

Department of Justice

Office of Public Affairs

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Justice Department Settles Allegations of Immigration-Related Employment Discrimination Against American Academy of Pediatrics

WASHINGTON – The Justice Department today reached a settlement agreement with the American Academy of Pediatrics (AAP), an organization of 60,000 pediatricians based in Elk Grove Village, Ill., resolving allegations that the organization impermissibly allowed postings on its www.PedJobs.org website that limited applications to U.S. citizens and certain visa holders. AAP has agreed to pay \$22,000 in civil penalties.

According to the department's findings, PedJobs' employment postings for doctors, nurses and other professionals impermissibly limited applications to U.S. citizens and certain visa holders, even though other work authorized immigrants should have been allowed to apply as well. The Immigration and Nationality Act (INA) generally prohibits recruiters or referrers for a fee from discriminating on the basis of citizenship status.

Under the terms of the settlement agreement, AAP will monitor its job postings to ensure that work authorized individuals are treated equally. AAP has also agreed to train its PedJobs personnel about its non-discrimination responsibilities under the INA, and to provide periodic reports to the department for three years.

“No one who has the right to work in the United States should be deterred from applying for a job because of a discriminatory posting,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. “Companies that derive revenue from job postings have responsibilities under the anti-discrimination provisions of the Immigration and Nationality Act, and we look forward to working with those companies to achieve and to maintain compliance.”

The INA includes a provision designed to protect work-authorized immigrants . When Congress enacted this provision as part of the Immigration Reform and Control Act of 1986, it sought to strike a balance between immigration worksite enforcement and the civil rights of workers. While employers are banned from hiring unauthorized workers, they must also treat all work-authorized individuals the same regardless of citizenship status or national origin.

The Civil Rights Division's Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the anti-discrimination provision of the INA, which protects work authorized individuals against discrimination in hiring, firing and recruitment or referral for a fee on the basis of citizenship status and national origin. The INA also protects all work-authorized individuals from discrimination in the employment eligibility verification process and from retaliation.

For more information about protections against employment discrimination under federal immigration law, call OSC's worker hotline at 1-800-255-7688 (1-800-237-2515, TDD for hearing impaired), OSC's employer hotline at 1-800-255-8155 (1-800-237-2515, TDD for hearing impaired); e-mail oscrt@usdoj.gov ; or visit OSC's website at www.justice.gov/crt/about/osc .

<http://www.justice.gov/opa/pr/2011/May/11-crt-705.html>