Council on Jewish Poverty (212) 453-5262</p>
<p>LaGuardia Small Business Development Center</p>	<p>30-20 Thomson Ave. Suite B309 Long Island City, NY 11101 (718) 482-5303 or www.nyssbdc.org</p>
<p>Met Council on Jewish Poverty</p>	<p>80 Maiden Lane, 21st Fl. New York, NY 10038 (212) 453- 9500 (Russian)</p>
<p>NYC Business Solutions Programs</p>	<p>311 www.nyc.gov/sbs</p>
<p>NYC Business Solutions Center Offices</p>	<p>Bronx 358 East 149th St, Bronx, NY 10455 (718) 960-7988</p> <p>Brooklyn 9 Bond Street, 5th Fl., Brooklyn, NY 11201 (718) 875-3400</p> <p>Lower Manhattan Operated by Seedco 79 John Street, New York, NY 10038 (212) 618-8914</p> <p>Upper Manhattan Operated by Seedco 215 W. 125th St, 6th Fl., New York, NY 10027 (917) 493-7243</p> <p>Queens 168-25 91st Ave., 2nd Fl., Jamaica, NY 11432 (718) 577-2150 <i>Tues, Thurs, Fri 8:30- 5:00pm</i></p>

SMALL BUSINESSES	
NYC Department of Consumer Affairs	311 www.nyc.gov/consumer
NYC Department of Consumer Affairs Citywide Licensing Center	(212) 487-4436
NYC Department of Small Business Services	(800) U-ASK-SB or (800) 827-5722 www.nyc.gov/sbs
US Small Business Administration – New York District Office	26 Federal Plaza, Suite 3100, New York, NY 10278 (212) 264-4354 https://www.sba.gov/offices/district/ny/new-york
TAX RETURNS	
Earned Income Tax Credit	311 www.nyc.gov/eitc
NYC Department of Consumer Affairs	311 www.nyc.gov/consumer
Internal Revenue Service Taxpayer Assistance Center	(800) TAX-FORM (829-3676)
Individual Taxpayer Identification Number (ITIN) Application	www.irs.gov/pub/irs-pdf/fw7.pdf (English) www.irs.gov/pub/irs-pdf/fw7sp.pdf (Spanish)
Mail Applications to: IRS Austin Service Center ITIN Operation	IRS Austin Service Center ITIN Operation P.O. Box 149342 Austin, TX 78714-9342

VOTING AND CIVIC PARTICIPATION	
Mayor’s Community Assistance Unit	311
NYC Board of Elections Offices	<p>Main Office 32 Broadway, 7th Fl., New York, NY 10004-1609 (212) 487-5300 (866) VOTE-NYC (868-3692) (212) VOTE-NYC (868-3692) www.vote.nyc.ny.us</p> <p>Absentee Ballot Request: www.vote.nyc.ny.us/absentee.html</p> <p>Manhattan Office 200 Varick Street, 10th Fl., New York, NY 10014 (212) 886-2100</p> <p>Bronx Office 1780 Grand Concourse, 5th Fl., Bronx, NY 10457 (718) 299-9017</p>

	<p>Brooklyn Office 345 Adams Street, 4th Fl., Brooklyn, NY 11201 (718) 797-8800</p> <p>Queens Office 126-06 Queens Blvd., Kew Gardens, NY 11415 (718) 730-6730</p> <p>Staten Island Office 1 Edgewater Plaza, 4th Fl., Staten Island, NY 10305 (718) 876-0079</p>
New York Public Interest Research Group (NYPIRG)	(212) 349-6460

WORKERS' RIGHTS	
US Equal Employment Opportunity Commission (EEOC)	33 Whitehall Street, New York, NY 10004 (800) 669-4000
Girls and Educational Mentoring Services ("GEMS")	(212) 926-8089
Legal Aid Society Employment Law Project	(888) 218-6974
MinKwon Center for Community Action Worker's Rights Legal Services	136-19 41st Ave. 3 rd Fl., Flushing, NY 11355 (718) 460-5600 ** for limited language access services
MFY Legal Services	(212) 417-3838 <i>Mon & Tues: 2 – 5 PM</i>
NYC Commission on Human Rights	40 Rector Street, 10 th Floor New York, NY 10006 (212) 306-7450 or 311
NYC Comptroller	(212) 669-3916
NYC Department of Small Business Services	311
NYC Workforce 1 Career Centers	<p>Bronx 400 East Fordham Road, Bronx, NY 10458</p> <p>Brooklyn 9 Bond St, 5th Fl., Brooklyn, NY 11201</p> <p>Brooklyn Central Library 10 Grand Army Plaza, 2nd Fl., Brooklyn, 11238</p> <p>Far Rockaway 1637 Central Avenue, Far Rockaway, NY 11691</p> <p>Upper Manhattan 215 West 125th St, 6th Fl., New York, NY 10027</p>

WORKERS' RIGHTS	
	<p>Queens 168-25 Jamaica Ave., 2nd Fl., Jamaica, NY 11432</p> <p>Staten Island 60 Bay Street, Staten Island, NY 10301</p>
New York Committee for Occupational Safety and Health (NYCOSH)	(212) 227-6440 www.nycosh.org
New York County (Manhattan) District Attorney's Office, Sex Crimes Unit	(212) 335-9373
New York Immigration Coalition	(212) 627-2227
New York State Attorney General's Office Labor Division	(212) 416-8700
New York State Department of Labor Bureau of Immigrant Workers' Rights	(877) 466-9757
New York State Department of Labor Bureau of Public Works	(212) 775-3568
New York State Division of Human Rights	One Fordham Plaza, 4 th Floor, Bronx, NY 10458 (718) 741-8400
New York State Department of Labor Division of Labor Standards	75 Varick Street, New York, NY 10013 (212) 775-3880
New York State Department of Labor Unemployment Insurance Division	File through phone or web below (888) 209-8124 http://www.labor.ny.gov/unemploymentassistance.shtm
National Human Trafficking Resource Center	(888) 373-7888
US Department of Labor OSHA Regional Office	201 Varick Street, Room 670 New York, NY 10014 (212) 337-2378 or (800) 321-6742 (emergency hotline)
US Department of Labor OSHA Manhattan Office	201 Varick Street, Room 908 New York, NY 10014 (212) 620-3200
US Department of Labor, Wage & Hour Division	<p>New York City District Office 26 Federal Plaza, Rm 3700, New York, NY 10278 (212) 264-8185 or (866) 487-9243</p> <p>Brooklyn Area Office 2 Metro Tech Center, 7th Fl., 100 Myrtle Ave Brooklyn, NY 11201</p>

WORKERS' RIGHTS

Workers' Compensation Board

(800) 877-1373

Brooklyn

111 Livingston St., 22nd Fl., Brooklyn, NY 11201

Bronx/Manhattan

215 W. 125th St., New York, NY 10027

Queens 168-46 91st Avenue, Jamaica, NY 11432

Staten Island

60 Bay Street, Staten Island, NY 10301





New York City Comptroller Scott M. Stringer

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