

San Mateo County Immigrant Forum

August 21, 2025

Meeting Summary

Immigrant Legal Resource Center Updates:

Parenting and Family

- **ICE Parental Interest Directive changes, July 2025:** updated rules for cases involving parents in immigration custody. Parents can still make care plans for their children, but some supports included in the 2022 policy were reduced, and the policy no longer covers incapacitated adults.
 - Parents should still have option to make arrangements for children if they don't want to take with them for custody and deportation.
 - Priority for caretakers includes biological relatives and designees.
 - Will require recordkeeping and data (process not yet specified).
- **Office of Refugee Resettlement (ORR) – Minors in Immigration Custody:**
 - When children cross into the U.S. without a parent or legal guardian, the Office of Refugee Resettlement (a division of the U.S. Health and Human Services department) takes custody of them.
 - As of July 2025, the ORR has added stricter vetting to family members hoping to reunite with children in the department's custody. These requirements now include in-person appearances, interviews with immigration officers, and DNA testing to confirm biological relationships.
 - Sponsor application packets now require a tax ID or Social Security number for all adults in the household, not only for parents.
- **Flores Settlement Litigation:**
 - This 1997 settlement established nationwide standards governing detention conditions for youth in immigration custody. Although there have been ongoing legal challenges to the settlement, the existing standards remain in place.

Naturalization

- The process for becoming a U.S. citizen through naturalization has not changed. However, new guidelines require applicants to provide affirmative proof of **good moral character**.

- Preparing a naturalization application will now require additional documents to show good moral character, such as affidavits about work or education history, length of time in the U.S., or character references from neighbors.
- It is no longer enough to show the absence of negative factors (i.e. criminal convictions or immigration violations).
- ILRC will be putting together a practice alert soon.

USCIS Review Process for Immigration Applications

- USCIS updated its guidance to give officers more discretion when reviewing different immigration applications. This may include considering “anti-American activities” and reviewing social media.

Fees

- New and inconsistent fee requirements are being implemented for a variety of different immigration pathways -- including, but not limited to, green cards and long-pending asylum cases.
- Payment processes are unclear at this time. Applicants should keep detailed records of all payment attempts and clearly note which fees are being submitted and to which agency.
- Asylum cases pending more than a year may now require an annual fee, which could apply to anyone with a case pending as of July 2025.

Public Benefits

- Recent changes leave it up to states and agencies to decide who counts as a “qualified immigrant” for benefits. It is not yet clear how categories like TPS, U visa holders, parolees, DACA recipients, asylum applicants, or SIJS applicants will be treated, though a few agencies have started issuing guidance.
 - **U.S. Department of Agriculture (oversees WIC):** No major changes; states still decide who qualifies.
 - **Health and Human Services (HHS):** Rules for programs like Head Start and substance abuse prevention may get narrower, but details aren’t clear yet.
 - **Department of Education:** Undocumented children cannot be denied access to education, though college and college-related programs may have new limits for some immigrants.

Birthright Citizenship

- Legal challenges continuing. At this point, the law has not changed. People born in the U.S. are still U.S. citizens.

Office of Labor Standards and Enforcement (OLSE) Presentation

What the Office Does

- The County of San Mateo Office of Labor Standards Enforcement (OLSE), launched in July 2025, promotes worker rights, focusing on minimum wage and wage theft.
- OLSE investigates minimum wage violations in certain areas (All unincorporated San Mateo County including Coast and North Fair Oaks, Belmont, Burlingame, Foster City, Menlo Park, Redwood City, San Mateo), and provides community education for workers and employers.
 - o OLSE hoping to partner with agencies servicing workers in the listed areas, reach out **olse@smcgov.org** if interested.

Labor Advice Hotline

- Workers can call **1-866-870-7725** to discuss concerns, decide whether to file a claim, or receive referrals to other agencies if OLSE can't address an issue.
- Claims can be submitted anonymously, though this will make it harder to investigate claims and communicate about next steps.
- The hotline supports multiple languages.

Your Rights at Work

- **Disclaimer:** The rights below mentioned apply to most—but not all—San Mateo County workers. These notes offer basic information and don't cover exceptions that may apply. This content does not constitute legal advice. Visit OLSE's website [here](#) for links to more detailed information, or call the **Labor Advice Hotline** to discuss your situation with an attorney.
- Key Workers Rights in San Mateo County:
 - o **Minimum wage:** All workers must be paid at least the local minimum wage, which in some cities is higher than the state's \$16.50/hour.
 - o **Overtime:** Time-and-a-half pay after 8 hours in a day or 40 hours in a week; double pay after 12 hours in a day.
 - o **On-time pay:** Employers must set a regular payday and pay wages on schedule.
 - o **No unfair deductions:** Employers cannot deduct costs for uniforms, tools, or other items needed for work.
 - o **Correct classification:** Workers must be classified as employees unless they meet the legal criteria to be classified as independent contractors;

contact OLSE for help figuring out if you/a worker has been misclassified. Misclassification is common in construction, janitorial, and domestic work.

- **Protection from retaliation:** Workers are protected from punishment for filing complaints or exercising their rights under most worker protection laws.
- **Right to organize:** Workers can join with coworkers to improve conditions, with or without a union.

When to Contact OLSE

- To file a minimum wage complaint in the areas listed above.
- **With any question related to workplace rights** – For areas/issues outside OLSE’s direct jurisdiction, the Labor Advice Hotline can connect callers to the appropriate resources.
- When a worker or employer seeks guidance on compliance or educational resources.

OCA Updates

- **Welcoming Week, September 12 – 21st:** The Office of Community Affairs will be partnering with various San Mateo County Libraries for story times throughout the County. We will send out a list of locations and times soon.
- OCA is available to table, provide materials, or deliver KYR presentations on basic immigrant rights. Request a **presentation** [here](#), **Resource Guides** for your organization [here](#), and request **Red Cards** [here](#).

Agency Updates

- **Familias Unidas:** new 9-week workshop underway for parents interested in learning how to support their childrens’ academic success. For more details, visit their website [here](#) or reach out to Ninfa.
- **KARA Grief Support** offers dedicated Spanish language grief services for free, no insurance needed. A survivors of suicide support group (offered in Spanish) will be starting on October 9th. KARA is also available to do presentations or grief 101 workshops at organizations. For more information, visit their website [here](#).
- **Jefferson Elementary School District is hosting a Community Resource Night on October 9th**- if interested in tabling and outreaching to North San Mateo County families, RSVP [here](#).