

Department of Justice

Office of Public Affairs

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Justice Department Settles Allegations of Immigration-related Employment Discrimination Against Catholic Healthcare West

WASHINGTON – The Justice Department today announced that it has reached a settlement agreement with Catholic Healthcare West (CHW) to resolve allegations that CHW engaged in a pattern or practice of citizenship status discrimination by imposing unnecessary and discriminatory hurdles to employment for work-authorized individuals. CHW is the eighth largest hospital provider in the nation, operating facilities in California, Nevada and Arizona.

According to the department's findings, CHW required non-U.S. citizen and naturalized U.S. citizen new hires to present more work authorization documents than required by federal law, but permitted native born U.S. citizens to provide documents of their own choosing. The Immigration and Nationality Act (INA) prohibits employers from imposing different or greater employment-eligibility verification (I-9) standards on the basis of a worker's citizenship status.

Under the terms of the settlement, CHW has agreed to pay \$257,000 in civil penalties –the largest amount of civil penalties ever paid to resolve such allegations – and \$1,000 in back pay to the charging party. CHW has also agreed to review its past I-9 practices at all of its 41 facilities in order to identify and compensate any additional victims of over-documentation who have lost wages as a result, and to devise and implement policies and procedures for ensuring best practices with regard to hiring and employment eligibility verification. Further, CHW has agreed to train its recruitment personnel on their responsibilities not to discriminate and provide periodic reports to the department for three years.

"All workers who are authorized to work in the United States have the right to look for a job without encountering discrimination because of their immigration status or national origin," said Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division. "We are pleased to have reached a settlement with CHW and look forward to continuing to work with public and private employers to educate them about anti-discrimination protections and employer obligations under the law."

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 the immigration laws, call 1-800-255-7688 (OSC's worker hotline) (1-800-237-2525, TDD for hearing impaired), 1-800-255-8255 (OSC's employer hotline) (1-800-362-2735, TDD for hearing impaired), or 202-616-5594; email oscrt@usdoj.gov; or visit OSC's website at www.justice.gov/crt/osc.

<http://www.justice.gov/opa/pr/2010/October/10-crt-1166.html>