

Sample Letter: Updating Social Security Number with Employer

You may wish to use the sample letter on the next page if you work in California and your employer has refused to update your employment records with your new Social Security Number.

Legal Aid at Work cannot ensure the information in this sample letter is current, or be responsible for any use it is put to. It is always best to consult with an attorney about your particular situation to determine your rights and the best steps to take when you think your rights may have been violated. If you would like to speak to someone, you can contact our [workers' rights clinics](#). You can also review our fact sheet on [updating your social security number with your employer](#).

IMMIGRANT WORKERS

It is illegal for employers to retaliate against any worker because she asserts her workplace rights—for example, by contacting federal immigration authorities. Unfortunately, this type of retaliation does happen, and it can have serious consequences for immigrant workers. If you lack legal status or work authorization in the United States, you should consult with an immigration attorney about the risks employer retaliation could entail for you.

RELATED TAX INFORMATION

When updating your Social Security Number with your employer, you should consider whether you should also update your IRS Form W-4. This will allow the appropriate taxes to be withheld from your paycheck and credited to your Social Security Number. For more information, please see <https://www.irs.gov/uac/about-form-w4>.

[DATE]

[EMPLOYER'S NAME]

[EMPLOYER'S ADDRESS]

Dear [Employer]:

I write to renew my request that you update my Social Security Number so that the appropriate taxes are withheld from my paycheck and credited to my new Social Security number. On [date], I requested that you update my Social Security Number in my employment records, but you refused my request.

There are many possible reasons why someone can update her SSN. For example, according to the Social Security Administration, one can obtain a new SSN if similar numbers assigned to members of the same family are causing confusion, more than one person has been assigned the same number, or an individual has a cultural or religious objection to their SSN. *See Social Security Administration, "Can I Change My Social Security number?", available at <https://faq.ssa.gov/link/portal/34011/34019/Article/3789/Can-I-change-my-Social-Security-number>.* Moreover, the federal government has a specific procedure for how this is done for purposes of completing a new I-9 Form. *See USCIS Employer Handbook, available at <http://www.uscis.gov/files/form/m-274.pdf>.* Additionally, the Internal Revenue Service allows employees to complete a new Form W-4 each year and when her personal or financial situation changes.

Your refusal to accept my updated Social Security Number may be unlawful under California law. California Labor Code § 1024.6 makes it unlawful for an employer to fire, discriminate, retaliate, or take any adverse action against an employee who updates his or her personal information based on a lawful change of name, social security number, or federal employment authorization document. Given this, I see no further reason for delay and expect that my request will not result in any adverse action against me.

Please let me know when I may meet with you to update my personal information.

Sincerely,

[YOUR NAME]