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Justice Department Files Lawsuit Alleging Immigration-Related Employment Discrimination by University of California, San Diego Medical Center

WASHINGTON – The Department of Justice announced today the filing of a lawsuit against the University of California, San Diego Medical Center, alleging that the medical center discriminated in the employment eligibility verification process against people who are authorized to work in the United States.

The department's independent investigation revealed that the medical center engaged in a pattern or practice of subjecting newly hired non-U.S. citizens to excessive demands for documents issued by the Department of Homeland Security in order to verify and re-verify their employment eligibility, but did not require U.S. citizens to show any specific documentation. The Immigration and Nationality Act's (INA) anti-discrimination provision prohibits employers from placing additional documentary burdens on work-authorized employees during the hiring and employment eligibility verification process based on their citizenship status or national origin.

“All workers who are authorized to work in the United States have the right to work 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 committed to vigorously protecting authorized workers from discrimination in the hiring process and ensuring that employers uphold their obligations under the law.”

The complaint seeks a court order prohibiting future discrimination by the respondent, monetary damages for any individuals harmed by the respondent's actions, and civil penalties.

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.

The United States is represented in this matter by Luz V. Lopez-Ortiz and Ronald Lee, OSC Trial Attorneys.

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), or 202-616-5594; e-mail oscrt@usdoj.gov; or visit OSC's website at www.justice.gov/crt/about/osc.

<http://www.justice.gov/opa/pr/2011/December/11-crt-1578.html>