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What Every Contractor Should Know About ICE Raids and Jobsite Delays



Legal Alert

For contractors already dealing with tight schedules and slim margins, an ICE enforcement action is not just a legal matter, it can throw an entire project off track.

Construction remains a top target for ICE. While the laws themselves have not changed, enforcement priorities have. Even if your company is not directly targeted, a raid aimed at undocumented workers on a shared jobsite can still affect your workforce and your timeline.

Georgia's E-Verify and I-9 Requirements

Georgia contractors have additional compliance responsibilities that cannot be ignored:

- E-Verify is required for Georgia employers with more than 10 full-time employees, including contractors and subcontractors on both public and private projects.
- Contractors on public works projects must submit E-Verify affidavits and include compliance language in their contracts.
- Every employee must have a properly completed and stored Form I-9, regardless of citizenship.
- General contractors may face exposure if subcontractors fail to meet Georgia's E-Verify obligations.

During a worksite inspection, ICE frequently checks I-9 records and E-Verify participation, so keeping accurate, up-to-date documentation is critical.

What has Changed?

A January 20, 2025 executive order titled "Protecting the American People Against Invasion" has led to increased immigration enforcement. The Department of Justice now actively investigates employers who knowingly hire undocumented workers, especially if employees have criminal backgrounds, gang ties, or drug involvement. Contractors need to be aware: ICE is not just looking at individuals – it is looking at employers, too.

Different Types of Warrants

- Judicial Search Warrants: Allow entry into private property and seizure of listed items. Compliance is mandatory.
- Judicial Arrest Warrants: Allow ICE to arrest specific individuals. Employers must comply.
- Administrative Warrants: Allow searches in public areas only; private areas require consent.

Best Practices During a Raid

- Stay calm and follow instructions.
- Verify and copy the warrant.
- Contact legal counsel immediately.
- Avoid interfering with agents.

- Document all actions and items seized.
- Remind employees of their rights.
- Resume work only after ICE leaves and the site is confirmed safe.

Preventive Steps to Reduce Risk

- Conduct regular I-9 audits and train HR on employment verification.
- Have a clear ICE response plan and ensure key staff know their roles.
- Work with legal counsel to review compliance and stay current on regulations.

Bottom Line

ICE raids are happening often, and construction contractors are in the spotlight. Preparation matters. Staying compliant, training your team, and knowing how to respond if ICE shows up can help protect your crew, keep projects moving, and reduce costly disruptions.

Ms. Sharifi and Mr. Bever advise and represent business clients on I-9 compliance, government I-9 audits, and strategic responses to ICE raids and enforcement actions.

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